

Oil Well Service Vehicle Exemption under the Federal Commercial Vehicle Drivers Hours of Service Regulations

Application Type

New Application

Renewal Application (Currently holds valid permit)

In accordance with ***The Federal Commercial Vehicle Drivers Hours of Service Regulations Section 64(1)***, application is being made for a permit of exemption from ***Sections 24 to 29***.

Motor Carrier Information

Motor Carrier Name	
Mailing Address	
Telephone Number(s)	
Fax Number(s)	
Email Address(es)	
Motor Carrier PIC Number	
NSC Number	

Permit Information

1. Identify which jurisdiction(s) are being requested for the motor carrier's permit:

Jurisdiction	Contact and Mailing Address	Contact Information
<input type="checkbox"/> Alberta	Carrier Services Alberta Transportation #401, 4920 - 51 Street RED DEER AB T4N 6K8	Phone: 403-755-6111 Fax: 403-340-4806
<input type="checkbox"/> British Columbia	Manager- National Safety Code Ministry of Transportation and Infrastructure PO Box 9250 – Stn Prov Gov't VICTORIA BC V8W 9J2	Phone: 250-952-0576 Fax: 250-952-0578
<input type="checkbox"/> Manitoba	Manager, Motor Carrier Investigations Branch Technical Services and Operations Division Manitoba Infrastructure Unit C - 1695 Sargent Avenue WINNIPEG MB R3H 0C4	Phone: 204-945-4433
<input type="checkbox"/> Saskatchewan	Ministry of Highways, Transportation Policy 800 – 1855 Victoria Avenue REGINA SK S4P 3T2	Phone: 306-933-5920
<input type="checkbox"/> Saskatchewan Only- no other jurisdictions required		

2. Identify if the motor carrier has applied for a similar permit in another jurisdiction within the last six-months:

Yes (complete table below)

No

Jurisdiction:	Date of Application:
<input type="checkbox"/> Alberta	
<input type="checkbox"/> British Columbia	
<input type="checkbox"/> Manitoba	
<input type="checkbox"/> Other- specify:	

3. Identify if the motor carrier has previously held a similar permit within the last five-years or currently holds a similar permit.

Yes (complete table below)

No

Jurisdiction of Issue	Permit Number	Expiry Date
<input type="checkbox"/> Alberta		
<input type="checkbox"/> British Columbia		
<input type="checkbox"/> Manitoba		
<input type="checkbox"/> Saskatchewan		
<input type="checkbox"/> Other- Specify:		

Carrier Operations:

1. Describe the type of service the motor carrier provides to the oil or natural gas industry. Include detailed information about the equipment or materials being transported.

2. Explain why the current legislation does not meet the motor carrier’s needs and for what reason(s) application is being made.

- Describe in detail how the motor carrier's vehicle(s) identified in this application has (have) been altered or specially constructed or equipped for use in the oil or natural gas industry.

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Hours of Service

- Section 87** of the regulation requires a motor carrier to monitor the compliance of each driver with the federal hours of service regulations. Identify below if you meet the requirement and explain how the requirement is met.

Monitor the compliance of each driver	Explain:
Ensure immediate remedial action is taken for non-compliance	Explain:
Record the dates that non-compliance occurred	Explain:
Record the dates that notice of non-compliance is issued to the driver	Explain:
Record any action taken against the driver for non-compliance	Explain:

2. Attach a copy of the motor carrier's hours of service training and compliance procedures. Ensure to include a record(s) showing how your process is documented.
3. Identify if there have been any hours of service violations documented by ticket, warning or inspection against the motor carrier and/or driver(s) in the last 24-months.

Yes- complete table below No

Date	Driver Name	Comments

Vehicle Information

1. Provide a list of the vehicle(s) registered to the motor carrier to be covered by the permit.

VIN (last 6 digits)	License Plate #	Unit #	Vehicle Description

2. Identify if a motor vehicle(s) registered to the motor carrier has (have) been involved in an accident(s) within the last 24-months.

