

TRUCK WEST

March 2011 Volume 22, Issue 3

Delivering daily news to Canada's trucking industry at www.trucknews.com

EOBRs for all?

US proposes law that would require electronic logs

WASHINGTON, D.C. – The US Federal Motor Carrier Safety Administration (FMCSA) has issued a regulatory proposal that would require virtually all interstate commercial trucking companies to use electronic on-board recorders (EOBRs) to monitor driver hours-of-service.

The requirement would include any Canadian trucking company operating in the US.

To help sell the proposal, the FMCSA pointed out it would relieve carriers from having to retain documentation such as delivery and toll receipts currently used to verify the number of hours a driver has been behind the wheel.

“We cannot protect our roadways when commercial truck and bus companies exceed hours-of-service rules,” said Transportation Secretary Ray LaHood. “This proposal would make our roads safer by ensuring that carriers travelling across state lines are using EOBRs to track the hours their drivers spend behind the wheel.”

The proposed law would affect all interstate carriers that currently use records of duty logbooks to document hours-of-service com-

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BETTER LATE THAN NEVER: Nolan Transport v.p. Jim Peacock (left) presents a cheque to former owner/operator Dave Monroe (middle) while co-owner Kelly Nolan looks on. Monroe received a payment of \$9,600 following a settlement with Canada Revenue Agency involving dozens of carriers and millions of dollars.

Photo by James Menzies

Canadian carriers take on the taxman

Settlement could return up to \$15M to owner/operators

By James Menzies
TORONTO, Ont. – A group of Canadian trucking companies has won a landmark settlement with Canada Revenue Agency (CRA) that will see up to \$15 million distributed to owner/operators who hauled into the

US between 1991 and 2002.

About 35 companies were involved in the November settlement and the first cheques are now making their way to owner/operators, many of whom are now retired and caught entirely off-guard by the windfall.

Nolan Transport is one of three Canadian fleets that has received a payment from CRA. In November, Nolan received more than \$310,000, with much of that destined for owner/operator pockets. The largest of those cheques is for about \$16,000

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A 'Ritch' history



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Inside This Issue...

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Mark Dalton O/O



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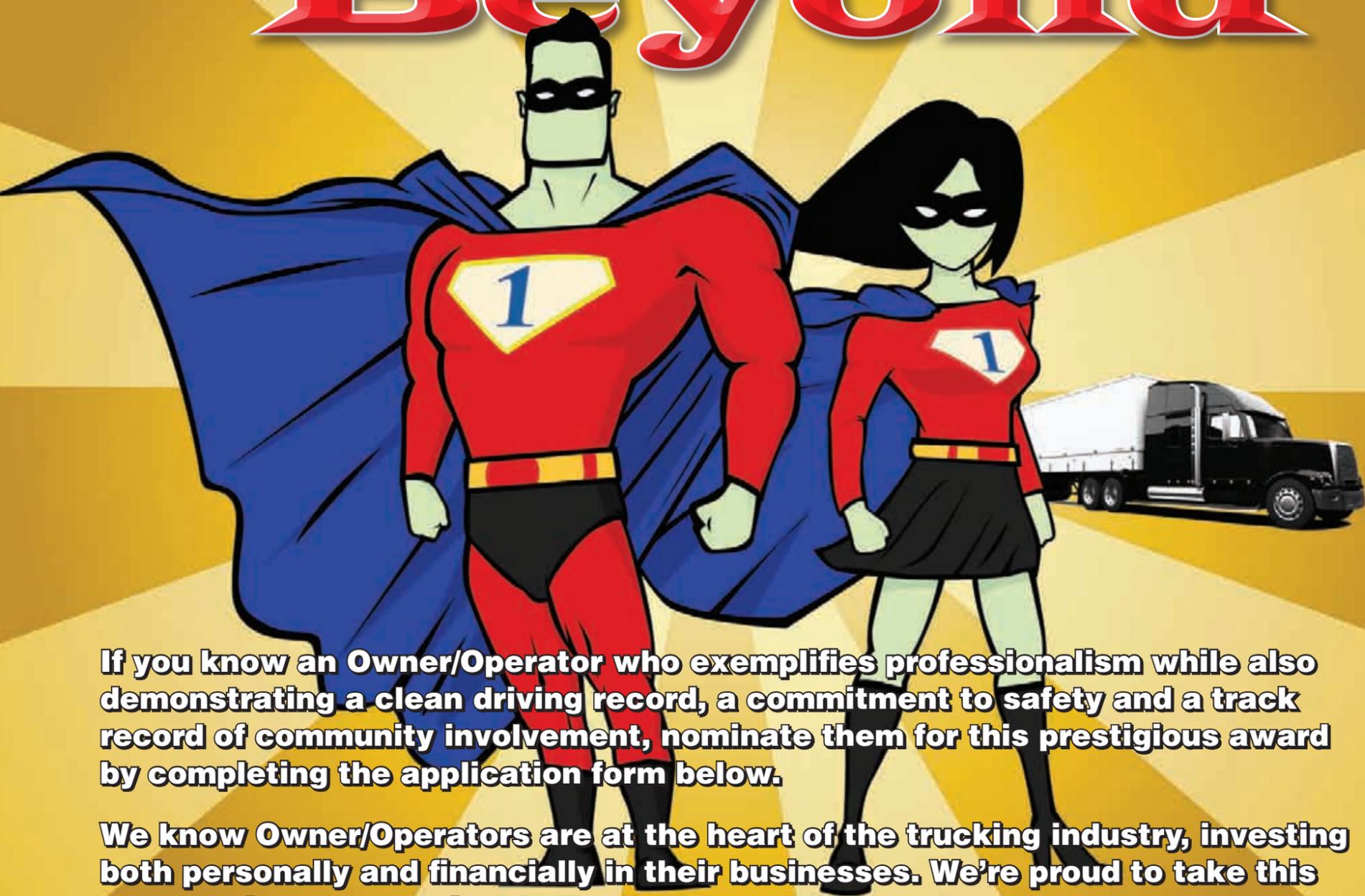
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CLASS 8 TRUCK SALES TRENDS

