



June 04, 2025

Aheer Transportation Ltd.
8380 River Road
Delta, BC V4G 1G7

Commissioner's Decision
Aheer Transportation Ltd. (CTC Decision No. 15/2025)

Introduction

1. Aheer Transportation Ltd. ("Aheer") is a licensee within the meaning of the *Container Trucking Act* (the "Act") and the *Container Trucking Regulation* ("the Regulation").
2. Section 16 (1)(b) of the *Act* states that a licensee must carry out container trucking services in compliance with:
 - this Act and the regulations,
 - the licence, and
 - if applicable, an order issued to the person under this Act.
3. Aheer currently operates under a container trucking services licence that came into force on December 1, 2024 ("2024 CTS licence"). Section 6.16 of the CTS licences states that Aheer must carry out Container Trucking Services for On-Dock Trips and Off-Dock Trips using only truck tags allocated by the Commissioner on the conditions imposed by the Commissioner. Section 6.17 states that the licensee must assign a truck tag to each truck performing container trucking services for On-Dock trips and Off-Dock trips. "Truck Tag" is defined as meaning "an OBCCTC decal affixed to a truck pursuant to this Licence." As per section 1(d)(i) of Appendix B to Schedule 1 of the CTS licence, licensees must ensure that all Approved Vehicles used by the licensee for container trucking services display a Truck Tag on the approved truck to carry out Container Trucking Services for On-Dock Trips and Off-Dock Trips.
4. Under section 31 of the *Act*, the Commissioner may conduct an audit or investigation to ensure compliance with the *Act*, the *Regulation* or a license.

Background

5. The Office of the BC Container Trucking Commissioner ("OBCCTC") introduced the OBCCTC truck tag¹ in October 2023 to help achieve the following:
 - a. enhance visibility of tagged trucks approved to perform CTS work.
 - b. streamline tracking of all trucks performing CTS work.

¹ Industry Advisory – Introduction of the OBCCTC Tag

- c. to assist in off-dock enforcement (by identifying approved trucks performing CTS work off-dock).
- 6. Since the introduction of the OBCCTC truck tag, the OBCCTC has spent significant resources installing OBCCTC decals on all approved trucks (both company and I/O trucks) with multiple opportunities for licensees to ensure their trucks performing CTS are properly tagged.
- 7. On or about November 27, 2024, the OBCCTC issued Aheer a 2024 CTS licence which came into effect on December 1, 2024.
- 8. On or about November 27 2024, the OBCCTC advised Aheer to send a representative of Aheer to pick up their expiry decals.²
- 9. On or about November 27, 2024, a representative of Aheer picked up the expiry decals that had been allotted to Aheer under its new license and received instructions to install the OBCCTC expiry decals on each approved truck in Aheer's fleet (both approved company and I/O trucks) before December 1, 2024 and was reminded that failure to do so may result in Aheer being non-compliant with their 2024 CTS Licence.

Investigation

- 10. On March 3, 2025, Aheer requested the deactivation of 5 trucks that were previously approved with OBCCTC tags with 5 new trucks. The 5 new trucks were entered into the TLS system by Aheer's staff
- 11. On March 4, 2025 at 1:48pm, the Vancouver Fraser Port Authority TLS Administrator ("TLS") processed the deactivation of the following trucks:
 - i. Unit: 116
VIN: 3AKJHLDR7PSNT6828
Licence Plate: WR0153
 - ii. Unit: 118
VIN: 3HSDZAPT6LN808367
Licence Plate: WR0155
 - iii. Unit: 119
VIN 1FUJHLDR1KLKT0082
Licence Plate: WR0157
 - iv. Unit: 120
VIN: 3AKJHLDR6RDUW0185
Licence Plate: WR0159
 - i. Unit: 122
VIN: 1FUJHLDR5KLKT0098
Licence Plate: WR0102

