

9. CANADIANS FOR RESPONSIBLE AND SAFE HIGHWAYS (CRASH) - INCREASED TRUCKER WORKLOAD

COMMITTEE RECOMMENDATION AS AMENDED

That Council receive this report for information.

DOCUMENTATION

1. Chair, Transportation Committee report dated 14 June 2000 is immediately attached.
2. Extract of Draft Minute, Transportation Committee, 5 July 2000 will be distributed prior to Council and will include a record of the vote.

REGION OF OTTAWA-CARLETON
RÉGION D'OTTAWA-CARLETON

REPORT
RAPPORT

Our File/N/Réf. Your File/V/Réf.	03 07-00-0095
DATE	14 June 2000
TO/DEST.	Transportation Committee
FROM/EXP.	Chair, Transportation Committee
SUBJECT/OBJET	CANADIANS FOR RESPONSIBLE AND SAFE HIGHWAYS (CRASH) - INCREASED TRUCKER WORKLOAD

REPORT RECOMMENDATION

That the Transportation Committee recommend Council support Canadians for Responsible and Safe Highways (CRASH) in its request to the Federal Government to drop its proposed hours of work rules for truckers and harmonize to the safer U.S. rules.

BACKGROUND

CRASH states that new U.S. rules on truck driver hours of work are much safer than those planned for Canada. Their rules would allow fewer hours of driving, require a longer daily period for sleep, and require on-board electronic recorders to effectively enforce the rules on driving hours. Transport Canada lawyers, however, are currently drafting legal rules that would allow Canadian trucking companies to require their drivers to drive 17 per cent more hours per shift and up to 60 per cent more hours in a week than the rules proposed in the U.S.

The issue of truck driver hours involves balancing commercial interests and public safety. It appears that, while the Americans have opted for protection of the public, Canadian officials have chosen to support trucking industry economic arguments. Recognizing the high interdependence between the two economies and the need to put safety before profit, Canadians for Responsible and Safe Highways is calling on the Canadian federal government to drop its proposed hours of work rules and harmonize to the safer U.S. rules.

Attached please find the following supporting documents:

1. CRASH Communicator
- Newsletter for Apr/May 2000
2. An Outsider's Guide to the Plan to Increase Truck Drivers' Workload
- CRASH report undated
3. "Ottawa Is Asleep At The Wheel"
- The Globe and Mail article dated 23 May 00
4. "Long hours compromise safety, truckers fighting increases say"
- The Globe and Mail article dated 6 Jun 00

*Approved by
Diane Holmes*

/rn

Attach. (4)

Visit our web site at : <http://www.web.net/~crash>

CRASH COMMUNICATOR

Newsletter of Canadians for Responsible and Safe Highways

April/May 2000

New U.S. Trucking Rules Much Safer Than Proposed Canadian Rules

	U.S.	Canada
Limit on driving hours in a week	60-72	84-96
Limit on driving hours in a shift	12	14
Minimum continuous off-duty period	10	8
Mandatory two nights off-duty every week	Yes	No
Mandatory electronic recorders to enforce limits	Yes	No
Special rules to combat night driver fatigue	Yes	No

New U.S. rules on truck driver hours of work released April 25 are much safer than those planned for Canada. The U.S. rules would allow fewer hours of driving, require a longer daily period for sleep, and require on-board electronic recorders to effectively enforce the rules on driving hours. The U.S. Department notes that truck driver fatigue is a serious problem contributing to big rig crashes.

Transport Canada lawyers are currently drafting legal rules that would allow Canadian trucking companies to require their drivers to drive 17 per cent more hours per shift and up to 60 per cent more hours in a week than the rules proposed in the U.S.

The new U.S. rules would require long-haul trucks to be equipped with electronic recorders to stop reported substantial violations of limits on hours. Whereas the U.S. will require modern recorders to protect safety, Canada is proposing to continue with the discredited logbook system. The U.S. may not allow Canadian trucks across the border unless they are equipped with modern recorders.

The proposed American rules are dramatically safer than those planned for Canada. Canada will have more in common with the safety regime of Mexico than the U.S.

The issue of truck driver hours involves balancing commercial interests and public safety. It appears that, while the Americans have opted for protection of the public, Canadian officials have chosen to support trucking industry economic arguments.

Some Canadians may pay with their lives.

Recognizing the high interdependence between the two economies and the need to put safety before profit, Canadians for Responsible and Safe Highways is calling on the Canadian federal government to drop its proposed hours of work rules and harmonize to the safer U.S. rules.

