

**DRIVING AND
OFF-DUTY TIME**
for heavy
vehicle drivers



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vehicle drivers

*Société de l'assurance
automobile*

Québec 

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Below is a list of equivalent terms used interchangeably in this brochure and in other SAAQ documents concerning heavy vehicles.

Hours of driving = driving time/hours

Hours of service = on-duty time = hours of work

Hours of rest = off-duty hours

This document is not a text of law. For questions of a legal nature, please refer to the *Highway Safety Code* and *Regulation respecting hours of driving and rest of heavy vehicle drivers*.

May 2007

DRIVING and off-duty time

Goal

Rules governing driving time, on-duty time and off-duty time help to limit the fatigue that heavy vehicle drivers may experience. Drivers who are tired pose a hazard to their personal safety and to other road users. Standards governing hours are set forth in the *Regulation respecting the hours of driving and rest of heavy vehicle drivers*. The guiding principles of the Regulation are as follows:

- to enable a driver of a heavy vehicle to have a minimum number of hours of rest before taking to the road;
- to establish a maximum amount of driving time and on-duty time after which a driver is required to stop driving.

Fatigue

Regulatory control alone cannot eliminate the risk of accidents due to fatigue. A number of factors contribute to driver fatigue and vary from individual to individual. Some of the main factors include the following:

- the time of day;
- period of wakefulness;
- irregular schedules;
- a sleep disorder and an accumulated “sleep debt”;
- a driver’s health;
- workload and work practices.

A driver can recognize symptoms of fatigue and should act on the first signs of drowsiness (frequent yawning, fluttering eyelids, involuntary lane changes, delayed braking, inconsistent speed, etc.). Do not drive when drowsy; instead pull over in a safe location to rest when signs appear.

Individuals covered

Individuals who are covered include:

- heavy vehicle drivers;
- heavy vehicle operators;
- shippers, consignees or any other person who comes under the provisions that apply to heavy vehicle operators are subject to the Regulation.

Vehicles covered

Drivers of the following vehicles must comply with the Regulation:

Road vehicles with a gross vehicle weight rating (GVWR) of 4,500 kg or more.

Examples:

- trucks (including road tractors in particular);
- trailers and semi-trailers;
- equipment transport vehicles (ex. well-drilling rig, concrete pump, compressor, truck-mounted cranes).

Road vehicles combinations consisting of at least one vehicle with a GVWR of 4,500 kg or more.

The following road vehicles, regardless of their net weight:

- buses and minibuses (other than those used for urban transit);
- tow trucks;
- vehicles carrying hazardous materials that require displaying hazard placards.

Exempted vehicles

Drivers and operators of the following heavy vehicles are exempted from the regulatory requirements governing hours of driving and hours of service:

A heavy vehicle used for an entire day by an individual for personal purposes, more specifically for purposes other than commercial or professional ones.

Examples:

- a vehicle weighing 4,500 kg or more (pickup truck, recreational vehicle) that is used **solely** for personal purposes;
- a vehicle weighing 4,500 kg or more used for personal purposes for an entire day on Saturdays and Sundays (will be exempted on these days only).

A **heavy vehicle used during part of the day by an individual for personal purposes**, more specifically for purposes other than commercial or professional ones, is exempted **for the first 75 kilometres travelled** in a day, where the following conditions have been met:

- The vehicle has been unloaded and trailers have been unhitched.
- The driver has recorded in the daily log the odometer reading at the beginning and at the end of the use of the vehicle that is used for personal purposes.
- The driver is not the subject of an out-of-service declaration.

For instance, a driver whose home terminal is at the establishment uses a tractor to return home after a day of work; this driving time is considered to be off-duty for the first 75 kilometres travelled. If the distance exceeds 75 km, the time to cover this additional distance will be deemed driving hours.

An **emergency vehicle** (ex. ambulance, fire department road vehicle, response vehicle);

A **heavy vehicle** that is used when it is required by an emergency service or in the event of a disaster;

Tool vehicle, which is a road vehicle, other than a vehicle mounted on a truck chassis, manufactured to perform work, the work station of which is an integral part of the driver's cab (ex. grader, road roller, fork lift, back loader);

A **farm tractor and farm machinery** within the meaning of the *Regulation respecting the registration of road vehicles*;

A **farm trailer** within the meaning of the *Regulation respecting safety standards for road vehicles*;

A **bus or minibus** used for urban transit provided by a public transit corporation or under a contract with a public transit body, an inter-municipal commission or board, a municipality or group of municipalities;

A **combination of road vehicles where each vehicle has a GVWR of less than 4,500 kg**, except a vehicle combination transporting hazardous materials that requires the display of hazard placards;

A **vehicle with a GVWR of less than 4,500 kg transporting dangerous substances** that does not require the display of hazard placards, except minibuses and tow trucks;

A **straight truck with two or three axles**, used to transport the primary products of a farm, forest or fishery, if the operator of the truck is the producer of the products (ex. a potato grower who makes deliveries). The exemption also applies to a vehicle that is used to return to a producer's place of business; in which case the vehicle must be unladen or must be carrying only goods that go into operating the farm, forest or fishery.

The table below lists a few examples of farm, forestry and fishery products and defines which goods are and are not defined as primary products.

Types of goods	Are the goods transported considered primary products?	
	Yes	No
Farm		
• Live cattle	X	
• Side of beef		X
• Eggs	X	
• Vegetables	X	
• Homogenized milk		X
• Flowers in flats	X	
Forestry		
• Tree with branches removed		X
• Tree cut into logs		X
• Tree sawed into lengths		X
• Shrubs for planting	X	
• Christmas trees	X	
Fishery		
• Cooked lobster		X
• Cut and eviscerated fish		X
• Dead fish (whole raw)	X	
• Live fish	X	

VERY IMPORTANT: Anyone who drives an exempted vehicle (except where the vehicle is being used for personal purposes) is required to count these hours as on-duty time when driving a heavy vehicle covered by the Regulation. For example, a bus driver who drives an urban transit vehicle must count the hours of on-duty time to determine if he or she can perform a chartered transport during a weekend.

Definitions

Compliance with the Regulation requires a knowledge of the following basic concepts:

Adverse driving conditions

Adverse road or weather conditions that were not known to the driver or operator before the driver began driving or could not reasonably have been known to them.

An individual who supplies the services of a driver

This concept applies when an operator hires the services of a driver who is not directly employed by the operator, that is, the driver is supplied by a driver agency or another operator.

An owner-operator or broker who offers his own services as a driver for an operator is not considered a person who offers the services of a driver. However, an owner-operator who offers the services of drivers other than himself is considered a person who supplies the services of a driver within the meaning of the *Highway Safety Code*.

Cycle

Cycle 1 or cycle 2.

Cycle 1

A cycle under which on-duty time is accumulated over a period of 7 days.

Cycle 2

A cycle under which on-duty time is accumulated over a period of 14 days.

Daily log

A document in which a driver writes all of the information about his daily activities. The log contains a graph grid covering a 24-hour period, along with certain mandatory information required under the Regulation.

Day

A period of 24 hours that begins at the hour designated by the operator and lasts for the duration of the driver's cycle.

Driver

An individual:

- who drives a heavy vehicle;
- whom an operator employs to drive a heavy vehicle;
- who has been hired to drive a vehicle.

Driving time (Hours of driving)

The number of hours during which a driver is at the wheel of a heavy vehicle when the engine is running.

Duty status

Duty status refers to one of the following periods:

- off-duty time (hours of rest), other than time spent in a sleeper berth;
- off-duty time (hours of rest) spent in a sleeper berth;
- on-duty time (hours of service), excluding driving hours;
- driving time (hours of driving).

Note: Daily logs using the terms “hours of rest” and “hours of service” are acceptable in Québec.

Establishment

The location(s) designated by the operator as the place where daily logs, supporting documents and other records required under the Regulation are kept.