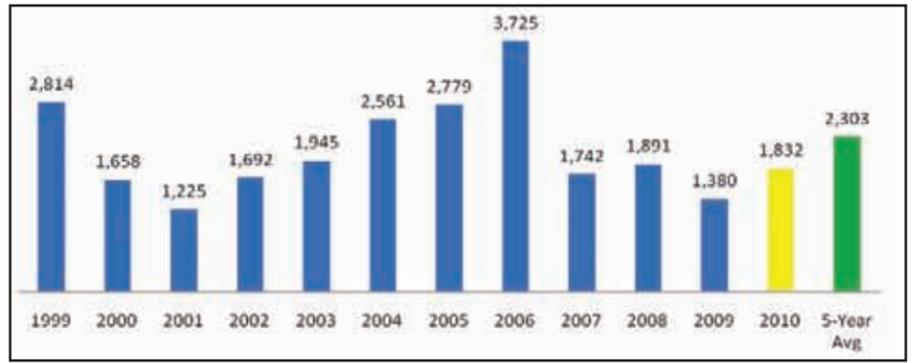
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The year 2010 closed on a positive note in terms of Class 8 truck sales. There were 1,832 trucks sold in December, making it one of the better Decembers of the decade. The figure was better than the December totals from 2000, 2001, 2002, 2007 and, of course, the disastrous 2009. This continues a trend first noticed with October sales and hopefully indicates truck buyers are looking towards a sizeable improvement in freight volumes in 2011. The sales total is still behind the five-year average for December but that average includes the monster sales years of 2004 to 2006.

Monthly Class 8 Sales - Dec 10

OEM	This Month	Last Year
Freightliner	510	212
International	302	411
Kenworth	295	249
Mack	136	106
Peterbilt	181	214
Sterling	0	26
Volvo	301	74
Western Star	107	88
TOTALS	1832	1380