² Notice of Expiry Decal - Aheer

12. On March 4, 2025 at 1:48pm, TLS scheduled the following trucks to attend a GPS appointment and advised that these trucks were not approved until they attended their GPS appointment:
 - i. Unit: 116
VIN: 3HSDZAPR0TN268440
Licence Plate: WR0115
 - ii. Unit: 118
VIN: 3HSDZAPR6TN273951
Licence Plate: WR0116
 - iii. Unit: 119
VIN: 3HSDZAPR0TN275727
Licence Plate: WR0117
 - iv. Unit: 120
VIN: 3HSDZAPR2TN266544
Licence Plate: WR0118
 - v. Unit: 122
VIN: 3HSDZAPRXTN255971
Licence Plate: WR0119
13. On March 4, 2025 the OBCCTC advised Aheer that the trucks (referenced in paragraph 12) were not approved by the OBCCTC to perform container trucking services until they had the OBCCTC truck tag installed as per Aheer's 2024 CTS licence and reminded Aheer to return the truck tags from those trucks being removed from its fleet.
14. On March 5, 2025 Aheer inquired as to whether the OBCCTC truck tags could be picked up and installed by staff. Again, the OBCCTC advised Aheer that the truck tags must be installed by OBCCTC staff and that, until such time, the trucks were not approved to perform container trucking services.
15. On March 5, 2025, Aheer truck unit 118, truck licence plate WR0118 ("New Unit 118"), moved container MSNU5546485 ("Impugned Container #1") on or around Annacis Island but did not display an OBCCTC truck tag.
16. On March 5, 2025, Aheer truck unit 122, truck licence plate WR0119 ("New Unit 122"), moved container UETU6276620 ("Impugned Container #2") on or around Annacis Island but did not display an OBCCTC truck tag.
17. On March 7, 2025, the OBCCTC wrote to Aheer regarding the above.
18. Aheer was provided with an opportunity to provide certain records and submissions on or before March 14, 2025.
19. On March 11, 2025, Aheer's legal counsel sought an extension until March 17, 2025.
20. On March 12, 2025, Aheer sought an extension to April 2, 2025.
21. On March 12, 2025, Aheer's legal counsel advised that Aheer's dispatcher was away until the end of the month, claiming the dispatcher held "crucial" information related to the allegations against Aheer.

22. On March 13, 2025 the OBCCTC granted an extension to March 17, 2025 and noted that the requested records should be the possession of Aheer and easily accessible but granted Aheer until April 2, 2025 to provide any additional submissions to accommodate the absence of the dispatcher.
23. On March 17, 2025, Aheer provided the OBCCTC with the records requested for New Unit 118 and New Unit 122.
24. On April 2, 2025, Aheer's legal counsel provided submissions and a letter from a dispatcher advising he was out of the country and had given his dispatch responsibilities to a relatively inexperienced dispatcher. Aheer also provided two statements from drivers stating that they had been out of work since December 1, 2024 and were facing financial hardships.
25. The trip sheets provided by Aheer confirmed that the trucks in question had been performing CTS work prior to being authorized and approved by TLS and by the OBCCTC and without displaying OBCCTC truck tags.
 - a. On March 5, Unit 118 performed 2 off-dock moves:
 - Container MSNU5446485 from Aheer's yard to [REDACTED] facility on Annacis Island.
 - Container number OOCU9378841 from Coast 2000 to [REDACTED] facility.
 - b. On March 6, Unit 118 performed 5 off-dock moves:
 - Container MSDU5472102 from Aheer's yard to [REDACTED].
 - Container EGSU1590206 from Gulzar yard to Coast Lulu Island.
 - Container EITU1460112 from Coast 2000 to Coast Lulu Island.
 - Container TCNU4169099 from Damco Queensborough to Euro Asia Mitchell Island, Richmond.
 - Container TCKU6853146 from Damco Queensborough to Aheer's yard in Delta.
 - c. On March 4 Unit 122 performed 7 off-dock moves:
 - Container EXGU5532658 from Aheer Yard to [REDACTED].
 - Container TCNU2623031 from Lulu Island to Adessa Yard.
 - Container MRSU5387389 from Lulu Island to Adessa Yard.
 - Container MRSU4984638 from Lulu Island to Adessa Yard.
 - Container SUDU8596019 from Lulu Island to Adessa Yard.
 - Container TCNU2054573 from Lulu Island to Adessa Yard.
 - Container MSKU1590020 from Lulu Island to Adessa Yard.
 - d. On March 5, Unit 122 performed 3 off-dock moves:
 - Container UETU6276620 from Aheer Yard to [REDACTED] facility.
 - Container OOLU9838780 from Coast 2000 to [REDACTED] facility.
 - Container EGBU6106994 from Gulzar yard to Coast Lulu Island.