Home terminal

The place at which a driver ordinarily reports for work or any other temporary work location designated by the operator.

Off-duty time (Hours of rest) *

Any period of time other than a driver's hours of service. Breaks, time taken for meals, holiday, vacation and time spent on a ferry are deemed to be hours of rest, as long as:

- a driver has been completely relieved of all duties, responsibilities and obligations regarding the care and custody of a vehicle, its accessories and passengers or load it may be carrying;
- during the downtime in question and for the period of the downtime, a driver must be free to partake in the activities of his or her choice and be allowed to leave the location of the vehicle.

An operator is not required to issue a letter to a driver (also called a release letter) authorizing the driver to enter time taken for meals or other breaks as hours of rest.

Off-duty time (Hours of rest) * in the sleeper berth of a vehicle

The amount of time actually spent in the sleeper berth of a heavy vehicle to rest.

On-duty time (Hours of service) *

The period of time begins when a driver starts work and includes the time during which the driver is required to remain available to work. The period ends when a driver stops work or is relieved of responsibility by the operator. Hours of service include hours of driving and the time a driver spends performing the following duties:

*** Daily logs using the terms “hours of rest” and “hours of service” are acceptable in Québec.**

- inspecting, servicing, repairing, conditioning or starting a heavy vehicle;
- writing reports;
- travelling in a heavy vehicle as a co-driver, when time is not spent in the sleeper berth;
- participating in loading and unloading a heavy vehicle;
- inspecting and checking the load of a heavy vehicle;
- waiting for an assignment;
- waiting for the following:
 - a heavy vehicle to be serviced, loaded or unloaded,
 - a heavy vehicle or its load to be inspected,
 - during an inspection of papers or verification of the driver;
- waiting at an en-route point because of an accident or other unplanned occurrence or situation;
- performing any work at the request of the operator.

A driver who awaits a trip at the home terminal must consider this period as hours of service. If the waiting period takes place at home, it is considered hours of rest, even if a driver is paid for this period.

Radius of 160 km

A distance of 160 km as the crow flies, calculated from the driver's home terminal. The radius is calculated using a map.



Sleeper berth

An area of a heavy vehicle designed for use as a sleeping compartment that is located in the cab or beside the cab and complies with the provisions of the Regulation (see Appendix 1).

Work shift


The time between two periods of at least 8 consecutive hours of rest.

General rules

When planning a schedule, a driver must comply with the requirements of the following reference periods:

14 days

Regardless of which cycle is followed, in order to be allowed to drive, a driver must have taken at least **24 consecutive hours off-duty time** during the preceding **14 days**.

January 2007						
SUN	MON	TUES	WED	THURS	FRI	SAT
	1 	2 ✓	3 ✓	4 ✓	5 ✓	6 ✓
7 ✓	8 ✓	9 ✓	10 ✓	11 ✓	12 ✓	13 ✓
14 ✓	15 ✓	16 	17 ✓	18 ✓	19 ✓	20 ✓
21 ✓	22 ✓	23 ✓	24 ✓	25 ✓	26 ✓	27 ✓
28 ✓	29 ✓	30 ✓	31  Today			

Cycles

A driver follows cycle 1 or cycle 2.

If a driver follows cycle 1:

No driving is allowed after the driver has accumulated **70 hours** on-duty time over a period of **7 consecutive days**.

The following is an example over a period of 3 days:

SUN	MON	TUES	WED	THURS	FRI	SAT
0 h	1 st 13 hrs	2 nd 8 hrs	3 rd 12 hrs	4 th 10 hrs	5 th 11 hrs	6 th 0 h
7 th ? hrs						

Accumulated Days 1-6: 54 hours
Remaining: 70-54 = 16 hours

SUN	MON	TUES	WED	THURS	FRI	SAT
0 h	13 hrs	1 st 8 hrs	2 nd 12 hrs	3 rd 10 hrs	4 th 11 hrs	5 th 0 h
6 th 3 hrs	7 th ? hrs					

Accumulated Days 1-6: 44 hours
Remaining: 70-44 = 26 hours

SUN	MON	TUES	WED	THURS	FRI	SAT
0 h	13 hrs	8 hrs	1 st 12 hrs	2 nd 10 hrs	3 rd 11 hrs	4 th 0 h
5 th 3 hrs	6 th 10 hrs	7 th ? hrs				

Accumulated Days 1-6: 46 hours
Remaining: 70-46 = 24 hours

If a driver follows cycle 2:

No driving is allowed after the driver has accumulated:

- **120 hours** on-duty time over a **period of 14 consecutive days**;
- **70 hours** on-duty time, without having taken at least **24 consecutive hours of rest**.

Example:

SUN	MON	TUES	WED	THURS	FRI	SAT
0 hr	1 st 10 hrs	2 nd 10 hrs	3 rd 10 hrs	4 th 10 hrs	5 th 10 hrs	6 th 10 hrs
7 th 0 hr	8 th 8 hrs	9 th 9 hrs	10 th 8 hrs	11 th 8 hrs	12 th 8 hrs	13 th 8 hrs
14 th ? hrs						

Condition 1 – No driving is allowed after a driver has accumulated 120 hours on-duty time over a period of 14 consecutive days.

Hours on-duty time accumulated:

109 hours (days 1 to 13)

Hours of driving remaining: 120-109

11 hours (day 14)

Condition 2 – No driving after 70 hours of on-duty time without having taken 24 consecutive hours off-duty time.

Hours on-duty time accumulated:

49 hours (days 8 to 13)

Hours of driving remaining: 70-49

21 hours (day 14)

In order to meet both conditions, a driver must not drive more than 11 hours on the 14th day.

Beginning a cycle or changing a cycle

A driver CAN **reset** a current cycle to **begin** a new one or **switch cycles**, as long as the driver takes the following amount off-duty time:

- at least **36 consecutive hours** off-duty time if a driver is following cycle 1;
- at least **72 consecutive hours** off-duty time if a driver is following cycle 2.

After having taken this off-duty time, a driver begins a new cycle; the cycle is therefore reset and the hours of on-duty time begin to accumulate again.

Work shift

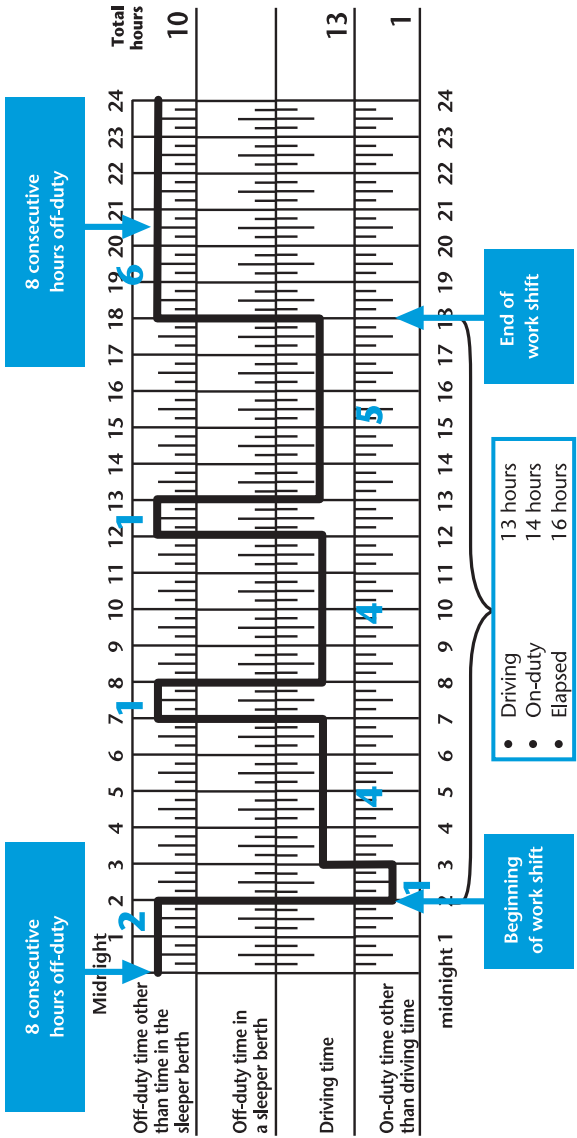
A work shift is the **time between two periods of at least 8 consecutive hours of off-duty time**. A new work shift begins after a period of at least 8 consecutive hours of off-duty time. The hours of off-duty time cannot be taken on board the heavy vehicle that is stopped, unless the driver spends them in the sleeper berth.