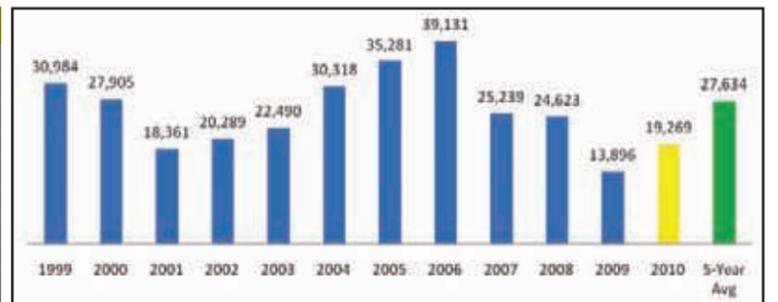
Historical Comparison - Dec 10 Sales



Class 8 Sales (YTD Dec 10) by Province and OEM

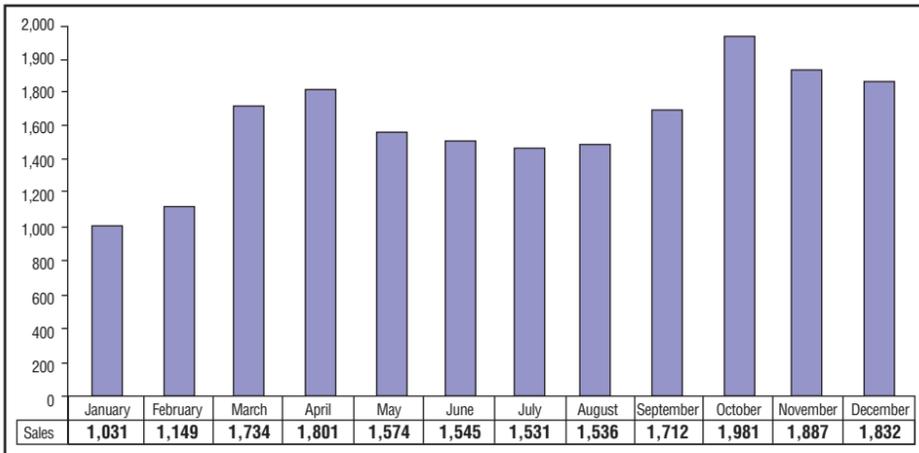
OEM	BC	ALTA	SASK	MAN	ONT	QUE	NB	NS	PEI	NF	CDA
Freightliner	245	410	181	267	2,103	695	291	157	9	20	4,378
Kenworth	346	1,155	167	223	741	885	130	0	0	0	3,647
Mack	74	109	106	55	606	172	50	25	0	1	1,198
International	232	556	78	188	1,973	1,105	206	113	14	103	4,568
Peterbilt	180	596	155	199	334	509	94	40	0	0	2,107
Sterling	23	42	15	2	8	43	0	0	0	0	133
Volvo	83	105	82	131	1,042	456	103	51	0	11	2,064
Western Star	188	348	46	29	218	183	60	84	3	15	1,174
TOTALS	1,371	3,321	830	1,094	7,025	4,048	934	470	26	150	19,269

Historical Comparison - YTD Dec 10



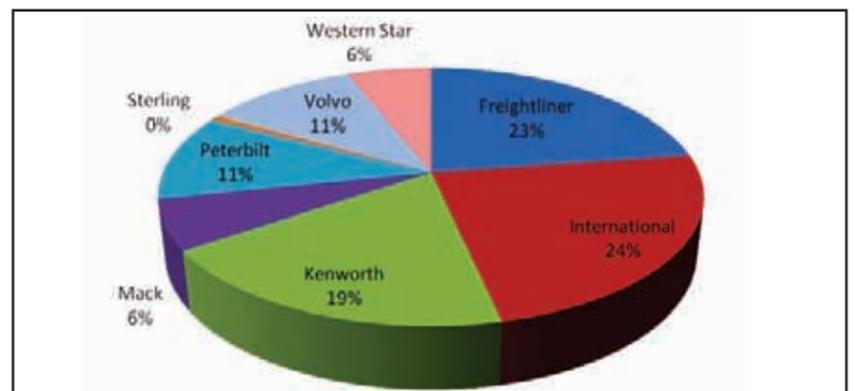
Thanks to a strong finish, 2010 finished with Class 8 truck sales of 19,269 for the Canadian truck market. That figure slightly exceeded our own forecasted high of 18,912. During the first 10 months of 2010, there were 17,436 trucks sold in the Canadian market. That's almost a 39% improvement over 2009, however, to retain perspective we need to recall that in 2009 truck sales fell 44% from the previous year. The year 2010 also ended up with stronger truck sales than 2001. And the strong finish also helped in closing the gap between 2010 sales and the five-year average, ending up with sales just about 8,000 units short of the average.

