



Owner-Operator's Business Association of Canada (OBAC)

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OBAC – Canada's first
business association
for owner-operators
and drivers, with
members and directors
from coast to coast.

- **CREDIBILITY**
- **VISION**
- **VOICE**

**OBAC is an
innovative,
responsive, and
results-oriented
organization – the
voice of the small-
business trucker in
Canada.**

Under-staffed and over-tasked MTO should make better use of its limited resources, and not squander them on speed-limiter enforcement, OBAC says.

OTTAWA, Ont. (December 21, 2008) – The 2008 Auditor General's Report has revealed that Ontario's Ministry of Transportation is doing a poor job of maintaining high levels of road safety in the province because of inadequate facilities, slipshod monitoring, and outdated enforcement systems and procedures.

The report says MTO spent over \$39 million on its commercial vehicle enforcement program during fiscal 2007/08, yet the number of roadside inspections conducted by the Ministry has dropped by 34% since the 2003/04 fiscal year. In 2007, only three out of every 1,000 commercial vehicles were subject to a roadside inspection, the Auditor General says.

In addition, some 20,600 operators – that have been involved in collisions, that have been convicted, or that have been pulled over for a roadside inspection – have never applied for the required Commercial Vehicle Operator's Registration (CVOR) certificate. The report indicates that the Ministry takes little follow-up action against these operators.

"How can Minister Bradley be prepared to divert obviously scarce enforcement resources to verifying speed-limiter settings when the Auditor General can point to more than 20,000 operators who were involved in collisions – and who knows how many more who haven't hit the radar screen in some way – running around without CVORs, with no way for the Ministry to track them?" asks OBAC's executive director, Joanne Ritchie. "This report demonstrates Ontario's Commercial Vehicle Safety and Enforcement Program is a mess; the Ministry has a badly skewed set of priorities. Enforcement is down because they lack resources, yet they're prepared to add an enforcement initiative with no proven safety benefit to already overburdened roadside inspectors? Unbelievable."

Among other highlights of the 2007/08 Auditor General's report on MTO's enforcement activities:

- Sixty-five percent of roadside inspections are conducted between 6:00 a.m. and 2:00 p.m. Although 21% of commercial vehicles trips are made at night, only 8% of the inspections are conducted then.
- Since only 15 truck inspection stations have impoundment facilities, unsafe vehicles identified in other locations were released after being repaired, without the required minimum 15-day penalty being imposed. Also, enforcement officers tend to avoid impoundments because of the paperwork involved;

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• Inspectors could often not retrieve CVOR records from the database quickly enough to use them in deciding which vehicles warranted a roadside inspection. As well, almost 10,000 inspection reports languished more than five months before being entered into the system;

• The number of interventions against high-risk operators has been declining since 2003; and the most serious interventions, such as suspension or revocation of an operator's CVOR certificate, dropped by 40% from 2003 to 2007. Two-thirds of 740 operator facility audits – which Ministry policy requires for operators with high safety violation rates – were cancelled by Ministry staff.

The report contains a discouraging litany of failure and abdication of responsibility on the Ministry's part to ensure fair and equitable treatment of all carriers operating in the province, and suggests that those operating in certain areas may be getting away with violations that might land another carrier in considerable hot water.

"Clearly, the Ministry has a lot of work to do in getting its enforcement house in order," says Ritchie. "All carriers and operators in Ontario should be alarmed that MTO is willing to allow these inequities to continue while playing politics with a regulation that Transport Canada had already determined will compromise the safety of all road users. Minister Bradley should be truly ashamed of the performance of his Ministry."