Work shift requirements

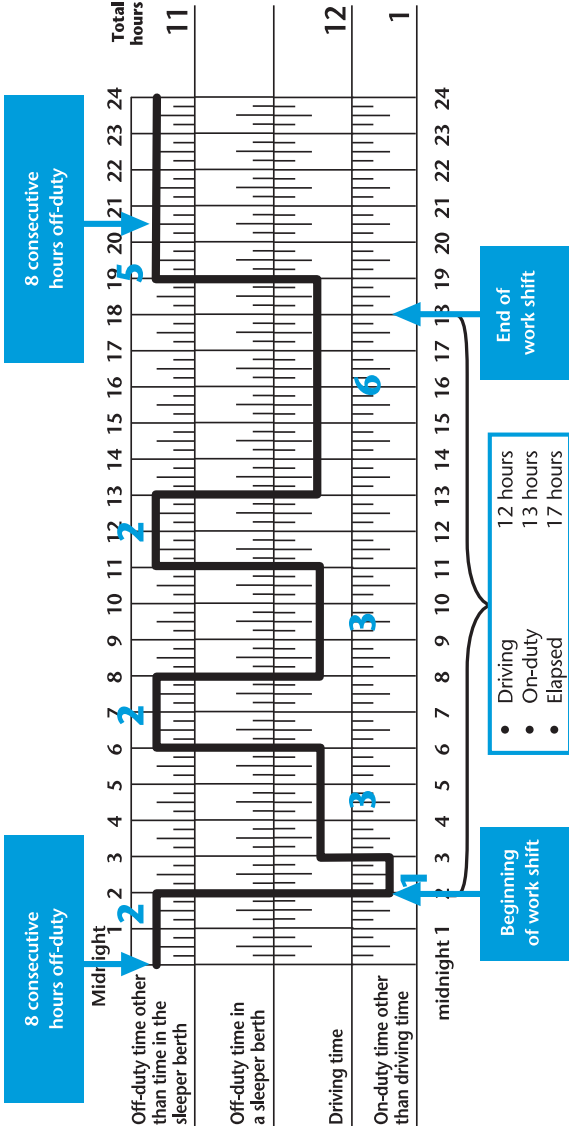
From the time a work shift begins, **no driving** after:

- accumulating **13 hours of driving time**;
- accumulating **14 hours of on-duty time**;
- **16 hours have elapsed**.

An example of a work shift that complies with the Regulation:



An example of a work shift that does not comply with the Regulation:



Offence: drove after 16 hours elapsed

Day

A day is a period of 24 hours that corresponds to a daily log. During a cycle, a day always begins at the same time. If a driver wishes to change the time a day begins, a new cycle must be started.

The time a day begins may be different from the time a driver begins a work shift. For example, a day may begin at midnight and a work shift may begin at 7:00 a.m.

Daily requirements

A driver must take at least **10 hours of off-duty time** in a day. This time must include at least 2 hours of off-duty time that does not from part of the required period of 8 consecutive hours of off-duty time and can be split up into breaks of not less than 30 minutes.

During a day, a driver **must stop driving** after accumulating:

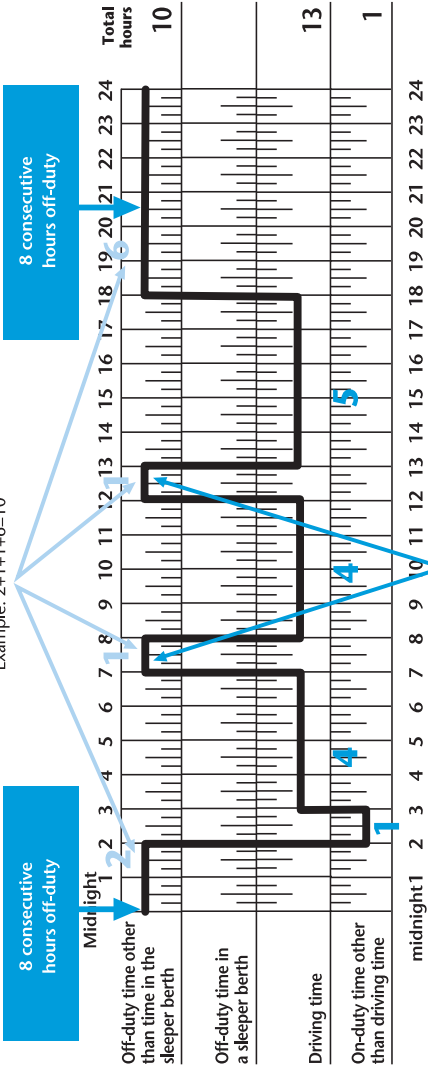
- **13 hours** of driving time; or
- **14 hours** of on-duty time.

An example that complies with the Regulation:

10 hours of off-duty time:

Not necessary to have 8 consecutive hours in a day.

Example: $2+1+1+6=10$



2 hours of off-duty time that are not part of the required period of 8 consecutive hours of off-duty time.

An example that does not comply with the Regulation:

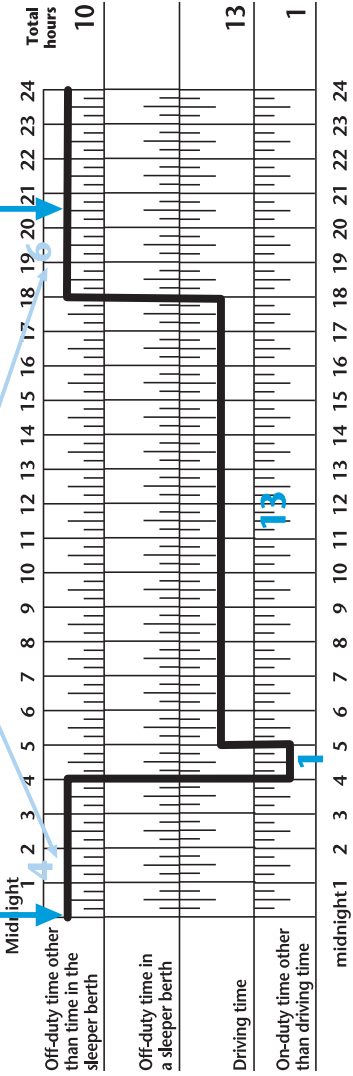
10 hours of off-duty time:

Not necessary to have 8 consecutive hours in a day.