12 - Month Sales Trends



Although sales dropped for two consecutive months after reaching their peak in October, the final quarter was a strong one in comparison to the rest of the year. Class 8 truck sales came in over 1,800 units for both November and December, marking the second- and third-highest monthly sales totals of the year, respectively. Sixty percent of fleet owners and 27% of owner/operators responding to our annual Equipment Buying Trends Survey indicated they would be purchasing new iron this year.

Market Share Class 8 - Dec YTD



There has been considerable jockeying for market share position in 2010 in the Canadian market. International, the only truck manufacturer not to adopt SCR engine technology, once again ended up with the market share crown. It's a bitter sweet victory, however, since its once commanding market share lead has been whittled down to a percentage point over Freightliner. Back in 2009, International had 29% of the Canadian Class 8 market. Both Kenworth and Freightliner grew their market share over the course of 2010.

Source: Canadian Motor Vehicle Manufacturers Association

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Carriers win landmark settlement on behalf of O/Os

Imagine receiving a registered letter out of the blue along with a cheque for more than \$10,000. Imagine that cheque coming from a carrier you once worked for, on behalf of Canada Revenue Agency. Sound unlikely?

Unexpected payments from the taxman are rare, if not unheard of. Yet, dozens of carriers will soon be reaching out to hundreds of owner/operators to disperse their share of what could amount to some \$15 million.

I'm referring of course, to this month's cover story that I first posted on *Trucknews.com* Jan. 19 just after the February issue went to press. (It's always the way, isn't it?)

The payouts stem from an interesting court case that contended fuel purchased in Canada and consumed in the US should be eligible for excise tax rebates since it was ultimately exported before consumption. Manufacturers receive excise tax rebates on product consumed outside Canada, so why shouldn't the same hold true to diesel bought here and 'exported' into the US within the fuel tanks of a highway tractor?

After a lengthy court battle and an eventual settlement, CRA began dispensing cheques to the first of several dozen carriers involved last November. Nolan Transport has received about \$300,000 with the largest owner/operator cheque totalling about \$16,000.

The company has gone to great lengths to track down former owner/operators, some who haven't worked for the company in more than a decade.

Which raises an interesting question: Just how committed will other carriers be to tracking down owner/operators who may have left the company years earlier?

Nolan Transport officials voiced concern that some fleets would



pocket the payout rather than expend the time and energy in tracking down former O/Os.

When I asked lawyer Israel Ludwig for a complete list of carriers involved in the settlement, he told me he was unable to furnish such a list due to client confidentiality requirements from the Law Society of Upper Canada.

So, I've filed an Access to Information request with CRA and am patiently awaiting a response. Check back at *Trucknews.com* to see if the carrier you were working for at the time that was covered (1991-2002) is included in the settlement.

I'm hoping we can play a role in uniting owner/operators with carriers – past or present – that may have received a rebate for their truck.

While tracking down the O/Os that are in line for a payback has been onerous and time-consuming, Nolan Transport co-owner Kelly Nolan said it's been a rewarding experience.

"I found one fellow – he was shocked," Nolan told me. "I called him out of the blue and I told him there was a bit of money for him. His wife was dying of cancer and things were rough. When I told him how much money it was, he was silent. He needs the money right now. He's retired and

things are tough and it makes a difference to have this windfall right out of the blue."

In the meantime, Nolan suggests owner/operators who hauled into the US between 1991 and 2002 contact the carrier they worked for at the time and ask if they were involved in the settlement. Most carriers weren't, but a few dozen were. Those fleets should be receiving payments within the next couple months if they haven't already.

And while I have faith the carriers involved will do the right thing and pass the funds on to the appropriate owner/operators, lawyer Ludwig issued this warning when I spoke with him: "If they pocket the money themselves without the consent and permission of their owner/operators, in my opinion that would be an illegal act." □

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Do more with less

Handling the Hours-of-Service (HoS) available to drivers in the most effective and efficient manner is going to become critical as fleets head into the long-awaited recovery. It will be a key differentiator in the market. The likelihood of stricter Hours-of-Service in the US, continuing provincial inconsistencies in Canadian HoS, and a pickup in freight activity will combine to make the need for drivers a great one.