Yes (complete table below)

No

Date	Driver Name	License Plate #

Drivers

1. Provide a list of all employees who will be operating the motor carrier’s vehicle(s) identified in this application.

Driver Name	Driver License Number	Jurisdiction of Issue	Specialized Training			
			Fatigue Mgt	Federal Hours of Service	Approved Oilfield Driver Training* (RIDE, ODA, ITT, CAODC)	Other (H2S, First Aid, WHMIS, TDG, etc)

Specialized Training: (Training successfully completed directly relating to safety requirements associated with operating within the oil or natural gas industry.)

***Specific training requirements are identified under the "Permit Condition" section of this form.**

Declaration

Motor Carrier Name: _____

On behalf of the motor carrier I, _____ (print name), Title: _____ (print title) declare that:

- I am the authorized representative of the motor carrier
- the information provided in this application is accurate
- the application contains information which reflects the motor carrier's SGI Carrier Profile and
- the vehicle(s) and driver(s) listed within this application are in compliance with the services covered by the **Permit Conditions**.

Date:

Signature

Pursuant to section 64(2) of the regulations, a motor carrier shall make available to the director the daily logs, supporting documents or records of on duty times, for the six-months before the date of application, of every driver who will operated a commercial vehicle of the motor carrier under the permit. **Please be advised that a logbook and record audit may be completed prior to or after a permit being issued.**



Submitting Application

1. Please Validate form and save a copy for your records. E-mail the validated copy as an attachment to mhitrucking@gov.sk.ca.
2. If you require assistance with the form, please contact:

**Ministry of Highways
Trucking Policy
800 – 1855 Victoria Avenue
REGINA SK S4P 3T2**

**Phone: 306-933-5290
Email: mhitrucking@gov.sk.ca**

SGI Carrier Profile:

For information on the SGI Carrier Profile and how to access it, please contact Joan Lapchuk at 306-751-1344.

Permit Allowances

All vehicles identified in this application shall be specially constructed, altered or equipped to accommodate a specific service requirement associated with the oil or natural gas industry and be used exclusively in the oil or natural gas industry for the transportation of equipment or materials to and from oil or natural gas facilities or for the servicing and repairing oil or natural gas facilities.

Services covered by the permit include

- Moving a rig and its components directly to or from an oil/gas well site.
- Transportation of camp shacks and well-site trailers that are being moved in conjunction with a rig move to or from an oil/gas well site.
- Transporting materials or personnel directly to or from a well site necessary for the day-to-day operation of the well (e.g., drilling mud, drill pipe, compressed/liquefied gases, etc.).
- Transporting materials directly to or from a well site and needed in the day-to-day operation of the oil well (e.g., drilling mud, drill pipe, compressed/liquefied gases, etc.).
- Directly servicing or drilling of the well head or of equipment directly associated with the drilling of the oil/gas well site such as testing, mud filling, cementing, hydraulic fracturing, data logging, servicing done with a water truck or vacuum truck, etc.
- Transportation of raw (unprocessed) petroleum products (e.g., crude oil, produced water, petroleum condensate, waste sand, tailings) from a well head or from a storage facility near a series of well heads (e.g., tank farm) directly to a storage/battery/upgrader site for processing or directly to another location for disposal. "Processing" includes the physical separation and handling of the individual petroleum products.
- Driving a vehicle operated under this permit directly between an oil/gas well site or a home terminal of the permit holders and either:
 - A repair facility (for maintenance or for a Periodic Motor Vehicle Inspection), or
 - A cleaning/washing facility (equipped with a specialized wastewater capture/disposal system).
- Non-driving work (e.g., in a shop, warehouse, office, etc.) and operating a vehicle registered for 4,500 kg or less at one or more locations.
- Conducting driver evaluations/re-certifications in a vehicle as long as the duration does not exceed three-hours. A copy of the evaluation is to be retained in the driver's file and the time must be noted in both the drivers' and examiners' daily logs.

Services NOT covered by the permit include

- Transporting materials to or from an oil/gas well site that are used to prepare/develop the site itself or the road leading to the site (e.g., lumber, gravel, etc.).