Example: $4 + 6 = 10$

8 consecutive hours off-duty

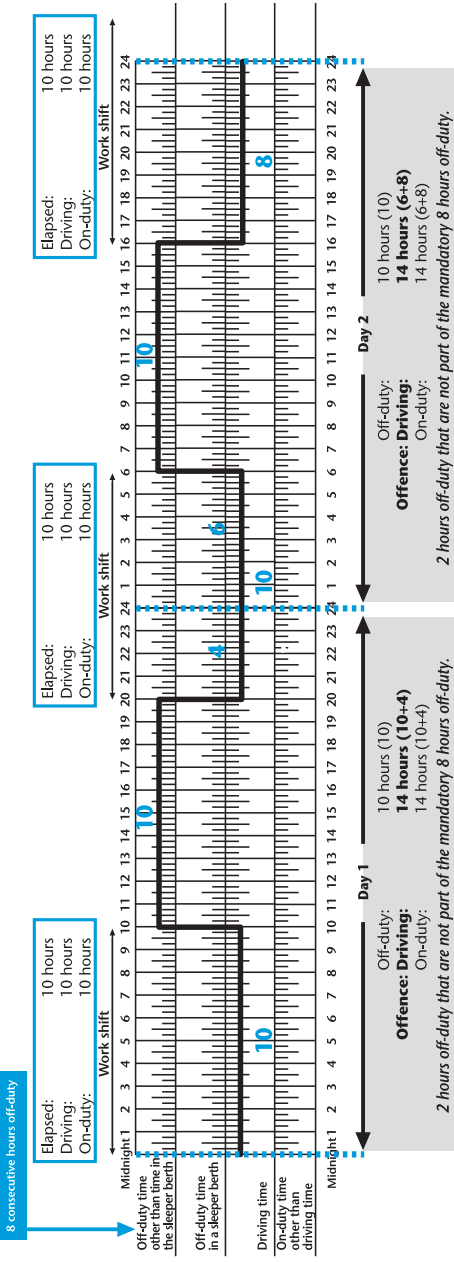
8 consecutive hours off-duty



Offence: did not take 2 hours off-duty that are not part of the mandatory 8 hours off-duty.

“Work shift” and “day” combination

If a work shift overlaps two days, you must comply with the rules that apply to a day AND the rules that apply to a work shift.



Special situations

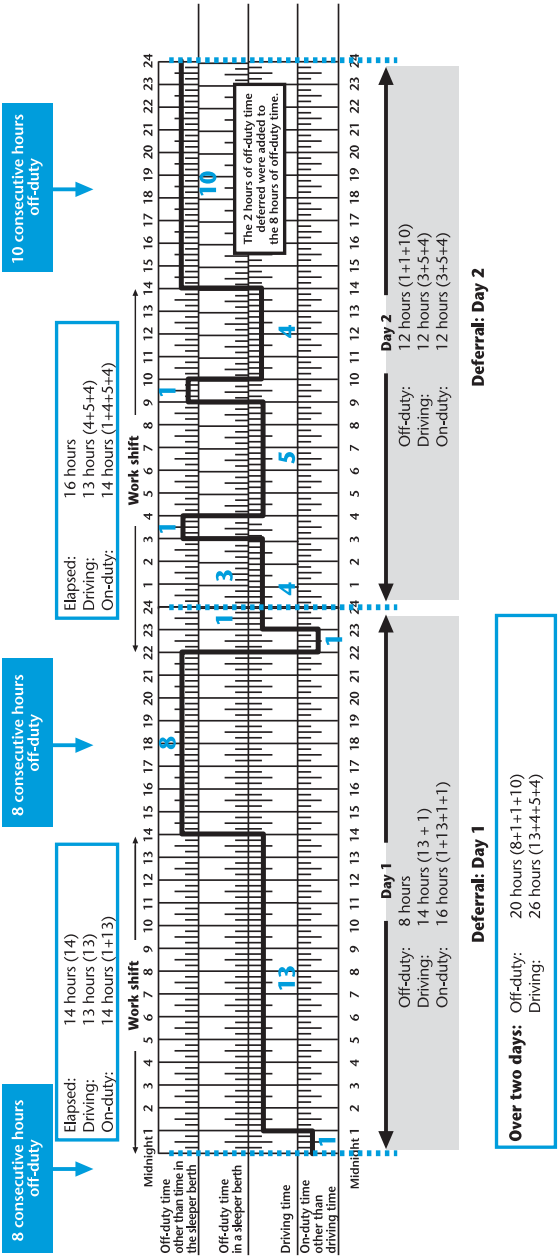
Deferral of daily off-duty time

A driver can extend driving time or on-duty time by no more than **2 hours** in a day if **2 hours off-duty time** are deferred to the following day and where the following conditions are met:

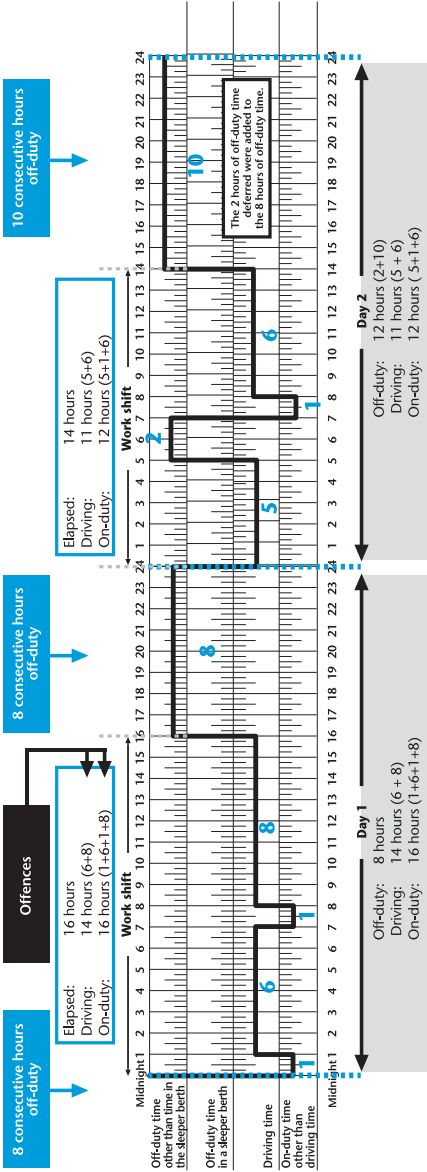
- The driver does not split daily hours of off-duty time in a sleeper berth.
- The hours of off-duty time deferred are not part of the mandatory 8 consecutive hours of off-duty time.
- The hours of off-duty time deferred are added to the 8 consecutive hours of off-duty time taken in the second day.
- A total of at least 20 hours of off-duty time are taken during the 2 days.
- A total of no more than 26 hours of driving time are accumulated during the 2 days.
- The driver indicates in the “*Remarks*” section of the daily log that hours of off-duty time are being deferred and whether the driver is driving under day one or two of the deferral period.

VERY IMPORTANT: A deferral of hours of off-duty time allows the number of hours of driving to be extended to a maximum of 15 hours or the number of hours of on-duty time to be extended to 16 hours in a day. The hours that are deferred, however, cannot cause driving hours and hours of on-duty time of a work shift to be extended.

An example of deferral of daily hours of off-duty time that complies with the Regulation:



An example of deferral of daily hours of off-duty time that does not comply with the Regulation:



Over two days: Off-duty: 20 hours (8+2+10)
Driving: 25 hours (6+8+5+6)

Offences: drove after 13 hours of driving since the beginning of the work shift
drove after 14 hours of driving since the beginning of the work shift

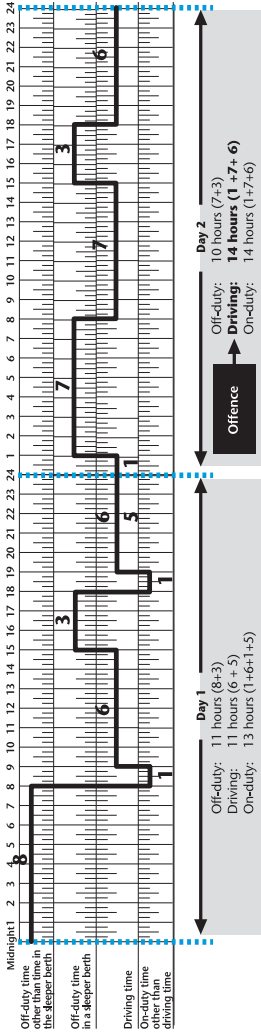
Splitting hours of daily off-duty time in a sleeper berth

A driver who is travelling alone can use the sleeper berth in a vehicle to split hours of off-duty time into **two periods**, if the following conditions are met:

