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...from the
director's chair

Yanks, Canucks and Hours-of-Service

Fatigue doesn't discriminate. So, why the difference in HoS rules?

Canadians must be biologically superior to Americans. Our respective governments know what's best for us, and Canuck regulators have deemed a 13-hour driving day within the limits of human endurance, while our pitiful American partners can tolerate only 11. On top of that, they have to take a wussy 30-minute rest break sometime during the first eight hours of their driving shift.

And they call themselves truckers. Sheesh.

I say all that, of course, with my tongue planted firmly in my cheek. There are no biological differences between us – only political differences. And I find it incredible how nothing more than sheer ideology on the part of a handful of people can manifest itself in such stark differences in a rule that really does speak to the matter of human endurance. I was reminded of this once again on July 1 when the latest round of more restrictive US hours-of-service rules came into effect.

For the record, I truly believe Canadian HoS rules are vastly superior to the US rules, not because I think humans thrive on driving 13 hours straight every day, but because the people who drew them up paid more attention to physical reality than to political ideology.

Drivers in both countries have 14-hour limits to their workday. Whether you've driven for 11 or 13 hours prior to the 14th hour, there's a good chance you'll be behind the wheel when the clock strikes 14 – at the same point in your work shift whatever your nationality.

Are the 11-hour Americans any safer than the 13-hour Canadians?

Even though Canadian truck crash statistics indicate we have fewer fatigue-related crashes (whatever those are) than they do, I doubt that HoS rules have anything to do with it. Maybe we don't count moose strikes as fatigue-related.

Maybe it's because we have more miles of highway with lower traffic density than some interstate highways.

I'm not aware of any research that has stud-

ied the difference with an aim to discovering why. I'm sure the US DoT won't be offering to pay for it – although the American Trucking Associations might.

Not that it would matter. ATA put forth some pretty solid arguments against the most recent rule changes, but ideology again trumped evidence.

Back to the physical reality. Have you ever wondered why our regulators chose 13 hours? Thirteen is an odd number, but it happens to be very close to the driving time between many key Canadian cities: Winnipeg to Calgary or Edmonton, for example; two driving shifts between Winnipeg and Toronto; a round trip between Toronto and Montreal. Had Canadians chosen 11 hours, it would take three days to get from Toronto to Winnipeg, and two days to get from Edmonton to Vancouver.

Would the extra day have improved safety? Not much, if our current record is anything to go by. But it certainly would have caused drivers and carriers severe heartburn and cost the industry billions of dollars over time.

Drivers in both countries are required to take the same amount of time off between shifts, though our drivers have the benefit of some flexibility in how they split up their 10 hours off. We can burn two hours a day in off-duty break time, and add that to the eight-hour interval for a total of 10 hours.

The Yanks must now stop for 30 minutes at some arbitrary time that may or may not be convenient or even possible in some cases. All because a handful of know-it-alls in the US feel that truck drivers are incapable of managing their own break time.

Which is why the US changed its formerly very sensible reset rule; where Canadian drivers still have choices, American drivers must sleep when the government tells them to – but only once a week, mind you.

Of the Canadian drivers I talk to, the vast ma-



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majority are pretty happy with our HoS rules. Not too many drive the full 13 hours every day; most just like having the time available if it's needed. A few still complain that carriers push hard to squeeze every possible minute of driving out of them every day, but most agree they get enough opportunity for adequate rest.

It's hard to imagine the Americans ever de-politicizing HoS, and equally difficult to believe they will ever come around to our way of thinking on the subject.

But the funny (and sad) thing is, their rules are based entirely on perception rather than reality. They cite statistics on the number of HoS violations as an indicator of the level of driver fatigue (hence safety), but nothing could be further from the truth. The Commercial Vehicle Safety Alliance reports the highest percentage of "fatigue" violations are "form and manner" violations, or incorrectly completed log sheets. Bad paperwork, yes, but tired truckers? Not likely.

Take away some of the complexity, and most of the violations would disappear too. If it were up to me, here's how I'd regulate drivers' hours: drivers can work 14 hours out of every 24; they must be off-duty for 10 of every 24; no more than 60 hours of driving in seven days; management of those requirements would be at the driver's discretion. And a better use of government and carriers' resources?

Invest in entry-level driver training, higher licensing standards, fatigue-management programs, and – if they care two hoots about drowsy drivers – safe and plenteous places to rest.