Safety Champion Opposes 84 Hour Workweek

Progressive Conservative Senator Mira Spivak has a well-deserved reputation as a Parliamentary watchdog for consumers on issues ranging from food and drug safety to transportation safety. She is Chair of the Energy, Environment and Natural Resources Committee, Deputy-Chair of the Subcommittee on Communications and Member of the Transport and Communications Committee.

On April 6 she asked a question in Parliament about why Federal Government lawyers were drafting changes to the National Safety Code to increase the number of hours truckers can drive every week from the current 60 hours to 84 hours. Following are some excerpts from her question in Parliament.

Hon. Mira Spivak: Honourable senators, there has been a development, and I am not sure the Canadian people know about it. The Canadian government is en route to changing the national safety code governing trucking regulations to increase the numbers of hours that truckers can legally drive every week from 60 hours to 84 hours, even higher under special circumstances.

Transport Canada's legal department is preparing the new hours-of-service standard that was adopted last November by the Canadian Council of Motor Transport Administrators, which is made up of federal, provincial and territorial officials. This means that truckers can drive their mammoth rigs having been on the job for 80 hours or more in a seven-day period.

Honourable senators, parent groups, industry insurance representatives and citizens groups are speaking out against this change to allow more sleepless drivers on our highways - but they are not Canadians. They are Americans who do not want our sleep-impaired drivers crossing their borders.

As I understand it, Transport Canada will not be holding consultations on this process. They are leaving that to the provinces.

Why is the Government of Canada backing an 84-hour work week for truckers? Will the Leader of the Government in the Senate use his good offices to ensure that federal officials are instructed to conduct full public consultations on this very important matter?

Honourable senators, this "work in progress" is being codified under regulations. The regulations are moving in the direction of a greater number of hours, I think, at the request of the truckers' associations. The proposal is for a higher number of hours than is allowed in the United States and represents a danger to the driving public. This immensely important matter is moving forward not with any parliamentary scrutiny but through regulation. The federal government is not even holding public consultations.

It is not sufficient that the honourable leader consults his notes. This is a very important safety issue and I would ask that he look into it a little deeper than simply having the department advocate its actions as being the best of all possible worlds.

If you do not mind, would you use your offices for what, on the face of it, looks like a very retrograde step for Canadian safety? It is even higher than the level allowed in the United States. Please do something.

Provinces Relax Rules on Use of Less Stable Trailer Hitches

Back in the 1980's, Canada allowed longer and heavier double trailer trucks, provided that the safer and more stable "B" type hitch was used to hook the two trailers together. Restrictions were put in place to discourage the use of the less stable "A" hitch with longer trailers.

But now, Alberta has downgraded its safety standards to allow expanded use of "A" type hitches which can negatively affect the stability and control of big trucks. Saskatchewan and Manitoba have downgraded standards through a permit program. B.C. and the Atlantic Provinces are also proposing to downgrade their standards. This violates the national trucking standards which provinces can ignore at any time and often do.

Ontario has largely eliminated the weight penalty on double trailer trucks using the less stable "A" hitch, but for now it is keeping the length penalty.

Lesson learned about the trucking industry: it introduces heavier and longer trucks with an improved safety device. Then later on it pushes to allow heavier and longer trucks without the device.

U.S. Concerned about Lax Trucking Standards in Canada

Safety and consumer organizations in the United States have expressed concern about the safety of new Canadian standards that will allow truckers to drive 14 hours in a shift and 84 hours in a week. The American observers are worried that the Canadian workload limits will be much less strict than equivalent U.S. norms.

Parents Against Tired Truckers and Citizens for Reliable and Safe Highways from the U.S. joined with Canadians for Responsible and Safe Highways in Canada to warn that stressed out Canadian truckers could soon be a danger to themselves and other road users on both sides of the Canada-U.S. border.

A number of scientists and the Insurance Institute for Highway Safety have raised safety warnings about the proposed rule that will allow 84 hour workweeks for truckers in Canada. It is about time that the Federal Government and the Provinces said "no" to 84 hour weeks.

"Motorists in the United States do not want to share the road with a Canadian truck driver who is sleep-impaired after working consecutive 84 hour weeks before crossing the border into the U.S." said Daphne Izer of the U.S. safety group Parents Against Tired Truckers.

"Research shows that truck driver fatigue may be a contributing factor in up to 40 percent of all heavy truck crashes" Michael Scippa, Executive Director of the U.S. Citizens for Reliable and Safe Highways said.

American concern about the more permissive Canadian regulation of trucker work hours could lead to a backlash at the U.S. border with implications for the \$160 billion in annual Canadian exports by truck.

To obtain a critical analysis of the proposed Canadian truck driver work rules by the Insurance Institute for Highway Safety of Arlington, VA, go to the CRASH web site at www.web.net/~crash or phone 1 800 530 9945.