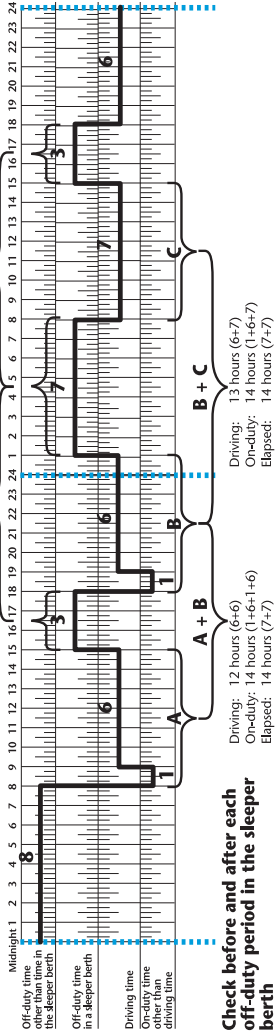
- hours of off-duty time are not deferred to the following day;
- periods of off-duty time are at least **2 hours** long;
- the total of both periods is at least **10 hours**;
- the hours of off-duty time are spent in the sleeper berth;
- a driver must have at least **10 hours** of off-duty time and **stop driving** after accumulating **13 hours** of driving or **14 hours** of on-duty time in one day;
- before and after each off-duty time that is used for splitting, a driver must **stop driving**:
 - after accumulating **13 hours** of driving time,
 - after accumulating **14 hours** of on-duty time, or
 - if **16 hours** have elapsed.

An example that does not comply with the Regulation of a driver who is traveling alone and splits off-duty hours in a sleeper berth:

Daily requirements:



Splitting of off-duty hours in the sleeper berth:



Check before and after each off-duty period in the sleeper berth

Drivers travelling as a team can use the sleeper berth of the vehicle to split hours of off-duty time **into two periods**, if the following conditions are met:

- hours of off-duty time are not deferred to the following day;
- periods off-duty time are at least **4 hours** long;
- both periods include a total of at least **8 hours** of off-duty time;
- hours of off-duty time are spent in the sleeper berth;
- in addition to the **8 hours** of split off-duty time hours, the driver takes an additional **2 hours** of off-duty time;
- a driver must, in one day, take at least **10 hours** of off-duty time and **stop driving** after accumulating 13 hours of driving or **14 hours** of on-duty time;
- before and after each off-duty time period that is used for splitting, a driver **must stop driving**:
 - after accumulating **13 hours** of driving time,
 - after accumulating **14 hours** of on-duty time or
 - if **16 hours** have elapsed.

An example of splitting off-duty time hours in a sleeper berth that does not comply with the Regulation in the case of more than one driver:

Emergencies

In the event of an **emergency**, a driver may extend the hours of driving time and the hours of on-duty time in order for the occupants of the heavy vehicle to reach a safe destination and for the safety of other road users or for the security of the heavy vehicle and its load.

Such actions are permitted in exceptional circumstances where a driver must take immediate action. A situation is no longer deemed an emergency or a hazard where a driver finds the nearest safe haven for passengers, goods or the vehicle. There is no limit to the number of hours in this case.

Adverse driving conditions

A driver who during a trip encounters adverse driving conditions that causes a delay may extend the hours of driving time and on-duty time permitted by 2 hours if:

- the driver has not taken 2 hours of off-duty time, in addition to 8 consecutive hours of off-duty time;
- the trip could have been completed under **normal driving conditions**.

Adverse driving conditions are adverse road or weather conditions that were not known to the driver or dispatcher before the driver began driving or could not reasonably have been known to them. Such unforeseen events must also be related to road, weather or traffic conditions.

For example, a traffic build-up due to an unforeseen event, such as an accident that occurred after a driver left, falls within the definition of an unforeseen road or traffic condition. However, traffic build-up during rush hour or a mechanical failure are not unforeseen road or traffic conditions. A snowstorm or icy road conditions are unforeseen road or traffic conditions, as long as these conditions were not known or could not have reasonably been known to the driver or dispatcher prior to the vehicle's departure.

Towing

A driver of a tow truck may exceed the hours of driving time and hours of on-duty time and reduce the hours of off-duty time if the driver has to complete the towing operation of a vehicle stopped on a public road and return to the home terminal, as long as the following conditions are met:

- The driver can reach the location of the breakdown or accident under normal road conditions in accordance with the hours prescribed in the Regulation.
- The driver does not travel more than 160 km from the towing location to the home terminal.

Winter road maintenance

A driver is allowed to drive up to 15 hours per work shift where necessary, to protect the public, plow a public road due to snow accumulation or spread abrasives or ice melting products. A driver can choose one of two options.

Option 1

Defer 2 hours of off-duty time that are not part of the mandatory 8 consecutive hours and **add** them to the 8 consecutive hours of off-duty time taken at the end of the first, second or third shift. Two hours of off-duty time can be deferred for two consecutive work shifts.

Option 2

Defer 2 of the 8 consecutive hours off-duty that are taken at the end of the work shift and **2 hours of off-duty time** that are not included in the mandatory 8 hours and **add** them to the 8 consecutive hours of off-duty time taken at the end of the second work shift. This time can be deferred for only one work shift.

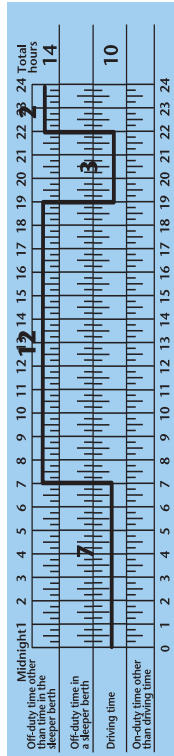
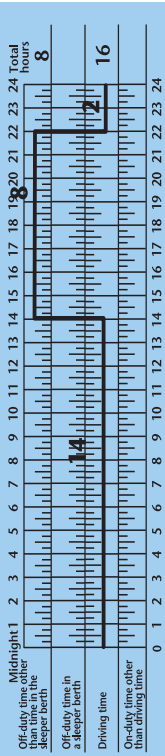
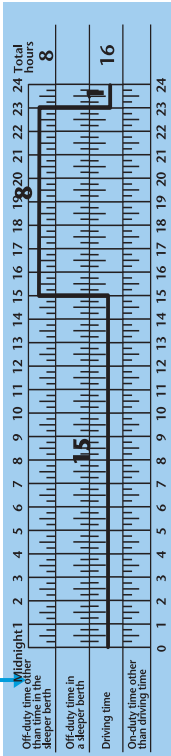
Once one option has been chosen, the driver cannot use the other option before the end of the third work shift. Regardless of which option is chosen, a driver must comply with the following conditions:

- a driver **must stop driving** after accumulating **16 hours of on-duty time** or where **16 hours have elapsed** since the work shift began;
- a driver has taken **at least 8 consecutive hours of off-duty time before beginning the first work shift;**
- a driver does not split the hours of off-duty time **in the sleeping berth;**
- a total of **at least 30 off-duty time hours** are taken **during the THREE-DAY PERIOD** that includes **three work shifts;**
- the total number of driving hours **during these THREE WORK SHIFTS does not exceed 39 hours;**
- a driver indicates in the daily log that off-duty time hours are being deferred by indicating which option is chosen and if this is the first, second or third work shift.

Illustration of Option 1

In this example, a driver has chosen to drive for 15 hours over the course of two consecutive work shifts and to add the hours of off-duty time to the period immediately following the third work shift.

