

Ministry of Transportation
Commercial Safety and
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Ministère des transports
Direction de la sécurité et de la conformité
en matière de transport commercial

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I am writing to provide an update on the Ontario Ministry of Transportation's implementation and enforcement of Transport Canada's (TC) mandate for the use of electronic logging devices (ELDs) for federally regulated carriers.

On June 13, 2019, Federal Transport Minister Marc Garneau announced changes to the federal hours of service regulations to mandate ELDs by June 12, 2021. Drivers subject to the federal hours of service regulations (those who operate outside of Ontario) are impacted by these amendments including mandating the use of ELDs.

TC recently issued a statement regarding the implementation of these changes advising industry will be provided sufficient time to obtain and install certified ELDs without penalty and that early enforcement measures will consist of education and awareness.

The Canadian Council of Motor Transport Administrators (CCMTA) has developed a recommended approach for Canadian jurisdictions to consider when adopting an enforcement strategy for the Federal ELD mandate coming into force June 12, 2021. Ontario supports the recommended enforcement strategy and is committing to a period of education and awareness without penalties until June 12, 2022.

Please see details below and read the full statement on CCMTA's website:

<https://ccmta.ca/web/default/files/PDF/ELD/ELDs%20-%20Messages%20for%20Industry%20-%20May%205%202021.pdf>

Recognizing the unprecedented challenges posed by the COVID-19 pandemic, the Minister of Transport announced the implementation of a progressive enforcement period for federally regulated motor carriers that will be developed with the support of the provinces and territories and in consultation with industry, following June 12, 2021.

CCMTA members have confirmed their commitment to a timely adoption and enforcement of the federal ELD mandate. CCMTA members recognize the importance of ensuring industry has adequate time for the purchase, installation and training required for compliance.

The CCMTA developed an approach for jurisdictions to consider when adopting an enforcement strategy for the electronic logging device (ELD) mandate coming into force June 12, 2021. Jurisdictions plan to support the mandate through a period of progressive enforcement without penalties including elevated education and awareness until June 12, 2022.

Industry is advised to be prudent when researching ELD device options and ensure any procured ELD is a certified device as approved by Transport Canada before purchase. Approved devices can be found here as they become certified:

<https://www.tc.gc.ca/en/services/road/electronic-logging-devices.html>

Jurisdictions will continue to monitor the progress of certified ELDs entering the market as carriers and drivers transition towards June 12, 2022.

Ontario remains committed to the Federal ELD mandate, including third-party certified devices. Mandatory use of these devices will help ensure federally regulated commercial carriers operating in Canada including those that cross the border into Canada, will continue to drive within their hours of service. The use of ELDs will result in more efficient mechanisms to accurately log working hours.

The Ontario Ministry of Transportation (MTO) is working with industry to determine the best path forward to implement ELDs for intra-provincial carriers (those who operate within Ontario only). If Ontario proceeds with implementing the use of ELDs for intra-provincial carriers it is likely that:

- MTO would not change the current drivers that are required to follow HoS,
- MTO would not change the current drivers that are required to carry a logbook,
- MTO would not change the current HoS limits,
- MTO would adopt CCMTA's Technical Standard and
- MTO would adopt TC's list of certified ELDs.

To date, no decisions have been made regarding the use of ELD's for provincial carriers. The proposed amendment to Regulation 555/06 *Hours of Service* has been posted to the Regulatory Registry. This website provides industry and others the opportunity to provide feedback regarding changes to regulations including the adoption of ELDs in Ontario.

<https://www.ontariocanada.com/registry/view.do?postingId=37547&language=en>

Sincerely,

Virginia McKimm
Director