“All Parties” Not Favourable to Increased Trucker Workload

Some government officials are now attempting to suggest that “all parties” feel they can support the 14 hour driving shifts and the 84 to 96 hour workweeks that – as matters now stand - will be the core of Canada’s new truck driver workload regulations. *Nothing could be further from the truth.*

The federal-provincial project group that produced the new workload proposals was not a balanced forum. Almost all of the non-government participants on this body represented trucking management or closely allied shipper associations. Apart from CRASH, only two parties to this activity could be considered as speaking for other interests. The Teamsters forwarded a letter to the last project team meeting expressing reservations. Although the CAA does not have a national policy on truck driver hours, its Ontario newsletter has carried an article advocating hours of work regulations much stricter than those being proposed.

Now, what does the average Canadian think? Surveys for CRASH by the Angus Reid Group have demonstrated that the general public has very serious concerns about sharing the road with truck drivers required to work long hours.

- 86% favour reducing the consecutive hours that truck drivers in Canada may drive from the current 13 to the U.S. limit of 10 hours
- 83% find an increase in truck driver weekly workload from the present 60 hours to 70 hours to be unacceptable
- 96% oppose a truck driver workweek of 100 hours (*Note that the proposed new rules will enable drivers to legally work 96 hours in every second week.*)

In terms of public support, it is also appropriate to note that the almost 100 Ontario municipalities have recently passed resolutions expressing opposition to the new truck driver work rules.

CRASH has also heard from several U.S. sources worried that the new Canadian trucker workload regulations will be much more lax than the equivalent rules expected in the United States.

Extraits de la déclaration de la sénatrice Mira Spivak, le 6 avril, devant le Sénat.

Le service du contentieux de Transports Canada est à rédiger la nouvelle norme sur les heures de service qui a été adoptée, en novembre dernier, par le Conseil canadien des administrateurs en transport motorisé, qui se compose de hauts fonctionnaires fédéraux, provinciaux et territoriaux. Cela signifie que les camionneurs pourront conduire leurs gros monstres 80 heures ou plus par période de sept jours.

Si je comprends bien, Transports Canada ne tiendra pas de consultations à ce sujet. Le ministère laisse cela aux provinces.....

Or, on est sur le point de modifier les règlements de manière à accroître le nombre d'heures autorisées, à la demande des associations de camionneurs, je pense. La proposition vise à autoriser un nombre d'heures plus élevé que celui qui est actuellement accepté aux États-Unis et elle constitue une menace pour ceux qui conduisent. Cette question extrêmement importante est en voie d'être réglée, non pas au moyen d'un processus assujéti à l'examen du Parlement, mais au moyen de la réglementation. Le gouvernement fédéral ne tient même pas de consultations publiques à ce sujet.....

Il existe toutefois un principe selon lequel toutes sortes de changements sont apportés par le truchement de la réglementation sans que ces changements ne soient examinés par les représentants du peuple. Dans un cas comme celui-ci cependant, je crois que nous devons nous interroger. À première vue, cette mesure me paraît bien radicale.

An Outsider's Guide
to the Plan to
Truck Drivers'

**Increase
Workload**



How Canadian truck
drivers may soon
have to work
84 hours per week.

CRASH

Canadians for Responsible
and Safe Highways

An Outsider's Guide to the Plan to Increase Truck Drivers' Workload

Several catastrophic multi-vehicle collisions in Ontario and Quebec during the summer of 1999 have again reminded all of us that crashes involving big trucks are particularly deadly. The obvious lesson is that the regulation of trucking operations must be treated with great seriousness.

Sadly, all of this seems to have had little impact on the lobbyists for the trucking industry as they continue their pressure on government officials to increase the legal limit on weekly workload of truck drivers by 40 percent.

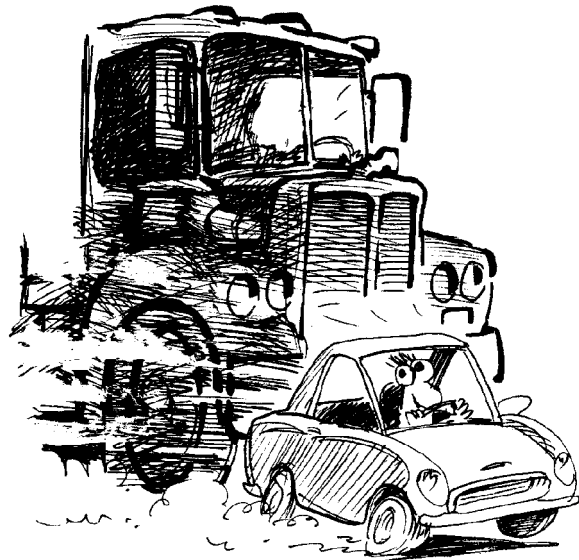
If the trucking industry had its way, this dramatic relaxation of safety regulation would have happened without public awareness and opportunity to comment. However, in part through the efforts of Canadians for Responsible and Safe Highways (CRASH), many members of the public have been made aware that they could soon be sharing the road with an increasing number of truck drivers forced to work to the point of sleep impairment.