- e. On March 6, Unit 122 performed 5 off-dock moves:
 - Container EITU1674259 from Gulzar yard to Coast Lulu Island.
 - Container OOCU9790587 from Aheer yard to [REDACTED].
 - Container HMMU7060491 from [REDACTED] to Coast 2000.
 - Container APZU4388090 from Damco Queensborough to Euro Asia Mitchell Island

Decision

26. As described above, the circumstances of this case are:

- a. On March 4, 2025, the OBCCTC advised Aheer that its new trucks were not approved to perform CTS work until the OBCCTC tags had been installed.
- b. On March 5, 2025, Aheer truck Units 118 and 122 were observed performing CTS without a valid OBCCTC tag.
- c. On March 7, 2025, the OBCCTC inquired about the above and request relevant records.
- d. On March 11 and 12, 2025, Aheer and its legal counsel requested extensions citing to “extensive nature of documents requested” and the absence of the dispatcher holding “crucial” information related to the allegations against Aheer.
- e. On March 13, 2025 the OBCCTC granted an extension to March 17, 2025 to provide the requested records and noted that the materials requested should be reasonably accessible.
- f. Aheer acknowledged that untagged trucks were used in connection with the Impugned Containers and said that its dispatcher had dispatched the drivers in error and the drivers involved had been out of work since December.

27. The trip sheets provided by Aheer establish that Unit 118 performed seven off-dock trips over two days and Unit 122 performed 15 off-dock trips over three days. Aheer acknowledges that untagged trucks were used in connection with the Impugned Containers and said that its dispatcher had dispatched the drivers in error because the drivers involved had been out of work since December. Aheer claims that the drivers were pressuring both management and the dispatcher for assignments and therefore under “significant pressure” the dispatcher “inadvertently” assigned the untagged trucks to perform container trucking services. Regardless of the amount of pressure faced by staff and/ or management, licensees are required to abide by the conditions of the CTS licence, *Act* and *Regulation*.

28. Section 34 of the *Act* provides that, if the Commissioner is satisfied that a licensee has failed to comply with the *Act*, or the terms and conditions of the Licensee’s licence, the Commissioner may impose a penalty or penalties on the licensee. Available penalties include suspending or cancelling the licensee’s licence or imposing an administrative fine. Under section 28 of the *Regulation*, the maximum administrative fine the Commissioner may impose in the case of a contravention relating to the payment of remuneration or fuel surcharge is \$500,000, and in any other case, the maximum is \$10,000.