Yet, the harsh reality fleets will have to deal with that drivers are likely to become an even more scarce resource. Consider that prior to the recession, research conducted on behalf of the Canadian Trucking Human Resources Council found that:

- Almost 60% of fleets reported they were unable to find an adequate number of drivers;
- Among those who face a lack in personnel, 42% of fleets said the inability to find drivers affected their ability to move freight;
- 73% of them had to refuse or delay the movement of goods; and
- 39% had to delay or cancel expansion plans.



Prior to the recession, driver job vacancy rates had increased to 12.3%. The economic recession and the freight recession that preceded it led to layoffs of company drivers and to owner/operators throwing in the towel. Will they come back? If they don't, the driver force numbers will be in even worse shape. And their numbers are also certain to be depleted by the impact of CSA in the US.

So how can fleets make the most out of a bad situation? One key strategy should be to become a lot more efficient in how they track and use the hours available to their drivers.

I recently hosted a panel at Shaw Tracking's user conference on automating the HoS function through the use of electronic logs. Representatives from three fleets – Kriska, Tandet and Concord – shared their experiences with going in this direc-

tion and it was an eye opener.

A major concern over automating HoS is the fear that electronic log keeping will result in more rigid schedules and situations where drivers run out of hours just as they are about to get home or drop off an important load. Yet what fleets using e-logs are finding is that the reverse is true and that drivers entering their HoS manually often cheat themselves out of time by rounding. Writing down that you started at 9:15 instead of 9:11 or 9:05 several times over the course of a week adds up and it does make a difference.

The carriers also reported that having a computerized report that everyone could accept as legitimate is making it easier to bring up issues of needless delays at shipping and receiving locations with their clients.

Drivers are a scarce resource and if fleets want to make more efficient use of it, they will need to be open to new ways of thinking and to leveraging the efficiencies provided by new technology. □

– Lou Smyrlis can be reached by phone at (416) 510-6881 or by e-mail at lou@TransportationMedia.ca. You can also follow him on Twitter at [Twitter.com/LouSmyrlis](https://twitter.com/LouSmyrlis).

IN BRIEF

Clark Freightways first fleet to join B.C. safety program

COQUITLAM, B.C. – Clark Freightways was recognized Feb. 2 for becoming the first B.C. carrier to join the Certificate of Recognition safety program.

Minister of Labour Iain Black was on-hand to mark the occasion and to recognize the achievement.

“Trucking is the lifeblood of every industry in B.C. and the statistics on injuries and fatalities in trucking is sobering,” Black said. “This just has to change.”

The Certificate of Recognition is a Trucking Safety Council of B.C. program that awards carriers who implement a safety program that

includes company audits. Carriers that are accepted into the program receive WorkSafeBC premium rebates of up to 15%.

Clark Freightways also received kudos from Donna Wilson, vice-president of industry services and sustainability for WorkSafeBC.

“Workplace injury rates in trucking are double that of any other industry, and this team has decided that this is not acceptable,” she said. “This means putting more focus on preventing injuries, and in particular fatalities.”

For more information on the program, visit www.safetydriven.ca. □



FIRST COR FLEET: (L-R): MLA for Coquitlam-Burke Mountain, Douglas Horne; Minister of Labour Iain Black; Marcus Clark, owner/president Clark Freightways; TSCBC executive director Rob Weston; and v.p. and general manager of Clark Freightways, Greg Rogge.

Manitoba, Sask. partner to improve flow of goods

WINNIPEG, Man. – The Governments of Manitoba and Saskatchewan have signed a Memorandum of Understanding that focuses on harmonization of regulations and cooperation on transportation issues, in an effort to reduce barriers in interprovincial transportation for commercial vehicle operations.

Officials say the purpose of the MOU, signed Feb. 11, is to increase efficiency and cooperation with respect to commercial transport within and between the two provinces.

The agreement aims at reducing barriers in several key areas, including harmonization of several special permit conditions such as for turnpike doubles, oversize and overweight loads and maximum gross vehicle weight for certain transport truck configurations.