Having in large measure lost the desired anonymity, certain trucking interests now appear to be turning to misinformation to advance their cause.

Seemingly, one of the most popular devices employed by work-more advocates is to suggest that the subject of regulation of truck driver hours is too complex for ordinary people to understand. That is simply not true. The trucking industry wants truck drivers to work over 80 hours per week as compared to the present average limit of 60 hours. That's easy to understand. A panel of fatigue experts says that such a workload is dangerous. That also is easy to understand.

This document has been produced as a guide to understanding the players, the process, the arguments and the facts relating to attempts by industry associations representing larger trucking firms to substantially increase truck driver workload.

The public has a right to know.



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■ WHAT ARE WE TALKING ABOUT?

WE are talking about changes to the federal Commercial Vehicle Operator Hours of Service Regulations that apply to drivers of companies operating across provincial or national boundaries. In theory, at least, provinces are supposed to mirror these regulations for intra-provincial operators.

First, a little bit of history

Regulations for truck driver work hours have existed in Canada since the early 1950's. In 1988, these regulations were set to closely follow those of the United States - i.e.: a 10-hour driving shift and a 60 hour workweek.[i] In 1989 this consistency of Canadian and U.S. rules was abandoned in favour of less stringent standards for operation here. The limit on consecutive driving hours was increased from 10 to 13 hours, and a new 120-hour over 14 day (2 week) work cycle was added. The latter change allows truck drivers to work over 60 hours in the first of the two weeks if they take an equivalent amount of added rest in the second week.

The trucking lobbyists have reacted to the 1989 demonstration of government willingness to endorse less strict safety regulation with an appetite for still more changes placing economic goals ahead of safety concerns. In response to industry lobbying for a "more flexible" truck driver work regime, a working group of the federal-provincial body addressing trucking safety matters was struck in October 1996. Three years later it appears the trucking associations are close to winning government approval for longer hours.

Next, the specifics of what is currently being proposed

The essence of the truck driver workload regulations that trucking management intends to have in place within a few months can be summarized as follows:

There would be some minor changes to the daily shift limits -

- an increase in allowable consecutive driving hours from 13 to 14
- a decrease in allowable working hours per shift from 15 to 14
(the new rules would treat "driving" time and "working" time as the same)
- an increase in daily "rest" from 8 hours to 10, although only 8 hours need be consecutive
- a provision for drivers to work an additional 2 hours on some days, if this is taken off the shift of the next day

*And, there would be a **major increase** in the total hours truck drivers can be legally required to work each week -*

- All current work cycle limits average 60 hours per week.
- The proposals now on the table that trucking interests support would see the cap on total hours raised to either 82 or 84 hours for every week. That is a 35-40% increase in weekly workload.
 - One approach - favoured by several industry groups and promoted under vague titles such as "36 hour reset" - would permit 70 hours of work within a 6-day period. This equates to 82 hours of work over 7 days (1 week).
 - The other possibility - apparently supported by some provinces - involves establishing a straightforward 84 hour work cap for each week.

All of the above can be summarized this way:

- The changes to shift rules simply involve moving deck chairs on the Titanic.
- The real threat to public safety (the Titanic) lies in the proposal to increase the average number of hours a truck driver can work each week from the current 60 hour average to over 80 hours. Fatigue kills.

I WHO ARE THE STAKEHOLDERS? WHERE DO THEY STAND?

WHEN it comes to looking at revisions to Hours of Service regulations, four concerned groups can be readily identified: trucking industry management and its lobbying bodies, federal and provincial governments (in their role as protectors of public safety), the actual truck drivers, and the general public.

In a very real sense, industry prescribes and governments provide. The trucking industry is typically the proponent for change to be brought about through regulatory (and subsequent enforcement) actions by the latter.

The individual truck drivers become the “meat in the sandwich”. They have no say in the changes, even though it is their work pattern and potentially their health and safety that are being affected. Some truck drivers may welcome more work hours in the hope this will improve their (often modest) incomes. But, many drivers will look at an increase in the hours they can be required to work as exploitation.

The general public - particularly from the perspective of motorists, cyclists and pedestrians coexisting on public roads with big trucks - sees any increase in truck driver workload as endangering their safety. The public (correctly, if the scientific evidence is to be believed) associates an increase in truck driver workload with an increase in sleep impaired truck drivers and, hence, an increase in collision risk.

