

Sent via e-mail

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Federal Minister of Transportation

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ED, Road Safety & Vehicle Regulations

Subject: Concerns on the Canadian ELD coming into force date

Good morning Honourable Minister Alghabra. I hope this letter finds you well.

ELD Regulation needs your immediate attention

The Federal Canadian ELD regulation timelines is one that genuinely concerns

. As the deadline to comply by June 12, 2021, continues to rapidly approach, with no certified devices available, it WILL cause major chaos and disruption to the Canadian Transportation Industry and it needs be addressed in a timely fashion in order to avoid this.

To be clear, my organization is a strong supporter of ELDs and Transport Canada's decision to adopt a third party certification regime.

While the announcement of the first certification body, FPIInnovations, was welcome, it was too long in coming and I have grave concerns about the timelines. In order to ensure we have a smooth transition and rollout, in my company and in the industry, I believe a minimum six-month to a maximum 12-month enforcement deferral from the June 12, 2021 timeline would be appropriate and help Trucking companies, and ELD providers alike, to ensure the industry is able to have time to select from a fulsome list of certified devices and have a better chance of proceeding with a device of their choosing. My reasons for this request are below.

- TC launched a regulation with the CG 2 posting on June 12, 2019 with a requirement to comply with the law, that you must install an ELD that is on TC's approved list of devices, yet almost 20 months later, we have **ZERO** certified devices on the list, and none are expected to be on this list until at least March of 2021. That leaves carriers roughly three months to ensure the device of their choice, or the one they already have installed, will be compliant.

- Industry consensus is it takes one year from the time you begin researching ELD devices until you have them fully implemented into your fleet. The steps include researching providers, purchasing, installation, and fully training all drivers, IT and operational staff. To rush this causes a chaotic roll-out.
- Some have argued researching of devices could have began well before a certification body was announced so when devices are approved that part of the implementation process for a carrier could be completed. While I agree with this approach, I can not accept the notion that a carrier, who may not currently have a device or does have one that may not get approved, should be willing to purchase a device and begin implementing it into their fleet prior to knowing whether it will be compliant. The only true way to ensure it will be compliant is to see it on the approve list. It is not our organization's fault that 20 months later no devices are currently certified. Industry should not pay the price with an unreasonably short timeline when it is through no fault of their own.
- The latest information indicates it will be March or April 2021 before any devices land on TC's approved list, leaving carriers a short time frame to be ensured the device they have is compliant – and likely providing a very truncated list of suppliers to select from early on. Some ELD providers have indicated they will not be submitting all of their models for certification – meaning some carriers will need to purchase different models than they currently have installed, even if they stay with the same supplier. An ELD supplier is not approved, but rather the device they submit is. If they have numerous different models, each one will need to be approved.
- Carriers that operate in the U.S. had to install an FMCSA compliant device to comply with U.S. regs by December 2017. There are over 600 devices on the FMCSA-approved list. It has been widely speculated that only 15 to 30 manufacturers of devices will be approved for Canada, meaning we will likely see over 500 current devices not approved for use in Canada. While I believe this vetting is a good thing to ensure devices are compliant, it will still create a large problem for carriers. Not all of these suppliers and carriers are bad apples, and many believed they had a device that would be compliant. If these devices are not approved, or not even submitted, it will be late winter early spring of 2021 before a carrier is even aware of this – leaving them a short time to research, remove and replace their device. These carriers will in fact be in worse shape then a fleet who choose to do nothing prior, as the decision was made by TC to remove the grandfather clause in the CG 2 posting. If these carriers find out a few months before the coming into force date that the device they are using is not approved, or submitted, they will need to research an approved device, from what will likely be a short list, install it and begin their implementation process in three months or less.
- With only one certification body in place, and very few devices yet submitted for testing, we may see a significant backlog in the certification process – meaning motor carriers

may not be able to select the ELD of their choice as a result of the device not completing the certification process before June 12, 2021.

In addition to all the above points, COVID has placed undue stress and hardship on everyone, and redirected resources into dealing with the many issues that arose as a result. This only exasperates this issue. The concerns above have been raised to TC by many in the industry as far back as a year ago, with no action. I fail to see how providing an enforcement deferral of 6 to 12 months will place the public's safety in grave danger. I am not seeking an indefinite deferral, just a short deferral with a clearly defined end date to allow industry, enforcement, and suppliers sufficient time to transition. The current stage of the process clearly does not allow for this to occur.

I look forward to your reply and action on this concern.

Name _____

Title _____

Company name _____

Phone _____

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