8 consecutive hours off-duty

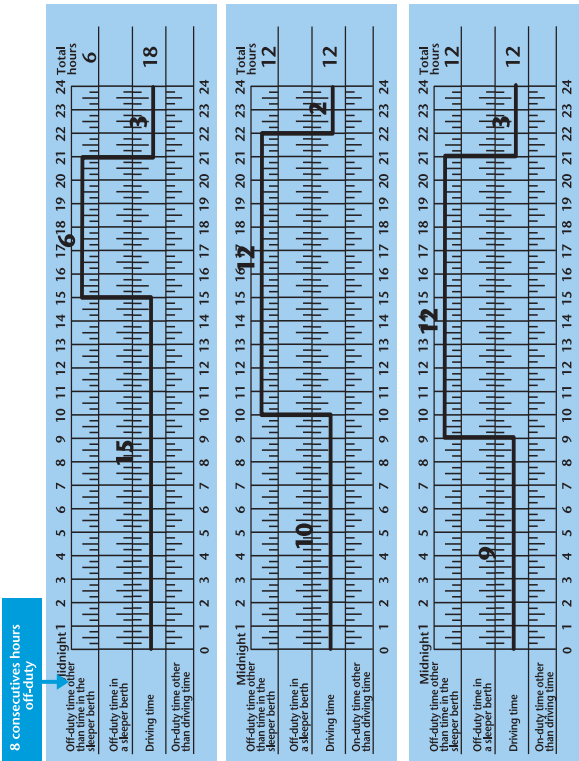


Off-duty time over 3 days:
Driving over 3 work shifts:

30 hours (8+8+12+z)
39 hours (15+1+14+2+7)

Illustration of Option 2

In this example, a driver drove for 15 hours during a work shift and reduced the number of off-duty time hours at the end of the first work shift to 6 consecutive hours. The driver must therefore add the number of off-duty time hours that were not taken to the 8 consecutive hours at the end of the second work shift; the driver is therefore required to take 12 consecutive hours of off-duty time.



Ferries

A driver who travels on a ferry where the expected duration of the trip is **longer than 5 hours** is not required to take 8 consecutive hours of off-duty time, as long as the following conditions are met:

- The driver takes a total of at least 8 hours of off-duty time in the sleeper berth while awaiting embarkment, in a ferry cabin and in a location no more than 25 km away from the disembarkation point.
- The driver records these hours in the daily log as off-duty hours in the sleeper berth.
- The driver keeps the receipt of payment for the ferry service and cabin fees.

Daily log

Responsibilities

A driver must fill out a daily log listing all activities. Indications of time are made according to the local time of the driver's home terminal.

The starting time of the log is also the beginning of the day.

Here is how to fill out a daily log:

Between the beginning of the day and the first period of driving, a driver enters the following information

(see entries that appear in black):

- the date;
- the driver's name;
- the name of co-driver(s) when working in teams;
- the time the day starts, if it is not midnight;
- the cycle that the driver follows;
- the licence plate number of the motor vehicle or unit number indicated on the vehicle registration certificate;
- the motor vehicle's odometer reading;
- the line on the grid showing the driver's activities between the beginning of the day and setting off;
- the operator's name and address of the home terminal and establishment of the operator who employs or hired the driver;
- in the space reserved for remarks in the log:
 - the number of hours of off-duty and on-duty time accumulated for each day during the period the driver was not required to fill out a log over the course of the 14 days that preceded the start of the work day;
 - the reasons for exceeding the number of hours or deferral of off-duty hours, where applicable.

This example shows a driver who has drawn, in the *Off-duty time (not in sleeper berth)* section, a line from midnight to 2:00 a.m. and then a line to the *On-duty* section, from 2:00 a.m. to 3:00 a.m. In the *Remarks* section, the driver has indicated the place of departure as Québec City.

During the day, a driver must

(see entries listed in pale blue):

Enter the following information in the log:

- use a solid line to indicate the hours devoted to each duty status during the day;
- the name of the municipality or, if unavailable, the road and distance marker indicating the distance in kilometres or miles, as well as the province, territory or state where the change of duty status took place;
- where necessary, the reasons for exceeding the number of hours in the space reserved for notes in the log.

Enter:

- the name and address of the home terminal and establishment of any other operator who employs or hires the driver's services;
- the licence plate number or unit number indicated on the vehicle registration certificate, along with the odometer reading of any other motor vehicle the driver uses.

The above example shows that the driver arrives in Trois-Pistoles at 7:00 a.m. for a rest stop until 8:00 a.m.

Important: A driver must enter this line each time there is a change of duty status.

In the *Remarks* section, a driver must always indicate the place where each change of duty status occurs.

At the end of the day, a driver must enter

(see entries that appear in dark blue):

- the total number of hours devoted to each duty status (rest, sleeper berth, driving, work);
- the distance driven that day, by deducting the distance traveled for personal reasons using the vehicle;
- the odometer reading at the end of the day;
- his or her signature.

Exemptions

Drivers who meet **all of the following conditions** are not required to fill out a daily log:

- They operate within a radius of 160 km of their home terminal.
- They return to their home terminal each day to take at least 8 hours of off-duty time.
- The vehicle they are driving is not covered by a permit for exemption from the hours of driving and off-duty time.
- The operator meets **one** of the following requirements:
 - keeps up-to-date records that indicate, for each day, the activities performed by the driver, the cycle the driver is following, the starting time and end time of each activity, total number of hours devoted to each activity and, where applicable, the reasons for exceeding the allowable hours or a deferral of off-duty time.
(hours)

- keeps a written record of the date and time a day begins, unless it is midnight, the cycle the driver is following, the starting and end time of the driver's work shift, and the total number of a driver's hours of on-duty time during the day, where all of the following conditions are met:
 - the work shift **begins and ends the same day,**
 - the work shift lasts **13 hours of less,**
 - the length of the off-duty period before and after the work shift is **at least 11 consecutive hours.**

VERY IMPORTANT: Drivers who are not required to fill out a daily log must nonetheless comply with the prescribed number of hours of driving, on-duty and off-duty time.

Particularities of the daily log

Trip with two drivers

Every heavy vehicle driver has a personal daily log. If there are two drivers for the same trip, each driver must therefore complete their own personal daily log and enter the name of the relief driver.

Change of day

If drivers drive during a change of day, they must make a note of or memorize the odometer reading and enter this information in the daily log at the next stop. The driver uses this information to calculate the distance traveled during the day that has ended and to enter the odometer reading for the day that is beginning in the new daily log.

Multiple stops

Some trips require drivers to make multiple stops close together within a municipality to pick up or deliver goods. In such cases, tracing the duty status on the grid can be complex.

It is possible to group together hours of driving and hours of on-duty time in the following manner:

- Halfway through the trip or day—at lunch time, for example—the driver considers all the stopping time for pick ups and deliveries as a single stop and indicates it on the grid with an unbroken line in the “on-duty” section. In the example that follows, the driver was on duty for 2 hours and 15 minutes in the morning, more specifically from 4:00 a.m. to 6:15 a.m.
- The same principle applies for driving. A driver adds together the time devoted to driving and traces a solid line in the *Driving* section. In the example provided, the driving time for the morning is 3 hours and 30 minutes, more specifically from 6:15 a.m. to 9:45 a.m. It is extremely important to always indicate the hours of on-duty time before the hours of driving.
- When the driver returns to work in the afternoon, all of the morning’s activities should be entered in the log. The driver must then enter all of the afternoon’s activities at the end of the day, remembering to indicate the hours of on-duty time before the hours of driving, and completing the daily log for the day.

Multiple stops:

Daily log

07 12 2008

Year month day

Start of work shift
(if different than midnight)

195 648

Start of day

196 413

Odometer reading

765

Miles/kms driven

- Cycle 1: 7 days
 Cycle 2: 14 days

L-12345

Registration plate number of heavy vehicle

Registration certificate unit number

ABC Transport inc.