CRASH has carefully documented the views of Canadians on truck driver work hours. In the course of a national survey conducted in April 1998 by the Angus Reid Group,[ii] a vast majority of Canadians (83%) stated that an increase in the legal workweek for truck drivers from 60 to 70 hours would be unacceptable. In this same poll, nine out of ten respondents agreed that a longer workweek would undermine road safety.

■ WHY ARE TRUCKING COMPANIES SO ADAMANT IN PURSUING A LONGER WORKWEEK?

IT is a question of money....a lot of money. The trucking industry is deregulated. It is fiercely competitive. Many margins are pretty thin. The pursuit of opportunities to improve the bottom line is serious business.

A physical truck can keep on going other than when it is being fixed or refueled. But, that human being driving the truck will need to have time to sleep and eat. However, if one can get more work out of that driver, there will be a faster and richer recovery of the investment in the truck.

Also, the trucking industry has a serious worker turnover problem. (This is quite possibly due to the difficult working conditions drivers now face). If current truck drivers can be legally required to drive more hours, the industry may avoid having to raise driver remuneration in order to attract more workers.

Trucking management insists it is simply lobbying to revise archaic rules that hinder operational flexibility. That argument hides the true agenda. An overnight 40 percent increase in truck driver workload is not an adjustment. It is a sea change that places financial benefit ahead of public safety.

CRASH will support proposals that offer work time flexibility to long distance truck drivers within acceptable safety parameters. The association endorses the suggestions advanced by the Transport Canada expert panel[iii] that offer much freedom of action to drivers within limits averaging 60 hours per week.

■ WHY IS CRASH SO DETERMINED IN ITS OPPOSITION ?

THE most direct answer to that question needs only two words. Fatigue kills.

A spokesperson for the Transportation Safety Board of Canada has stated that “fatigue is now

recognized by the TSB and other investigative agencies around the world as a contributor to **many** transportation occurrences.”[iv] (*Emphasis added*)

The American federal government agency with responsibility for investigating big truck crashes affirms that “Research has suggested that truck driver fatigue may be a contributing factor in as many as 30 to 40 percent of all heavy truck accidents.”[v]

The two provinces (Alberta and Saskatchewan) that set no limit on weekly hours for truck drivers driving within their jurisdictions have per capita fatality rates for big truck accidents that are 40 percent higher than the national average.[vi]

As the Chairman of the U.S. National Transportation Safety Board has noted, “tired people typically underestimate the extent of their fatigue, and therefore don’t make rationale decisions about their fitness for duty.”[vii] Experts note that sleep impaired drivers exhibit many of the same symptoms of alcohol impaired drivers - inattention, poor coordination, and poor judgement.

Sadly, as mounting evidence demonstrates, sleep impaired truck drivers can wreak the same kind of havoc as drunken drivers. Drivers of big trucks are particularly vulnerable to fatigue because they are on the road hour after hour, day after day. While most drunk drivers are in 3,000 pound cars, a fatigued truck driver can be in charge of a vehicle weighing up to 138,000 pounds.

What should have been the definitive word on truck driver workload and fatigue was advanced by the Transport Canada panel of sleep and fatigue experts in its September 1998 report. This body stated that truck drivers working an 84 hour week have “inadequate time to sleep and recover” and asserted that the 84 hour regime “would produce a fatigued driver who would be a **danger to him/herself and to others**”[viii] (*Emphasis added.*)

■ BUT, WHAT DOES THE “SCIENCE” REALLY SAY ABOUT TRUCK DRIVER WORK AND FATIGUE?

TRANSPORT Canada posed the above question to a group of scientists with expertise in sleep and fatigue issues. These experts reported in September, 1998.[ix] Their understanding of what research - the “science” - has to say about truck driver work hours and fatigue is clearly not what trucking management wants to hear.

The expert panel has expressed the following positions:

- scientific literature does not support any increase of current (weekly) limits
- (84 hour) drivers have inadequate time to sleep and recover
- (an 84 hour workweek) would produce a fatigued driver who would be a danger to him/herself and to others

Confronted with these statements, some industry spokespersons have fallen back on a number of artful dodges. Here are some examples:

We should let the truck drivers be the judge of whether or not they are tired.

The problem with this suggestion, as fatigue scientists are quick to point out, is that overtired humans are poor judges of whether or not they should rest. Fatigue can impair judgement.

We can train truck drivers to deal with fatigue.

There is a place for training, but not as a substitute for necessary rest. Fatigue is a biomedical condition. You cannot expect training to make it possible to push a human being beyond his or her physical and mental capacity.

