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Bill 223

An Act to amend the Highway Traffic Act

Mr. V. Thanigasalam

Private Member's Bill

1st Reading October 26, 2020

2nd Reading

3rd Reading

Royal Assent



EXPLANATORY NOTE

The Bill amends the *Highway Traffic Act* to require that operators ensure that each commercial motor vehicle that is under their control is equipped with an electronic logging device. The Bill also requires that the information recorded by the device is in accordance with the “Technical Standard for Electronic Logging Devices” which is published by the Canadian Council of Motor Transport Administrators.

An Act to amend the Highway Traffic Act

Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1 (1) Subsection 190 (1) of the *Highway Traffic Act* is repealed and the following substituted:

Commercial motor vehicles, driving rules

(1) In this section and in sections 191 and 191.0.1,

“electronic logging device” or “ELD” means a device or technology that automatically records a driver’s driving time and facilitates the recording of the driver’s record of duty status, and that is certified by a prescribed certification body; (“dispositif de consignation électronique” ou “DCE”)

“operator” has the same meaning as in subsection 16 (1); (“utilisateur”)

“Technical Standard” means the document entitled “Technical Standard for Electronic Logging Devices” published by the Canadian Council of Motor Transport Administrators and dated April 11, 2019, as amended from time to time. (“norme technique”)

(2) Section 190 of the Act is amended by adding the following subsection:

Electronic logging devices

(2.1) An operator shall ensure that each commercial motor vehicle that is under the operator’s control is equipped with an ELD that meets the requirements of the Technical Standard.

(3) Section 190 of the Act is amended by adding the following subsections:

Information in electronic log

(3.1) The log required by subsection (3) shall be recorded by an ELD and shall include, in accordance with the Technical Standard and the regulations, all the information associated with the driver’s record of duty status as their duty status changes.

Same

(3.2) A driver shall manually input or verify the following information in the ELD:

1. The date and the start time, if different from midnight, and their driver identification number.
2. The cycle that the driver is following.
3. The number plates for the commercial motor vehicle as well as the unit number or trailer number, if applicable.
4. The names and the addresses of the home terminal and the principal place of business of the operator by which the driver is employed or otherwise engaged during that day.
5. The commercial motor vehicle’s location description, if it is not automatically drawn from the ELD’s geo-location database.
6. If the driver was not required to keep a record of duty status immediately before the beginning of the day, the number of hours of off-duty time and on-duty time that were accumulated by the driver each day during the 14 days immediately before the beginning of the day.
7. Any deferral of off-duty time.
8. If the driver was working for more than one operator during the current day or the previous 14 days,
 - i. for each day during the 14 days immediately before the current day, the total number of hours for each duty status that were accumulated by the driver,
 - ii. the start and end times of each duty status in the current day, before the use of the ELD.
9. Any annotation necessary to complete the record of duty status.

(4) Subsection 190 (7) of the Act is amended by adding the following clause:

- (f) prescribing certification bodies for the purposes of the definition of “electronic logging device” or “ELD” in subsection (1).

Commencement

2 This Act comes into force on a day to be named by proclamation of the Lieutenant Governor.

Short title

3 The short title of this Act is the *Highway Traffic Amendment Act (Electronic Logging Devices), 2020*.