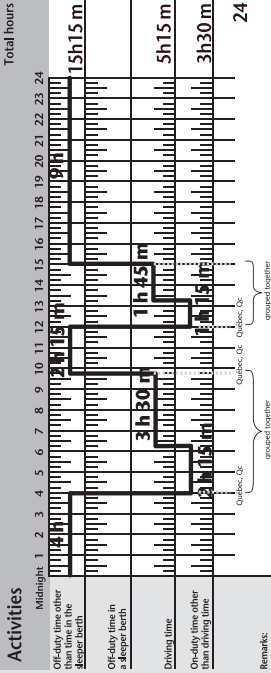
Operator

1464 boul. de la Sécurité Québec G1G 3N1

Operator's main business address

1464 boul. de la Sécurité Québec G1G 3N1

Home terminal address



Jean Prudent

Driver's name

Co-driver's name

Jean Prudent

Driver's signature

Days off

Days off must be entered in the daily log. There are a number of methods to make entering this information easier. The following two methods are the most common. Assuming that a driver takes 2 consecutive days off, i.e. October 4 and 5:

1st method: Using just one daily log, the driver draws an unbroken line covering 24 hours in the *Off-duty (not in sleeper berth)* section. In the *Remarks* section, the driver writes “Off October 4 and 5” and then signs the daily log.

2nd method: Assuming the driver returns to work on October 6, he must fill out a log for that day. Before starting the work shift, he can write “Off October 4 and 5” in the *Remarks* section of the log.

Drivers who occasionally travel outside the 160-km radius

Drivers who **occasionally travel outside the 160 km radius are required to fill out a daily log for that day**. Drivers who are not required to keep a daily log before beginning the day must indicate in the *Remarks* section of the daily log: the number of hours of off-duty and on-duty time accumulated for each day the driver was not required to fill out a log over the 14 days prior to beginning work that day.

Driver who occasionally travel outside 160 km radius

Daily log

Year: 07 12 2008 Start of work shift (if different than midnight): 195 648 Odometer reading Start of day: 196 413 End of day: 765 Miles/kms driven

Cycle 1: 7 days Registration certificate unit number: L-12345

Cycle 2: 14 days

Operator: ABC Transport inc. Operator's main business address: 1464 boul. de la Sécurité Québec G1G 3N1 Home terminal address: 1464 boul. de la Sécurité Québec G1G 3N1

Activities

Midnight	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total hours
Off-duty time other than in a sleeper berth	2h																								
Off-duty time in a sleeper berth																									
Driving time																									
On-duty time other than driving time																									
Remark:																									

Driver's name: Jean Prudent Co-driver's name: _____

Driver's signature: *Jean Prudent* Driver's signature: _____

14 PRECEDING DAYS

Dates	1	2	3	4	5	6	7	8	9	10	11	12	13	14
Total hours of on-duty	10	10	10	10	10	10	10	10	10	10	10	10	10	10
Total hours of off-duty	24	14	14	14	14	24	24	14	14	14	14	14	14	24

Drivers who do not return to their home terminal

Drivers are required to fill out a daily log if during the day they travel within a 160-km radius and **do not return to their home terminal** to begin their 8 consecutive hours of off-duty time, even if the operator keeps a record.

Example:

A driver whose home terminal is in Québec City leaves Monday to go to work in Trois-Rivières until Friday (within a radius of 160 km). When the driver arrives in Trois-Rivières, he goes to the local office that will be his home terminal until Friday, then makes deliveries within a 160-km radius of this office. The driver goes to this office in the morning and returns there at the end of the work day. The operator keeps a record of this driver's hours.

Logbook requirements

Monday and Friday: The driver **must fill out** a daily log, because he does not return to the same home terminal at the end of the day.

Tuesday, Wednesday and Thursday: The driver is **not required to fill out** a daily log, because he is returning to the same home terminal, he is traveling within a 160-km radius and the operator keeps a record.

Summary log: An essential tool

Although a driver is not required to use the log summary (log recap) it is a useful tool. It enables a driver to determine the number of available driving hours at the beginning of the day, by taking into account the hours of on-duty time of the previous days. The number of previous days used in the calculation depends on the cycle the driver is using and, where applicable, if a reset of the cycle was used.

In the following example, the driver is initially following cycle 1 (70 hours/7 days), then decides to reset the hours to 0 and changes to cycle 2 (120 hours/14 days).

Month	1	2	3	4	5
	Date	Hours worked	Total hours worked		Hours available for the current day
			Cycle 1 last 6 days	Cycle 2 last 13 days	
April	25	12			
	26	12			
	27	0			
	28	12			
	29	12			
	30	7			
May	1	12	55		15
	2	8	55		15
	3	8	51		19
	4	10	59		11
	5	12	57		13
	6	0	57		13
	7	0			
	8	11			120
	9	11		0*	11
	10	12		11	22
	11	12		22	34
	12	12		34	46
	13	10		46	58
	14	0**		58	68
15	12		68	68	
16	12		68	80	
17	12		80	92	
18	12		92	104	
19	4		104	116	
20			116	120	
			120	120	0

* On May 8, hours worked is reset to zero after the mandatory minimum of 36 off-duty hours to end cycle 1.

** On May 14, cycle 2 was followed. 24 consecutive hours off-duty were taken to meet the second condition of cycle 2: a driver cannot drive after accumulating 70 hours of on-duty time without taking 24 consecutive hours of off-duty time.

Meaning of columns in the example

1. **Column 1** indicates the day of the month. In the example, the end of April and the beginning of May.
2. **Column 2** indicates the on-duty time (including driving hours) for each day. The first 6 figures of **column 2** indicate the on-duty time for the last six days of April.

The remaining numbers of this column indicate the on-duty time for each corresponding day.

(May 1, 12 hours; May 2, 8 hours; etc. up to May 18 where 12 hours of on-duty time are indicated.)

3. **Column 3** is used when the driver uses **cycle 1** and indicates the on-duty time of the **6 previous days**, unless the cycle has been reset in that period of time. That being the case, only the on-duty time from the beginning of the **NEW CYCLE** is counted. In the example, on May 1, the driver has accumulated a total of 55 hours of service in the 6 previous days (from April 25 to April 30, inclusively).
4. **Column 4** is used when the driver uses **cycle 2** and indicates the on-duty time of the **13 previous days**, unless the cycle has been reset in that period of time. That being the case, only the on-duty time from the beginning of the **NEW CYCLE** is counted. In the example, our driver started to follow cycle 2 on May 8. Previously, **he or she was on cycle 1, then took at least 36 consecutive hours of off-duty time to reset cycle 1 and he or she starts to calculate** the on-duty time from this point on. At the beginning of the next day (May 9), the driver has accumulated a total of 11 hours of on-duty time, the time worked on May 8.

5. **Column 5** indicates the on-duty time available for the current day to comply with the rules concerning the hours in a cycle.

In the example, the driver is initially on cycle 1, and therefore **subtracts the accumulated on-duty time in the last 6 days from 70 hours**

May 2: 70 hours – 55 hours (column 3) = 15 hours of on-duty time available in the cycle.

May 3: 70 hours – 51 hours (column 3) = 19 hours of on-duty time available in the cycle.

On May 6 and 7, the driver took at least **36 consecutive hours of off-duty time** and can start a new cycle 1 or change to cycle 2 (in the example, the driver chooses to follow cycle 2). **The on-duty time has been reset to zero: the driver** now accumulates the on-duty time from the first day of the new cycle.

May 8: 120 hours – 0 (column 4) = 120 hours of on-duty time available.

When following cycle 2, a driver cannot drive after accumulating 70 hours of on-duty time without having taken 24 consecutive hours of off-duty time. In this example, the driver took these off-duty hours on May 14.

Documents to be kept in the vehicle

Drivers must keep the following documents in their vehicle at all times:

- a copy of the daily logs from the 14 previous days;
- the daily log for the current day, completed up to the time of the last change of duty status;
- documents related to the trip, for example gas receipts, bills of lading and delivery receipts.

Transfer of documents

Drivers have to submit the original copy of the completed daily log and supporting documents to the home terminal within 20 days.

Drivers who are hired by more than one operator during the day must submit:

- the original copy of the daily log to the home terminal of the first operator for whom the driver worked and a copy of the same log to the home terminal of every other operator;
- the original copies of supporting documents to the home terminal of the respective operator.

Operators must keep all of these documents at their establishment and have 30 days from the date of receipt to file them.