We can use new technology to help truck drivers deal with fatigue.

What technology? Is it reliable? Has it been thoroughly tested? Does it work for everyone? Does it work under all circumstances? Is it tamperproof? Maybe someday, but not now. Human lives are too important.

IF SAFETY IS AT STAKE, WON'T GOVERNMENTS SAY "NO" TO THE TRUCKING COMPANIES?

SADLY, they may soon say "yes" to a workweek of over 80 hours.

There are three reasons:

There is an **economic** argument. Trucking interests argue that the 84-hour workweek will be good for the financial health of the trucking industry and, hence, good for the economy.

There is a **safety** argument. Thanks to significant road safety programs such as those relating to drinking drivers, seat belts and air cushions, the overall number of road deaths and injuries have been slowly declining for a number of years. Given this trend (some trucking interests insist), it is now "safe enough" to allow the taking of safety risks with trucking operations for economic advantage.

And, there is the fact that trucking management and government officials have been in very close contact for many years. Until recently, no one else was at the table ... no drivers, no public, no media. This industry/government arrangement seems to have become a very comfortable relationship. You tend to become the company you keep.

WHAT IS THE PROCESS TO APPROVE THE DRIVER WORKLOAD CHANGE?

THE process involves an organization that brings all of the provincial road safety regulators together with their federal counterparts. This is called the Canadian Council of Motor Transport Administrators (CCMTA). Although the only "voting members" are the government members, other organizations participate in the CCMTA meetings. The various trucking associations (representing industry) have been very active in this body.

WHERE ARE WE IN TERMS OF SEEING A DECISION?

THE issue of revising the truck driver hours of work regulations has been before the CCMTA for the last three years. Most participants are anxious to bring this matter to a conclusion. That could happen in the near future.

OKAY, WHAT DOES CRASH WANT NOW?

CANADIANS for Responsible and Safe Highways wants to save lives.

It shares the view of the fatigue experts that an ability to require truck drivers to work over 80 hours every week will be dangerous. There will be more sleep-impaired drivers on our roads resulting in more collisions, more injuries, and more deaths. This is truly a disaster-in-waiting.

Above all else, CRASH wants the federal and provincial governments to proclaim in no uncertain way that they will NOT support the trucking industry aspirations for a regulatory amendment permitting a weekly driver workload of over 80 hours. There is no place on our public roads for drivers forced to work to the point of exhaustion.

Also, CRASH wants government officials to couple any changes to hours of work rules with a serious strengthening of the ability to enforce those new rules.

- To counter the cheating on hours worked (that many suggest is rampant with the present manual logbook system), to discourage speeding and other unsafe driving practices, and to provide information for accident investigations, long -distance heavy trucks should be required to have onboard electronic recorders. Requiring "black boxes" on these trucks (like those now mandated for aircraft and locomotives) has been recommended by the Transport Canada expert panel and by the U.S. National Transportation Safety Board

- To address the reported current difficulty of checking hours worked when truck drivers move between the three work “cycles” (7 or 8 or 14-days), the new safety regime must permit only one cycle. A 7-day period may be logical
- To improve the ability to meaningfully learn from occurrences involving big trucks, the federal government should give the Transportation Safety Board of Canada the responsibility to investigate major accidents involving heavy road vehicles. The recent Senate Committee on transportation safety recommended this action.[x] A Quebec government report on road safety has raised the idea of that jurisdiction creating its own body to carry out such investigations.[xi]

■ AND, WHAT DOES CRASH PLAN TO DO TO ADVANCE ITS VIEWS?

THE mission of Canadians for Responsible and Safe Highways is to provide a voice on trucking safety issues for the “rest of us” who share roads with big trucks.

Trucking safety cannot be the exclusive preserve of the trucking industry. Trucks don’t get killed. People get killed.

Trucking safety is about ensuring the safe coexistence of big trucks with the other road users who often find themselves in close proximity to those big trucks. Canadians have concerns about this coexistence. They have views. They have expectations. They have a right to be heard on this important issue.

On the matter of increasing truck driver workload, the public position is crystal clear. The Angus Reid survey for CRASH has shown that a vast majority of Canadians do not want their governments to place their safety at risk by increasing the hours truck drivers can be required to work every week.

Armed with this knowledge, CRASH will continue to talk to government and opposition

politicians, and to government officials. We will continue to do research and monitor developments. We will do still more networking with the many organizations likely to share our concerns. We will continue our extensive media efforts.

