

National Safety Code

BULLETIN

RE: Electronic Logging Devices (ELDs) in British Columbia

Effective January 1, 2023, Commercial Vehicle Safety and Enforcement (CVSE) officers will begin enforcing the federal Electronic Logging Device (ELD) mandate for federally regulated carriers, with a focus on education and notification of noncompliance.

Hours of Service violations will continue to be enforced under MVAR Division 37.

Overview

On June 12, 2021, updates to the [federal Commercial Vehicle Drivers Hours of Service Regulations \(CVDHOSR\)](#) came 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).

On March 7, 2022, [Canadian Council of Motor Transport Administrators \(CCMTA\)](#) **announced**: "Jurisdictions have been monitoring progress and determined that an extension of the transition period is required. This will allow sufficient time for industry to purchase and install certified ELD devices, and conduct training to be compliant. Based on these factors, jurisdictions will continue to support the mandate through a period of education and awareness through to January 1, 2023."

Information regarding any potential ELD-related changes to Motor Vehicle Act Regulations (MVAR) Division 37 will be communicated in the new year.

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.

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.
 - However, if your vehicles operate into any other Canadian jurisdiction, it is your responsibility to have each vehicle installed with a certified ELD and to ensure your drivers are using them in compliance with CVDHOSR.

2. What does this mean for carriers from other jurisdictions that operate in B.C.?
 - Drivers of extra-provincially plated commercial vehicles that travel in B.C. must use ELDs in compliance with CVDHOSR.

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.
 - It is important to note that a device that is considered an ELD in the United States is not considered an ELD in Canada unless the device has been certified following Canada's third-party certification process.

4. Is there a list of ELDs that have been certified in Canada?
 - Yes. Transport Canada is responsible for publishing the [list of certified ELDs](#).
 - In addition, Transport Canada provides [information on the certification process, as well as accrediting third-party certification bodies](#).

5. Is it currently possible to use ELDs in B.C.?
 - Yes. For B.C.'s provincially regulated carriers, 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.
 - For federally regulated carriers, as of January 1, 2023, ELDs must meet the federal definition and be listed on Transport Canada's [list of certified ELDs](#).

6. If B.C.'s regulations change, what commercial motor vehicles will require ELDs?
 - Any new regulations would specify which vehicles are subject to the new rules. It would 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.
 - Information regarding any potential ELD-related changes to Motor Vehicle Act Regulations (MVAR) Division 37 will be communicated in the new year.

7. 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.

8. 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.

9. 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](#).

10. If I already have an ELD for operating in the U.S., can I use it in B.C.?
 - If you operate only in B.C., the device can continue to be used as an electronic means of recording HOS until B.C.'s regulations are changed.
 - If you are a federally regulated carrier, as of January 1, 2023, the device can only be used if it meets the federal definition of an ELD and is listed on Transport Canada's [list of certified ELDs](#).

11. Where can I find information on Canada's technical specifications for ELDs?
 - Visit the [CCMTA website](#).

12. Where can I find information on B.C.'s current HOS regulations?

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

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

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

If you have any further questions about the use of ELDs in B.C., please contact the NSC Program 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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Date	Status	Notes
11 May 2021	Issued	
17 March 2022	Updated	<ul style="list-style-type: none"> • Updated timelines for enforcement • Updated information on B.C.'s progress towards regulatory changes • Updated link for list of certified ELDs
7 December 2022	Updated	<ul style="list-style-type: none"> • Updated timeline for enforcement of federal ELD mandate for federally regulated carriers • Updated timeline for communication of any potential ELD-related changes to provincial regulations