

*The
Commercial Vehicle
and Drivers
(Record-Keeping)
Regulations*

being

Chapter H-3.1 Reg 22 (effective March 4, 2004) as amended by
Saskatchewan Regulations 4/2005.

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER H-3.1 REG 22

The Highway Traffic Act

Title

1 These regulations may be cited as *The Commercial Vehicle and Drivers (Record-Keeping) Regulations*.

Interpretation

2 In these regulations:

- (a) “**Act**” means *The Highway Traffic Act*;
- (b) “**carrier**” means the holder of a certificate of registration for a commercial vehicle;
- (c) “**class**” means, with respect to a vehicle, the class as determined in accordance with *The Vehicle Classification and Registration Regulations*;
- (d) “**commercial vehicle**” means any of the following vehicles:
 - (i) a vehicle registered in Class A, C or D with a registered gross vehicle weight exceeding 5 000 kilograms;
 - (ii) a vehicle, other than a farm vehicle, registered in Class LV being used for a commercial or business purpose:
 - (A) with a registered gross vehicle weight of 11 000 kilograms or greater; or
 - (B) if operated outside Saskatchewan, with a registered gross vehicle weight of 5 000 kilograms or greater;
 - (iii) a trailer or semi-trailer registered in Class TS;
 - (iv) a combination of vehicles mentioned in subclause (i) or (iii) with a gross vehicle weight exceeding 5 000 kilograms;
 - (v) a vehicle registered in Class PB or PS with a seating capacity, according to the manufacturer of that vehicle, of more than 10 persons including the driver;
 - (vi) a vehicle operating out of the class to which that vehicle belongs, but in the same manner as a vehicle mentioned in subclauses (i) to (v), if it has a permit issued pursuant to clause 34(1)(b) of *The Vehicle Administration Act*;

but does not include an emergency vehicle as defined in *The Vehicle Equipment Regulations, 1987* or a funeral vehicle;

- (e) “**driver**” means the driver of a commercial vehicle;
- (f) “**registered**” means registered pursuant to *The Vehicle Administration Act*.

Records of convictions

3 Every carrier shall maintain a written record of any conviction against a driver pursuant to any of the following enactments for any offence committed while the driver was operating the carrier's commercial vehicle:

- (a) *The Alcohol and Gaming Regulation Act, 1997*;
- (b) *The Animal Products Act*;
- (c) the *Criminal Code*;
- (d) *The Dangerous Goods Transportation Act*;
- (e) the *Transportation of Dangerous Goods Act, 1992* (Canada);
- (f) *The Highways and Transportation Act, 1997*;
- (g) the Act;
- (h) *The Motor Carrier Act*;
- (i) the *Motor Vehicle Transport Act, 1987* (Canada);
- (j) *The Vehicle Administration Act*;
- (k) any regulations made pursuant to any of the Acts mentioned in clauses (a) to (j);
- (l) any enactment of any other jurisdiction in Canada or the United States of America similar to an Act or regulation mentioned in clauses (a) to (k);
- (m) any enactment, including a regulation or bylaw, of any other jurisdiction in Canada or the United States of America that deals with motor vehicle and road safety other than an enactment or provision of an enactment related to a parking violation.

12 Mar 2004 cH-3.1 Reg 22 s3.

Driver records

4(1) Every carrier must maintain a copy of the following for each driver who operates the carrier's commercial vehicles:

- (a) a copy of a valid driver's licence, including any endorsements, restrictions or qualifications held by that driver;
- (b) a copy of a valid photo identification card that forms part of a valid driver's licence held by that driver;
- (c) subject to subsection (2), a copy of the driver's driving record.

(2) A carrier shall ensure that each of its driver's driving records is kept up to date and contains information respecting the driver's driving record for at least the previous 12 months.

12 Mar 2004 cH-3.1 Reg 22 s4.

Accident records

5(1) Every carrier must maintain a written record for each driver who operates the carrier's commercial vehicles of all accidents involving the carrier's commercial vehicles.

(2) A record maintained pursuant to subsection (1) must identify:

- (a) the date and circumstances of the accident;
- (b) the name of the driver;
- (c) the nature and amount of damage sustained; and
- (d) the commercial vehicle involved in the accident.

12 Mar 2004 cH-3.1 Reg 22 s5.

Training records

6 Every carrier must maintain a written record of all training or upgrading respecting the transportation of dangerous goods that is undertaken by each driver operating the carrier's commercial vehicles.

12 Mar 2004 cH-3.1 Reg 22 s6.

Vehicle maintenance and inspection

7 Every carrier must maintain the following for each of the carrier's registered commercial vehicles:

- (a) a copy of work orders describing any repairs performed on the commercial vehicle;
- (b) a copy of:
 - (i) on-road and terminal inspection reports prepared by a peace officer or an employee of the administrator respecting the commercial vehicle;
 - (ii) any report respecting the commercial vehicle prepared by any person in the course of conducting a periodic vehicle inspection;
 - (iii) any report prepared in other jurisdictions that provides comparable information to the information required in subclauses (i) and (ii);
- (c) a copy of monthly reports prepared as part of the carrier's system of regular and continuous inspections and maintenance for all of the carrier's commercial vehicles;
- (d) a copy of any notice of any defect received from any manufacturer of the commercial vehicle and records establishing that any defects have been corrected.

12 Mar 2004 cH-3.1 Reg 22 s7.

Insurance

8 Every carrier must maintain a written record of the carrier's existing public liability insurance coverage for all of the carrier's commercial vehicles.

12 Mar 2004 cH-3.1 Reg 22 s8.

Record retention

9 Every carrier must maintain every record required pursuant to these regulations during the year to which the record relates and for an additional four years.

12 Mar 2004 cH-3.1 Reg 22 s9.

Location of records

10 Every carrier must keep all records required to be maintained pursuant to these regulations at the carrier's registered office in Saskatchewan.

12 Mar 2004 cH-3.1 Reg 22 s10.

Driver to submit information

11 Every driver of a commercial vehicle must report the following information to the carrier who owns the commercial vehicle at least once every 14 days unless the information has been previously reported by the driver:

- (a) any convictions within the meaning of section 3 involving the driver;
- (b) any reports of reportable accidents within the meaning of section 5 involving the driver;
- (c) copies of any reports mentioned in clause 7(a) and subclauses 7(b)(i) and (ii) that the driver has been given.

12 Mar 2004 cH-3.1 Reg 22 s11.

R.R.S. c.H-3.1 Reg 16 repealed

12 *The Commercial Carrier Record-keeping and Commercial Vehicle Driver Reporting Regulations* are repealed.

12 Mar 2004 cH-3.1 Reg 22 s12.

Coming into force

13 These regulations come into force on the day on which they are filed with the Registrar of Regulations.

12 Mar 2004 cH-3.1 Reg 22 s13.