“We are delighted to see that there are some important measures that are addressed in this MOU,” says MTA executive director, Bob Dolyniuk.

“We see this agreement as a good step towards further interprovincial harmonization that will have a positive impact on our members and on our industry. Harmonization will create further productivity and efficiency gains for the trucking industry in Manitoba.” □

Yanke team drivers win awards for roadside heroics

SASKATOON, Sask. – A pair of Canadian truckers have been named Highway Angels by the Truckload Carriers Association (TCA). Team drivers Dave Woodman and Tony Rheault of Saskatoon-based N. Yanke Transfer were selected for their help at the scene of a serious accident.

At about noon on Aug. 24, Woodman was driving along Highway 17 near Blind River, Ont. while Rheault slept in his bunk, when a Ford Explorer crossed the centre line on a curve and collided with an oncoming tanker.

Woodman parked the truck and was the first one on the scene. He began directing traffic around the crash site to protect the accident victims from possible further injury and also kept curi-

ous onlookers away. Soon, he smelled aviation fuel leaking from the tanker and realized it was covering the road. Worried that a fire could break out, he and several other motorists used five-gallon buckets provided by another trucker to contain the flow.

Seeing that the driver's side of the Explorer was smashed against the guardrail, Rheault ran to the passenger side and helped an adult female get out from behind the airbag. She was conscious, but in shock, covered in blood and deeply concerned about her husband. By now, other motorists had stopped to help, including a retired nurse, who had also witnessed the crash. In about 20 minutes, emergency personnel arrived. Officials

say because of Woodman's ability to control the traffic and onlookers, they were able to pull right in next to the accident scene and quickly cut the driver out of the car. The 77-year-old man was rushed to hospital, but later died.

The nurse who arrived on scene wrote an e-mail praising Rheault and Woodman for their assistance: “Please tell your men to be proud of their excellent emergency response to this stranger,” she wrote. “I think if your men had not been as responsive and diligent as they were, then the driver more than likely may not have even made it to the hospital. I believe we kept him alive long enough to have... his family around him to comfort him and say their last goodbyes.” □



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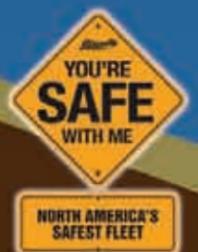
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BORDER

US proposal could set stage for universal use of EOBRs

Continued from page 1

pliance. Short-haul carriers that use timecards would not be required to install EOBRs, the FMCSA announced.

Carriers that violate the proposed law would face penalties of up to US\$11,000 for each offense.

“This proposal is an important step in our efforts to raise the safety bar for commercial carriers and drivers,” said FMCSA Administrator Anne S. Ferro. “We believe broader use of EOBRs would give carriers and drivers an effective tool to strengthen their HoS compliance.”

The US-based Owner-Operator Independent Drivers Association (OOIDA) was not so sure.

The group, which as traditionally been opposed to EOBRs, quickly spoke out against the Jan. 31 announcement.

Over-priced record keepers

“EOBRs are nothing more than over-priced record keepers,” said Todd Spencer, executive vice-president of OOIDA. “This proposal is actually another example of the administration’s determination to wipe out small businesses by continuing to crank out overly burdensome regulations that simply run up costs.”

OOIDA contends EOBRs cannot accurately and automatically record a driver’s hours of work and duty cycle.

Since they require human input, OOIDA argues the devices cannot accurately detect the actual duty cycle of drivers during loading and unloading times.

OOIDA is also worried carriers will misuse EOBRs by keeping close tabs on drivers and pressuring them to return to work while resting.

“Companies can and do use technology to harass drivers by interrupting rest periods,” Spencer insisted.

“They can contact the driver and put on pressure to get back on the road to get the most of his or her on-duty time. This mandate would be a step backward in the

effort to make highways safer.”

CTA says to get a move on

‘If we are going to build a new sidewalk, we need to build it where people are going to walk.’

David Bradley, CTA

The Canadian Trucking Alliance (CTA) took the opportunity to urge Canadian lawmakers to pick up the pace in implementing an EOBR mandate of our own.