Out-of-service declaration

A peace officer who issues an out-of-service declaration must notify the driver and operator in writing of the reason the declaration was issued and the period it remains in effect. An out-of-service declaration applies in the following instances:

For the number of hours necessary to correct a failure of compliance

- The driver fails to comply with one of the requirements governing off-duty time hours or the conditions of the permit for exemption from the hours of driving and off-duty time.

For 10 hours

- The driver's ability to drive is impaired to the point where it is dangerous to drive; or
- If the driver has driven more than 13 hours or has accumulated 14 hours of on-duty time in one day.

For 72 hours

- The driver refuses or cannot produce, for a peace officer or an inspector, daily logs, supporting documents or any other record the driver is required to have on hand.
- Evidence proves that the driver has filled out more than one daily log, has written down inaccurate information in the log or falsified information.
- The driver has defaced or mutilated a daily log or supporting document to the point where a peace officer cannot determine if it complies with the conditions governing the hours of driving and off-duty time or with the conditions of the driver's permit for exemption from hours of driving and off-duty time.

For more than 72 hours

- Until the driver corrects the daily log, where necessary, and submits the daily log to a peace officer so that the peace officer can determine if the driver has complied with the conditions of the Regulation.

A driver's record

An operator and the individual who supplies the services of a driver must maintain and preserve a file containing the following information and documents:

- a copy of the driver's licence;
- a statement signed by the driver, providing notice of a suspension, change or revocation of a licence, where applicable;
- the date the driver is hired;
- a copy of the service contract entered into between the individual who supplies the services of a driver and the operator;
- daily logs and information that must be written down in records;
- a copy of the permit for exemption from the hours of driving and off-duty time;
- supporting documents.

An operator who hires the services of a driver must maintain and preserve, for each individual driver, a copy of the service contract signed between the individual who supplies the services of a driver and the operator, daily logs, information entered in records and supporting documents.

Periods for keeping documents

Documents	Holders	Period for keeping documents ¹
A copy of the driver's licence	The operator, for only drivers employed by the operator The individual who supplies the services of a driver	At least 12 months after the date the driver is no longer working for the operator
Where applicable, the statement signed by the driver, indicating a licence suspension, change or revocation if the driver commits an offence	The operator, for only drivers employed by the operator The individual who supplies the services of a driver	At least 12 months after the date of the end of the licence suspension, change or revocation
The date the driver is hired	The operator, for only drivers employed by the operator The individual who supplies the services of a driver	At least 12 months after the date the driver is no longer working for the operator
A copy of the service contract signed between the individual who supplies the services of a driver and the operator	The operator, for drivers whose services are hired by the operator The individual who supplies the services of a driver	At least 12 months after the date the driver is no longer working for the operator
The daily logs and information that must be written in records	The operator, for all drivers who work for the operator The individual who supplies the services of a driver	At least 6 months after the date indicated in the daily log or record
A copy of the permit for exemption from the hours of driving and off-duty time	The operator, for only drivers employed by the operator	At least 6 months after the permit expiry date
Supporting documents (gas receipts, bills of lading, delivery receipts, etc.)	The operator, for all drivers who work for the operator	At least 6 months after the date indicated on supporting documents

1. Other programs may require documents to be kept for a longer period (ex.: The International Registration Plan (IRP))

Appendix 1 – Sleeper Berth

A sleeper berth must meet the following requirements:

- It is designed for use as sleeping accommodations.
- It is located within the cab interior or immediately beside the cab and is firmly secured to the cab.
- It is not mounted on a semi-trailer, trailer or within these types of vehicles.
- If it is mounted in the cargo space, it is securely compartmentalized from the remainder of the cargo space.
- **Where the vehicle is a bus:**
 - It is located in the passenger compartment.
 - It is fitted with a bed measuring at least 1.9 m in length, 60 cm in width and 60 cm in height.
 - It is separated from the passenger area by a solid material barrier that is fitted with a door that can be locked.
 - It ensures the privacy of the occupant.
 - It is equipped with a device that can be used to block out most of the light that enters the compartment.
- **Where this is a heavy vehicle other than a bus,** it is fitted with a rectangular bed that is at least:
 - 1.9 m long,
 - 60 cm wide,
 - 60 cm high;

- Its design allows an individual to enter and exit easily.
- There is a direct and easy way to move from the sleeper berth to the driver's seat or position.
- It is protected against leaks and overheating from the vehicle's exhaust system.
- It is equipped to provide adequate heating, cooling and ventilation.
- It is sealed adequately to protect from dust and rain.
- It contains a mattress at least 10 cm thick, blankets and sheets or a sleeping bag.
- If a driver is traveling with a team, the bed must be equipped with a device that prevents an occupant from being ejected when the heavy vehicle brakes.



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Appendix 2 - List of requirements, offences and fines

Requirements	Sections of HSC*	Sections and Fines
Drivers must comply with the following:		
<p>No driver shall drive:</p> <ul style="list-style-type: none"> • if the driver's ability is impaired to the point where it is unsafe to drive; • if the driver is the subject of an out-of-service declaration. 	519.8.1	<p>519.44: \$350 to \$1050 fine</p> <p>519.34: \$700 to \$2100 fine</p>
No driver shall drive in violation of the standards governing cycles and hours of rest, driving and service.	519.9	<p>519.44: \$350 to \$1050 fine</p>
<p>A driver must fill out only one daily log each day.</p> <p>A driver must fill out a daily log in accordance with required procedures, which must contain complete information about rest and service hours for that day as well as any other mandatory information.</p> <p>No driver shall enter inaccurate information into a daily log, falsify, deface or mutilate a daily log or supporting documents.</p> <p>No driver shall drive unless he has the necessary documents in his possession.</p> <p>A driver must submit the daily log and supporting documents to the operator and any other individual who hires the driver.</p> <p>A driver must surrender these documents at the request of a peace officer or an inspector.</p>	519.10	<p>519.44: \$350 to \$1050 fine</p>
<p>A driver must comply with any request made by a carrier enforcement officer during a highway inspection or on-site inspection.</p> <p>No driver shall hinder a peace officer or an inspector, mislead him by concealment or false declarations, refuse to provide him or her with any information or document he or she is entitled to require or examine, or conceal or destroy any document or property relevant to an inspection.</p>	<p>519.67.1 and 519.70</p> <p>519.73</p>	<p>519.77: \$700 to \$2100 fine</p>

Requirements	Sections of HSC*	Sections and Fines
Operators must comply with the following:		
Maintain daily logs and records for a period of six months.	519.20	519.52: \$700 to \$2100 fine
No operator shall request, require or allow a driver to drive: <ul style="list-style-type: none"> • if the driver is the subject of an out-of-service declaration; • if the driver is in violation of the standards governing cycles, hours of rest and service, and a daily log. 	519.21.1	519.44: \$700 to \$2100 fine
Monitor to ensure that each driver complies with all driver responsibilities.	519.21.2	519.44: \$700 to \$2100 fine
Require each driver to maintain a daily log that accounts for all of the driver's hours of rest and hours of service for that day.	519.21.3	519.44: \$700 to \$2100 fine
File and safeguard daily logs and documents in a designated location and, at the request of a peace officer or inspector and at the location indicated, surrender daily logs, supporting documents and other documents requested.	519.25	519.44: \$700 to \$2100 fine
Obtain the daily logs from the individual who supplies a driver's services.	519.26	519.44: \$700 to \$2100 fine
Comply with a request of a carrier enforcement officer during a roadside intervention or an on-site inspection. Do nothing to hinder the work of any peace officers or inspectors, to mislead them by concealment or false declarations, to refuse to provide them with information or documents that they are entitled to require or examine, or to conceal or destroy any property or document pertaining to an inquiry.	519.67.1 and 519.70 519.73	519.77: \$700 to \$2100 fine

* HSC: *Highway Safety Code*.

** Hours of rest and hours of service correspond to off-duty time and on-duty time throughout this document.

4h



Société de l'assurance
automobile

Québec



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