29. In keeping with the purposes of the legislation, the factors which will be considered in assessing the appropriate administrative penalty include the following, as set out in Smart Choice Transportation Ltd. (OBCCTC Decision No. 21/2016), Goodrich Transport Ltd. (OBCCTC Decision No. 06/2023), and Maersk Logistics and Services Canada Inc. (OBCCTC Decision No. 07/2025):
- a. The seriousness of the respondent's conduct
 - b. The damage done to the integrity of the Container Trucking Industry
 - c. Factors that mitigate the respondents conduct;
 - d. The need to demonstrate the consequences of inappropriate conduct to those who enjoy the benefits of having a CTS License;
 - e. The need to deter licensees from engaging in inappropriate conduct; and
 - f. Orders made by the Commission in similar circumstances in the past.
30. Historically labour disruptions in the container trucking industry were caused in part because there were too many trucks chasing too few containers, forcing drivers and companies to undercut each other's rates. The drivers and companies would compensate for their lower wages by increasing the number of containers they moved each day. This practice led to an unequal distribution of work as the lowest paid drivers moved the most containers. As it eventually became less economically viable for drivers to move containers, labour unrest occurred.
31. In order to address this instability in the drayage sector, the OBCCTC adopted the Vancouver Fraser Port Authority's ("VFPA") truck tag system. Only licensees with valid truck tags are permitted to perform specified container trucking services. Like the VFPA before it, the OBCCTC has limited the number of truck tags to limit congestion and to balance the amount of work against the number of tagged trucks and drivers. A valid truck tag is a visible indicator to other container drivers and licensees that the truck is registered with the OBCCTC and is approved to perform container trucking services.
32. In the present case, Aheer does not dispute that it failed to display a valid OBCCTC tag. Aheer says it was human error that the untagged trucks were dispatched due to "persistent pressure from both drivers." While humans do make mistakes, it is hard to believe that such a mistake can have happened for three consecutive day, and without management noticing that the untagged/ unapproved trucks were not parked in the yard. To say that the drivers really needed to work does not excuse the dispatch of untagged and unapproved trucks.
33. Section 1(d)(i) of Appendix B to Schedule 1 of the CTS licence requires licensees to display truck tags on all approved trucks carrying out container trucking services for On-Dock Trips and Off-Dock Trips. Aheer breached this provision by performing container trucking services using trucks that did not display valid OBCCTC tag. This is the case in spite of emails from the OBCCTC to Aheer's dispatch manager and directing mind of Aheer, advising that the new trucks required OBCCTC tags and therefore were not approved to perform CTS work.

34. The requirement to use only tagged trucks for container trucking services work (both on-dock and off-dock) existed in Aheer's previous CTS licence. The OBCCTC has been for many years issuing bulletins and industry advisories reminding licensees to only use tagged trucks to perform container trucking services.
35. Like all licensees, Aheer is responsible for knowing its obligations under the legislation and its licence, including ensuring that vehicles performing container trucking services are properly tagged. I find that Aheer breached the 2024 CTS licence when it operated trucks without displaying a valid OBCCTC decal on March 4-6, 2025.
36. The number of off-dock trips performed over the three day-period has enriched Aheer as it would not have been able to profit from the moves if it had followed instructions and not dispatched the trucks.
37. In his submissions Aheer's legal counsel says that Aheer was cooperative and provided the documents requested. I note that Aheer only provided the documents requested after it was pointed out that the records were easily accessible to Aheer management and staff and its request for an extension to provide records was denied. Therefore, I do not accept that Aheer was fully cooperative.
38. In this case, I did not find any breach of the *Act*, *Regulation* or term of the licensee related to the payment of remuneration, and the maximum available administrative fine is \$10,000.
39. For the reasons above, I have concluded that an administrative penalty of \$3,000.00 is appropriate in this case.
40. It should be clear to all licensees that all container trucking services – both off-dock and on-dock – must be performed using tagged trucks clearly displaying valid OBCCTC tags. Failure to comply is likely to result in a penalty.
41. Therefore, in accordance with s.34(2) of the *Act* I hereby give notice as follows:
 - a. I propose to impose an administrative fine against Aheer in the amount of \$3,000.00.
42. Should it wish to do so, Aheer has 7 days from the receipt of this notice to provide the Commissioner with a written response setting out why the proposed penalty should not be imposed.
43. If Aheer provides a written response in accordance with the above, I will consider its response, and I will provide notice of my decision to either:
 - a. Refrain from imposing any or all of the penalty; or
 - b. Impose any or all of the proposed penalty.

Conclusion

44. In summary, Aheer has been found to have violated the CTS licence by performing container trucking services in the Lower Mainland with trucks without valid OBCCTC truck tags on March 4-6, 2025. I have determined that it is appropriate to propose of a \$3,000.00 penalty.

Dated at Vancouver, BC this 4th day of June 2025.



Karm Jauhal
Deputy Commissioner