The CTA has been pushing for a universal

EOBR mandate in Canada for quite some time and feels Canadian legislators should accelerate their plans in light of the US proposal.

“With the release of the Notice of Proposed Rulemaking, work will

clearly have to be accelerated in Canada,” said CTA chief David Bradley. “There are many important issues yet to be resolved, not the least of which is the all-important enforcement policies that will accompany an EOBR rule in the US and in Canada. If we are going to build a new sidewalk, we need to build it where people are going to walk.”

The US proposal, which would affect as many as 500,000 carriers, would be fully implemented within three years of the final rule coming into force.

The FMCSA contended in its rulemaking that the cost of implementing EOBRs would be offset by the savings resulting from eliminating paper logbooks and through increased efficiencies.

You can read the 72-page proposal from the FMCSA’s Web site at www.fmcsa.dot.gov. □

N.A. surface trade up 15% y-o-y in November

WASHINGTON, D.C. – Trade using surface transportation between Canada, the US and Mexico was 15.5% higher in November 2009, reaching US\$68.1 billion, according to the Bureau of Transportation Statistics (BTS) of the US Department of Transportation.

BTS reported that the value of US surface transportation trade with Canada and Mexico fell 3.6% in November from October.

The value of US surface transportation trade with Canada and Mexico in November was up 8.2% compared to November 2005, and up 36.7% compared to November 2000. Imports in November were up 29.7% compared to November 2000, while exports were up 45.8%.

US-Canada surface transportation trade totaled \$39.5 billion in November, up 12.6% compared to November 2009. The value of imports carried by truck was 11.5% higher in November compared to November 2009, while the value of exports carried by truck was 12.6% higher during this period.

Michigan led all states in surface trade with Canada in November with \$4.5 billion. □

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CANADA

Owner/ops: Are you entitled to share of \$15M settlement?

Continued from page 1

and is going to an owner/operator who has since retired.

“A lot of the drivers that are benefiting from this haven’t been with us for a few years,” Kelly Nolan, co-owner of Nolan Transport told *Truck West*. “So, I’m calling people in P.E.I., Elmira...people I haven’t talked to in years. It’s been kind of sweet.”

The massive government payout stems from a long-running court challenge involving the payment of excise fuel taxes on diesel consumed outside Canada. In the early 1990s, Larry Babins, at that time an accountant with Permicom Permit Services and now director of consulting firm Simple Ace, noticed some discrepancies between how excise taxes were applied in various sectors

of the economy, and even within the transport industry. As far back as 1880, he noticed, ships leaving England were eligible for refunds on the tax they paid on

trucking companies would often fill up with fuel in Canada, paying the federal excise tax on diesel before crossing the border into the US.

‘The question becomes: Is the fuel in the tank of your truck an exported item, such that you can claim a rebate on the tax?’

Israel Ludwig, lawyer

coal consumed once the ship left the port. He also noticed Canadian manufacturers were given refunds on the excise tax they paid on items destined for consumption outside Canada. Babins felt the same principles should apply in trucking, where Canadian

Eventually, Babins was able to bend the ear of Winnipeg, Man.-based lawyer Israel Ludwig, who agreed so vehemently that he offered to take the case on spec’. In 1998, a court challenge was launched on behalf of more than 100 trucking companies.

“Under the Excise Tax Act, if you are paying excise tax on an item that is subsequently exported, you can get that money back,” Ludwig recalled in an interview with *Truck West*. “These trucks, after filling up with diesel, were driving into the US. So the question becomes: Is the fuel in the tank of your truck an exported item, such that you can claim a rebate on the tax?”

Not surprisingly, CRA initially denied the claims, but the case was brought all the way to the Supreme Court of Canada where a judge finally ruled in the carriers’ favour. In 2003, 117 carriers shared a windfall amounting to about \$12 million on the excise taxes they paid on diesel purchased in Canada and consumed in the US between 1991 and 2002.

The carriers, however, had unfinished business. CRA agreed only to pay the amount claimed for company-owned trucks and would not provide rebates for owner/operators who were working for those same companies.

“They said ‘We’ll pay the money for the trucks owned by the company, but if it’s owned by an owner/operator, the owner/operator should have filed their own application for a rebate,’” Ludwig says. “We said ‘no, no, no – that’s not the industry practice. A company always files fuel tax applications on behalf of an owner/operator.’”

