

Commercial Vehicle Safety & Enforcement

National Safety Code Bulletin

RE: Electronic Logging Devices (ELDs) in British Columbia

B.C. is in the process of determining how to implement ELDs for commercial motor vehicles operating within the province.

The current intended target for the implementation of a provincial ELD mandate is Summer 2022. More information will become available as the regulatory change process moves forward.

Overview

On June 12, 2021, updates to the federal Commercial Vehicle Drivers Hours of Service Regulations (CVDHOSR) come into force. These changes make it mandatory for commercial motor vehicle drivers who cross provincial/territorial borders to use ELDs to record their hours of service (HoS).

[Transport Canada announced](#) on March 2, 2021, that "...with the support of provinces and territories, and in consultation with industry, we will work together on the successful and effective implementation of a progressive enforcement period. This will give sufficient time for industry to obtain and install certified electronic logging devices without penalty as of June 12, 2021. Early enforcement measures will consist of education and awareness."

As [announced by the Canadian Council of Motor Transport Administrators \(CCMTA\)](#) on May 5, 2021, the provinces and territories "plan to support the mandate through a period of progressive enforcement without penalties including elevated education and awareness until June 12, 2022."

B.C.'s existing HoS regulations came into force in 2007 and were mirrored after the federal regulations. This has allowed B.C. to use only the Motor Vehicle Act Regulations (MVAR) Division 37 – Part 3 to enforce HoS compliance regardless of where the carrier operates, rather than creating the two-tier system that exists in jurisdictions with different regulations for federal and provincial carriers.

B.C.'s current intention is to adopt an ELD mandate that follows the province's existing approach to HoS regulations as this provides consistency and helps level the playing field for all carriers regardless of where the carrier operates.

Exact timelines for the implementation of ELDs in B.C. will be determined based on:

- the process to make the necessary regulatory changes;
- the availability of certified ELDs;
- whether the current public health emergency has passed; and
- conversations with jurisdictional partners on the progressive enforcement period.

In addition to the general engagement regarding the implementation of ELDs completed in Spring 2020, there will be further discussions with industry stakeholders throughout the regulatory change process to address industry specific needs.

Common Questions

1. What does this mean for B.C. carriers?

- Until B.C.'s regulations are amended, if your vehicles operate solely within B.C., you will not be required to use an ELD until B.C.'s regulations are changed to mandate ELDs.
- As of May 5, 2021, all Canadian jurisdictions have agreed to pause enforcement until at least June 2022, focusing on education and awareness activities within the industry.
- However, if your vehicles operate into any other Canadian jurisdiction, it is your responsibility to verify the requirements regarding ELDs in each jurisdiction where you plan to travel.

2. What does this mean for carriers from other jurisdictions that operate in B.C.?

- Until B.C.'s new regulations come into effect, drivers of extra-provincially plated commercial vehicles that travel in B.C. may continue to use paper or electronic versions of a daily log.

3. What is an electronic logging device (ELD)?

- The federal CVDHOSR defines an ELD to mean "...a device or technology that automatically records a driver's driving time and facilitates the recording of the driver's record of duty status, and that is certified by an accredited certification body under section 79.1."
- More generally, an ELD connects to the electronic control module (ECM) of a vehicle. They make it easier and faster to track, manage, share and improve the accuracy of a driver's HoS. This helps drivers stay within legally allowed driving hours, and reduce fatigue.
- Transport Canada is responsible for publishing the [list of certified ELDs](#) and providing [information on the certification process, as well as accrediting third-party certification bodies](#).

4. Is it currently possible to use ELDs in B.C.?

- Yes, as soon as certified devices are available. While B.C.'s regulations do not currently define an ELD, B.C.'s regulations do allow drivers to record their HoS using paper or electronic means, or an electronic recording device.
- The requirement to use a certified ELD in B.C. will not come into effect until B.C.'s regulations are updated.

5. Once the regulations come into effect, what commercial motor vehicles will require ELDs?

- B.C.'s new regulations will specify which vehicles are subject to the new rules. It will also specify which vehicles are exempt, if applicable.
- The current expectation is that drivers who are required by B.C.'s existing regulations to use a daily log will be required to use an ELD, but final decisions are still to come. More information will be available as the regulatory change process moves forward.

6. When ELDs are introduced, will there be any changes to how many hours a driver can work?

- No, ELDs do not change the basic HoS rules in relation to the maximum number of hours a driver can be on-duty or be driving. They will also not change the minimum number of hours a driver must be off-duty.

7. When ELDs are introduced, will there be a change to the period of time that HoS records must be kept?

- No, ELDs do not change how long HoS records must be retained. If an ELD is required, drivers will still be required to account for the current day and the previous 14 days. Carriers will still be required to keep HoS records for a minimum of 6 months.

8. What are the obligations when transitioning from a paper daily log to an ELD?

- Details on how to ease the transition between recording HoS in a paper daily log and any type of electronic daily log are available in [CVSE Compliance Circular 03-2017 - Enforcement Policy re: Transition period between Paper Logs and Electronic Recording Devices](#).

9. If I already have an ELD for operating in the U.S., can I use it in B.C.?

- Until B.C.'s regulations are changed, the device can continue to be used as an electronic means of recording HoS.
- After B.C.'s regulations are changed, if an ELD is required, the device used must be certified by an accredited third-party certification body and be posted in the list of certified ELDs.

10. Where can I find information on Canada's technical specifications for ELDs?

- Visit the [CCMTA website](#).

11. Where can I find information on B.C.'s current HoS regulations?

- See Section 5 of the [Carrier Safety Guide](#) or [Division 37 – Part 3 of the Motor Vehicle Act Regulations \(MVAR\)](#).

12. How can I stay informed about the latest developments regarding ELDs in B.C.?

- Check the [CVSE What's New page for updates from B.C.](#)

If you have any further questions about the use of ELDs in B.C., please contact the NSC office at NSC@gov.bc.ca or 250-952-0576 and ask to be directed to the NSC Program Advisor.

Thank you,



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