CRASH is pleased to see that many citizens have written to officials or to the media objecting to being placed in a position of having to run a gauntlet of sleep impaired truck drivers. Recently, the regional government of Ottawa-Carleton, speaking for its 721,000 citizens, has unanimously endorsed a resolution that adds its voice to the opposition to overworked truck drivers.[xii]

CRASH will place increasing emphasis on the absurdity of what trucking interests would like to see imposed on truck drivers. An 84-(or 82-) hour week is more than double the normal industrial workweek. An 84-hour week means that drivers (assuming they try to maintain their present off-work activities) could have as little as 28 hours per week available for sleep - 4 hours per night on average.[xiii] An 84-hour week is dangerous. The Transport Canada expert panel has said that.

■ ENOUGH IS ENOUGH!

WE put individuals in charge of fast-moving heavy rigs that require extra skill and alertness to operate in the confined spaces that they share with more vulnerable vehicles. But, now, it is proposed to deprive these big truck drivers of the rest, and the time for a family and personal life, that they will need to be able to perform with the freshness and competence that safe practice demands.

Big trucks are associated with a growing proportion of all serious road accidents. The projected increases in future trucking volumes suggest that this trend could well get worse. The result from adding more sleep-impaired drivers to an already perilous situation is frighteningly predictable.

CRASH

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- i There are actually two different work periods or "cycles" permitted - a truck driver can work up to 60 hours in 7 days or 70 hours in 8 days. The latter equates to 61 hours per week.
- ii Angus Reid Group survey conducted for CRASH, April 1998. A total of 1,504 interviews were conducted by telephone with a representative cross-section of Canadian adults. A sample of this size has an associated margin of +/- 2.5 percentage points, nineteen times out of twenty.
- iii S. Vespa, W. Rhodes, R. Heselgrave, A. Smiley, J. Baranski for Road Safety Programs Group and Transportation Development Centre - Safety and Security, Transport Canada, *Options for Changes to Hours of Service for Commercial Vehicle Drivers* - September, 1998.
- iv Maury Hill, Transportation Safety Board of Canada. Statement made in the course of an address to the Fatigue in Transportation Workshop, Ottawa, 15-16 October 1998.
- v National Transportation Safety Board, *Factors that Affect Fatigue in Heavy Truck Crashes*, Vol. 1, 1995.
- vi CRASH, *Report Card on Big Truck Safety by Province*, April 1999 - (1992-1996 average fatality rates derived from Transport Canada statistics).
- vii Remarks by Jim Hall, Chairman, U.S. National Transportation Safety Board, before the American Trucking Association Foundation Conference on Highway Accident Litigation - 14 September, 1998.
- viii S. Vespa et al, *Options for Changes to Hours of Service for Commercial Vehicle Drivers* - Sept., 1998.
- ix Ibid.
- x *Special Senate Committee on Transportation Safety and Security - Interim Report*, January, 1999.
- xi *Le rapport de la Table de concertation gouvernement-industrie sur la sécurité des véhicules lourds*, juillet, 1999.
- xii This resolution was passed by the Ottawa-Carleton Regional Council on 13 October., 1999.
- xiii S. Vespa et al, *Options for Changes to Hours of Service for Commercial Vehicle Drivers* - pg. xviii.

THE GLOBE AND MAIL

CANADA'S NATIONAL NEWSPAPER • FOUNDED 1844 • TUESDAY, MAY 23, 2000

COMMENT

TUESDAY, MAY 23, 2000 • A1

TRUCKING SAFETY

Ottawa is asleep at the wheel

Let's stop commercial drivers from logging 96-hour workweeks, says lobbyist Bob Evans

BOB EVANS

We know that sleep impairment affects judgment and co-ordination. It poses a particularly severe challenge for those who drive large, commercial motor vehicles. Day after day, around the clock, in all kinds of weather, they put in mind-numbing hours behind the wheels of fast-moving rigs that can be 45-times heavier than a typical automobile. The rest of us who share public roads with large trucks and buses can't be indifferent. Our lives are at risk.

Yet from behind the anonymity of a federal-provincial committee, apparently responsible to no one, it appears that the Canadian government is now ready to amend federal regulations to legalize new workload standards for Canadian drivers of heavy trucks and buses. Canadians for Responsible and Safe Highways (CRASH) has argued that these new standards — 14-hour driving shifts and 84- to 96-hour workweeks — should be confined to history-book stories about 19th-century sweatshops.

CRASH has recently gained an important ally in its efforts to return some sense to commercial-driver workload limits. On April 25th, the U.S. Department of Transportation announced its proposal for new rules for truck and bus operators in that country. The intended American workload limits are far safer than those now planned here. Compared to the Canadian plan, the U.S. rules will mandate 25-per-cent more rest after each daily shift. They'll require twice as many nighttime sleeps per week to counter the sleep-pattern problems identified by fatigue scientists. And they will set weekly workload maximums that are lower by 24 to 36 hours per week.