- Transport equipment to or from well site that is used to prepare/develop a site (e.g., dozers, backhoes).
- Transporting supplies, food, or personnel to support the operation of a camp.
- Transporting mixed shipments, some to a well site and the rest to another location not covered by the permit.
- Pipeline construction, maintenance or servicing.
- Maintenance of vehicles at a well site.
- Moving any materials, goods or equipment between two shops, storage yards, or other facilities, none of which are an oil well site.
- Exploration activities (e.g., seismic work, explosives transport/storage, etc.).
- Transportation of petroleum products from a battery site or from a temporary storage facility site to any other location (e.g., cleaned crude oil, slop oil, waste sand, etc.).

Permit Conditions

- The driver has successfully complete training directly related to safety requirements associated with operating within the field services sector of the oil or natural gas industry. **Section 63(1)(a)**
 - The training **is to include**, but not limited to the following:
 - Carrier Fatigue Management Program; and
 - Federal Hours of Service; and

One of the following:

 - a) Oilfield Driver Awareness (ODA) - formerly known as GODI;
 - b) Resource Industry Driver Enhancement (RIDE);
 - c) Integrated Transportation Training (ITT);
 - d) CAODC members may complete the training noted above in a), b) or c) or;
 - i. Heavy Duty Training component and obtained a Heavy Duty training certificate by completing and passing all the associated exams; or
 - ii. Convoy Training component and obtained a Convoy Training certificate by completing and passing all the associated exams.
 - e) Other approved alternate training is recognized IF certified by a Safety Consultant.
 - The above training in a), b) or c), *must* be **recertified every three-years** and the Carrier must be able to produce documents to support driver training qualifications upon request. **All recertification must be completed prior to January 2021. (RIDE training completed prior to Jan / 2018 is recognized without a three-year recertification).**

- All drivers should receive **annual refresher training** in both Carrier Fatigue Management and Federal Hours of Service.
- Drivers, dispatchers, transportation safety management, or other persons responsible for compliance to this permit must have successfully completed hours of service and fatigue management training within the past 36-months to ensure the safety and health of the public, the driver, or the employees of the motor carrier, so they are not, or are unlikely to be jeopardized. This training must meet specified course standards. The Carrier must be able to produce documents to support driver training qualifications upon request.
- The driver will be exempt from cycles, but instead the permit shall require that the driver take at least three periods of off-duty time, each at least 24-hours long in any period of 24-days, the periods being taken consecutively or separated by on-duty time. **Section 63(2)(a)**
- The driver must take at least 72 consecutive hours of off-duty time after ending driving under the provisions of there permit and beginning driving under cycles. **Section 63(2)(b)**
- Waiting time and standby time at an oil or natural gas well site or ancillary facility shall not be included as on-duty time if:
 - The driver performs no work during the time;
 - The time is fully and accurately recorded in the daily log as off-duty time and denoted as waiting or standby time in the “Remarks” section; and
 - The time is not included in the mandatory minimum of eight consecutive hours of off-duty time. **Section 63(4)**
- None of the daily off-duty time shall be deferred to the next day. **Section 63(5)**
- All drivers working under a permit must keep a driver’s daily log in accordance with **Section 81(1)** and cannot be exempt from filling out the log as they do not meet the conditions set out in **Section 81(2) (a) through (d)**.
- No driver who is required to fill out a daily log shall drive and no motor carrier shall request, require or allow the driver to drive unless the driver has in their possession a copy of the daily logs for the preceding 14-days and, in the case of a driver driving under an oil well service permit, for each of the required 3 periods of 24 consecutive hours of off-duty time in any period of 24-days. **Section 84(a)**.
- A motor carrier to whom a permit is issued shall:
 - Successfully develop and fully implement a written Fatigue Management program that includes at least the following policies/procedures:
 - a) Driver responsibility;
 - b) Dispatcher / management's responsibilities related to scheduling, monitoring and discipline;
 - c) How a driver's hours of service compliance will be monitored;

