

**Ministry of
Transportation**

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**Ministère des
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MEMORANDUM TO: Richard Stubbings
Assistant Deputy Minister
Public Safety Division and Public Safety Training Division
Ministry of the Solicitor General

FROM: Nosa Ero-Brown
Assistant Deputy Minister (A)
Road User Safety Division
Ministry of Transportation

RE: **COVID-19 – Federal Motor Carrier Safety Administration (FMCSA) – Waiver and Reduced Load Period temporary regulation in Response to the COVID-19 Outbreak**

This memorandum is to advise you of two new initiatives being undertaken by the Ministry of Transportation in response to the COVID-19 Outbreak.

COVID-19 – Federal Motor Carrier Safety Administration (FMCSA) – Waiver in Response to the COVID-19 Outbreak

The Ministry of Transportation (MTO) will acknowledge commercial drivers from the United States (US) with expired licences covered under the recent FMCSA waiver in response to the COVID-19 outbreak, from March 20 to June 30, 2020.

Jurisdictions throughout North America have declared states of emergency due to COVID-19. The ministry is supporting the trucking industry so that they can keep goods moving and continue to provide people with essential supplies.

In response to the COVID-19 outbreak, several regulations have been put in place by the ministry to extend the validity of a range of driver, vehicle and carrier products and services that expired on or after March 1, 2020 until further notice (e.g., driver's licences including commercial licences, vehicle validation stickers, cab card, special permits, Safety Standards Certificates, etc.).

On March 26, 2020, MTO received notice that, given the national emergency declared in the US due to COVID-19 and immediate need for transportation of essential supplies, equipment and persons, the FMCSA has granted a waiver for commercial vehicle drivers whose driver licences expire after March 20th through June 30th to ensure an adequate number of commercial vehicle drivers are available to deliver essential transportation services.

The waiver also includes waiver of other requirements such as medical certification and skills testing.

During this time period the Ministry is seeking police services' support to suspend enforcement of US commercial drivers with expired licences. US commercial motor vehicle drivers will be permitted to operate in Ontario as the waiver serves as proof that the drivers in question are in compliance with the law and are legally permitted to operate in their home jurisdiction.

If services would like to discuss this interim measure, they may contact:

- Kim MacCarl, Manager, Driver Programs Office, at 416-235-5248 or Kim.MacCarl@ontario.ca
- For medical related enquiries, Frank Alulio, Manager, Medical Review Section at 416-235-5322 or frank.alulio@ontario.ca

COVID-19 - New Temporary Regulation to Respond to COVID-19 Additional Commodities for Reduced Load Period (RLP) Exemption

Ontario is taking further steps to keep goods moving during the COVID-19 outbreak by temporarily lifting reduced load period restrictions for truck drivers in southern Ontario.

This memorandum is to advise you that the Ministry of Transportation (MTO) has enacted a temporary regulation under the *Highway Traffic Act* to exempt additional commodities from Reduced Load Period requirements in select areas of southern Ontario.

Lifting reduced load period restrictions will help the trucking industry to efficiently move the essential goods that Ontarians need, including food and agricultural products, medical supplies and fuel.

Our food supply chain is one of the strongest in the world, and our government will continue to work with municipalities, the trucking industry, agricultural sector and retailers to ensure the people of Ontario have access to the supplies they need.

Given the evolving nature of the COVID-19 outbreak and the measures that the various levels of government are undertaking to respond to this public health crisis, the Ministry has exempted commodities listed in the federal Hours of Service exemptions as issued by Transport Canada from Reduced Load Periods across southern Ontario:

1. Medical supplies and equipment related to the testing, diagnosis and treatment of COVID-19;
2. Supplies and equipment necessary for community safety, sanitation, and prevention of community transmission of COVID-19 such as masks, gloves, hand sanitizer, soap and disinfectants;

3. Paper products and other groceries for emergency restocking of distribution centers or stores;
4. Immediate precursor raw materials-such as paper, plastic or alcohol-that are required and to be used for the manufacture of items in categories (1), (2) or (3);
5. Fuel;
6. Equipment, supplies and persons necessary to establish and manage temporary housing, quarantine, and isolation facilities related to COVID-19;

To assist farmers and agribusinesses, the Ministry of Transportation has temporarily exempted the following commodities:

- Food;
- Farm products; and
- Products that support the production of farm products (e.g. seed, animal feed, fertilizer)

These measures will only be applicable to the portions of southern Ontario, defined by regions south of the Ontario frost penetration depth of 1.6 m which runs along a line extending from Penetanguishene, through Lake Simcoe to Cornwall, including the following geographic areas:

1. The geographic areas of Brant, Bruce, Chatham-Kent, Dufferin, Durham, Elgin, Essex, Grey, Haldimand, Halton, Hamilton, Huron, Lambton, Middlesex, Niagara, Norfolk, Northumberland, Oxford, Peel, Perth, Peterborough, Prince Edward, Simcoe, Toronto, Waterloo, Wellington or York.
2. The part of each of the following geographic areas that is south of that part of the King's Highway known as No. 7:
 - i. Frontenac.
 - ii. Hastings.
 - iii. Kawartha Lakes.
 - iv. Lennox and Addington.
3. The part of the geographic area of Leeds and Grenville that is within the City of Brockville or that is within one of the following townships:
 - i. Athens.
 - ii. Elizabethtown-Kitley.
 - iii. Front of Yonge.
 - iv. Leeds and the Thousand Islands.

As you are aware, the Reduced Load Period allows the local road authority to implement Section 122 of the *Highway Traffic Act*, via local bylaws, to protect pavement infrastructure during the spring thaw period.

If policing services would like to discuss these amended programs, they may contact Joe Lynch, P.Eng., Senior Vehicle Standards Engineer at 416-389-8308 or joe.lynch@ontario.ca.

I would ask that you please bring this memorandum to the attention of the policing community.

Thank you for your assistance in communicating these changes.



Nosa Ero-Brown
Assistant Deputy Minister (A)
Road User Safety Division