Moreover, to ensure consistent conformance to the new rules, the American authorities will mandate the use of on-board electronic recorders. No such requirement — no such attack on dangerous cheating on hours worked behind the steering wheel — has been proposed for Canada.

American officials say their revisions to hours-of-service regulations are needed because it is estimated that 755 fatalities and 19,705 injuries occur each year on U.S. roads due to fatigued drivers of large trucks or buses. An extrapolation to the Canadian context suggests about 85 deaths and 2,200 injuries annually from large vehicles with sleep-impaired drivers.

Predictably, the American Trucking Association (representing the larger U.S. transport companies) is crying financial distress over the new U.S. workload limits. Meanwhile, insurance and citizens groups complain that the proposals don't go far enough.



Proposed new rules for U.S. truck and bus operators will set weekly workload maximums that are 24 to 36 hours a week less than those permitted in Canada. CP

bying group for trucking interests here. Not wanting to see anything upset a Canadian government commitment to endorse its preferred sweatshop regime for Cana-

ent from that now intended for Canada. Imagine, arguing that a workweek that can be 60-per-cent longer in Canada — 96 hours as opposed to 60 hours — simply

More staggering is the fact that truck interests here propose that we drive in the 21st century with discredited paper timelogs (notebooks in which truckers note their hours of road time), when Americans (and, it would seem, just about everyone else) know that today's electronic technology provides the obvious avenue to combating cheating driving hours. (Still, it must be admitted that paper logs fit nicely with 19th-century work hours.)

Given a stricter work regime south of the border, there's no competitive argument for Canadian governments to support 14-hour driving shifts, and 84- to 96-hour workweeks. Given the often serious consequences of heavy-vehicle accidents associated with trucker sleep impairment — pileups that can leave several people dead — there's every reason to push for the less stressful working standards preferred by the Americans.

Yet the response of Canadian trucking industry lobbyists to the proposed U.S. work rules offers little hope for change of heart from those whose first responsibility is to their clients' financial prospects.

If Canada does insist on implementing its more dangerous workload norms, it must expect U.S. authorities to act to protect their citizens against overtired Canadian truck drivers. The Americans will surely require Canadian trucks entering their territory to adhere to the electronic-recorder requirement. Given the concern about the greater cumulative fatigue risks associated with the much longer legal workweeks in Canada, it may also require that our drivers conform to U.S. time limits for some time before crossing the border. American efforts to protect U.S. citizens from sleep-impaired Canadian truck and bus drivers could bring delays at the border, affecting \$160-billion a year in Canadian exports from truck.

The potential embarrassment of having the U.S. government take steps to protect its citizens against overworked Canadian heavy-vehicle operators can be avoided. Our federal and provincial jurisdictions simply need to take the decision now, scrap the current unilateral Canadian workload plans. Instead, they should adopt a harmonized North American standard for the working hours of truck and bus drivers.

The U.S. workload model offers a modern approach to fairer and safer commercial driving practices. Canadian carriers will be better positioned to operate smoothly when entering the United States. And Canadian lives will be saved.

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Long hours compromise safety, truckers fighting increases say

RENÉE HUANG
The Globe and Mail, Toronto

The union representing 100,000 truckers across the country says a move to increase the working day for drivers to 14 hours compromises road safety.

The Canadian Teamsters pressed their case yesterday outside a downtown hotel, where representatives of the Canadian Council of Motor Transport Administrators were meeting to discuss allowing truck drivers to spend a maximum of 14 hours on the road, up from the current 13 hours.

"What we want to say to these bureaucrats is that you're not the experts," Robert Bouvier, Canadian Teamsters president, told a crowd of about 40 truckers. "We want them to back off and go back to the 12-hour day."

According to trucker Gord Allaby, the extra hour is too much. "The last hour is always the toughest. . . . We have people out there who are tired," he said. "One hour added on

to the 13 hours we drive already is significant. Do you get in your car and drive for 14 hours?"

When Mr. Allaby started driving trucks 35 years ago, he said, he worked 10 to 12 hours a day driving rigs within the city.

"Now, I start in St. Catharines and drive to Toronto, rest for an hour or so, then I go to Kingston. Then I rest and drive all the way back to St. Catharines. That's only [736 kilometres], but it's a 12- to 14-hour day."

Current U.S. standards allow drivers to work a maximum of 10 hours on the road with a mandatory break period of eight hours. Proposed changes to U.S. standards would increase driving hours to 12 and rest time to 10 hours.

"Study after study says every hour you put [on to driving time], fatigue multiplies threefold," said B.C. Teamsters president Garnet Zimmerman.