- d) How a driver's readiness for work will be evaluated and monitored;
 - e) Employee fatigue alertness training;
 - f) Employee training in driver's hours of service regulations; and
 - g) Lifestyle management.
- Require that a copy of the permit is placed in each commercial vehicle in respect of which it applies. **Section 67(1)(a)**
 - Provide the director with a list of the commercial vehicles in respect of which the permit applies and keep the director informed of any changes so that the director may accurately and quickly identify the vehicles. **Section 67(1)(b)**
 - Make available for inspection by the director, immediately on request, the daily log and the supporting documents of the driver of the commercial vehicle in respect to which their permit applies. **Section 67(1)(c)**
 - Notify the director, without delay of any accident involving any of the commercial vehicles to which the permit applies. **Section 67(1)(d)**
- The Permit Holder must monitor the hours of service compliance of each Driver operating under this Permit and meet all requirements specified in Section 87 of the Commercial Vehicle Drivers' Hours of Service Regulation (SOR/2005-313). Refer to “Monitoring Driver Compliance” noted on the next page for examples of a monitoring program that meets these minimum requirements. The monitoring program must ensure Drivers are in compliance.

Monitoring Driver Compliance under the Federal Hours of Service Regulations

This information outlined below explains the regulatory requirements of the federal *Commercial Vehicle Drivers Hours of Service Regulations* (SOR /2005-313).

Section 87 of these federal regulations states:

“87(1) A motor carrier shall monitor the compliance of each driver with these Regulations.

(2) A motor carrier that determines that there has been non-compliance with these Regulations shall take immediate remedial action and record the dates, on which the non-compliance occurred, the date of issuance of a notice of non-compliance and the action taken.”

Motor carriers are liable for the actions of their employees even if the carrier contends that it did not require or permit the violation to occur. Neither intent to commit, but actual knowledge of a violation is a necessary element of liability. Carriers “permit” violations of the Regulations by their employees if they fail to have managed systems in place that effectively prevent such violations.

One of the most effective ways to monitor driver compliance is for the motor carrier to conduct an internal daily log audit that should then be used to verify that the frequency of hours of service violations are being reduced (e.g., the carrier’s fatigue violation rate decreases over time). This daily log audit needs to include the following:

- Verify that all drivers have a record for all calendar days.
- Check all drivers to ensure that drivers apply the Regulations to all roads, both public and private (forestry roads), as well as waterways (ferries) in Canada.
- Check all drivers for all form and manner compliance (e.g., name, date, etc.).
- Check all drivers in detail at least once a year for fatigue-related violations (e.g., driving over hours, two logs for one-day, false logs, etc.).
- Have written policies in their Safety program that addresses the following:
 - Use independent (e.g., that the driver does not create or can modify) supporting documents to verify logs (e.g., fuel receipts, tach cards, bills of lading with shipping times, etc.);
 - Check new drivers/dispatchers/safety staff more frequently until carrier is satisfied that they understand the rules;
 - Check drivers/dispatchers/safety staff with previously identified problems more frequently until carrier believes they now are following the rules;
 - Check a random percentage of all drivers/dispatchers/safety staff at least monthly (e.g., 10 per cent of drivers monthly will ensure all drivers are selected at least yearly);
 - Record dates on which non-compliance occurred and record date that the motor carrier issued a notice of non-compliance;
 - Identify who is responsible for performing these checks, preparing the summary reports, taking actions, etc. and ensure these employees have the necessary skills and knowledge;
 - Address all identified deficiencies with individual staff, taking appropriate actions (e.g., re-training, or discipline) and documenting the actions taken in the staff's file; and
 - Prepare a summary report at least monthly of the findings of this internal audit, the corrective actions taken, provide this report at least to carrier's senior management, and retain all such reports for at least six-months (longer is recommended).

It is the motor carrier's responsibility to ensure that all drivers, including new drivers comply with the Regulations. If the motor carrier cannot obtain copies of the daily logs from the previous carriers, at the very least, the motor carrier should obtain a signed statement from the driver that specified the total on-duty and off-duty hours for the previous 14-days.