Jim Peacock, vice-president of Nolan Transport, was involved in the case from the beginning.

“CRA’s whole argument was that the owner/operators should be filing on their own, because they’re independent businesses,” he says. “But the fuel is all bought through our fuel tax account.”

Nolan, like many trucking companies, would pay the fuel up front and then deduct it from its owner/operators’ pay – so ultimately the O/O was paying for the fuel.

Still, CRA wouldn’t budge. And for a while, it looked like the owner/operators were going to lose out. But then, Ludwig’s position received a boost when the Supreme Court of Canada ruled in an unrelated case that United Parcel Service (UPS) could collect GST overpayments made by its independent contractors on their behalf. That ruling prompted Ludwig to renew discussions with senior management at CRA, who this time knew they were beat.

“In the end, they eventually agreed that yes, the trucking companies could file tax returns on behalf of their owner/operators,” Ludwig says. “They have agreed to pay that money, of course with interest, to the companies that were affected and that will flow then to the owner/operators.”

How much is at stake? “It’s hard to say, because there’s going to be interest on that,” Ludwig told *Truck West*. “Maybe as much as \$15 million, but we won’t know until all the money comes in.”

In addition to Nolan, Bison Transport and Penner International

Continued on page 11



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Canadian owner/operators enjoying an unexpected windfall

Continued from page 8

agreed to be test cases. All three of those companies have now been paid, Ludwig says. Bison Transport is in the process of sending registered letters to the last known addresses of the owner/operators who qualified for the rebates.

Another 35 or so companies will also receive payments on behalf of their owner/operators as well in the weeks ahead.

“Some have to go through further audits. Those cases will wait until the audits are complete and the audits will determine how much they’re getting,” Ludwig says. “The other ones, who already had audits done in 2003 or 2004, will be getting cheques within the next 60-90 days.”

The cheques are issued to Ludwig, who takes his 35% cut before turning the money over to Babins for distribution to the carrier. You don’t need to be a math whiz to realize Ludwig’s share would be enough for a comfortable retirement, but the trucking companies he represented don’t begrudge him.

“It wouldn’t have happened without him,” says Nolan. And in most cases, the interest paid by CRA is enough to cover Ludwig’s fees.

That pay arrangement, however, does raise the concern that some carriers may not pass the sum along to the owner/operators it is intended for, especially considering it may take some effort to track down those who may not have worked for the company in more than a decade. Peacock says CRA was adamant the funds be redistributed to the owner/operators, but he worries not all carriers will comply.

“I’m sure there are carriers out there that are going to try to keep the money,” he says, noting many of Nolan’s recipients didn’t even know they had it coming.

“I think what’s really important is to get the word out there,” says Nolan. “If there are owner/operators out there that went cross-border between 1991 and 2002, they should be contacting their company to see if there’s a fuel tax rebate for their truck. It doesn’t hurt to ask. If a company doesn’t have a clue what this is about, they’ll say ‘no.’ If a company does know, hopefully they’ll do the right thing and say ‘As a matter of fact, we have received a cheque and we’re working things out.’”

And Ludwig warns that carriers that don’t pass along the rebates could face ramifications.

“If they pocket the money themselves without the consent and permission of their owner/operators, in my opinion that would be an illegal act,” Ludwig says. “It was raised in the UPS case. (The judge) said that if someone commits a criminal act (by failing to pass on the rebate to the independent contractor), they will be dealt with by the criminal authorities.”

When asked to furnish a list of all the carriers that are receiv-

ing rebates, Ludwig said “I don’t think I’m allowed to. I have confidentiality rules I have to respect from the Law Society.”

For Nolan Transport, there’s been no attempt to circumvent the ruling by pocketing the refund. In fact, Nolan says that while tracking down past owner/operators has been difficult (made even more difficult by the accidental deletion of all driver files in 1996), it’s been worth the effort.

“I found one fellow – he was shocked,” Nolan says. “I called him out of the blue and I told him there was a bit of money for him. His wife was dying of cancer and things were rough. When I told him how much money it was, he was silent. He needs the money right now. He’s retired and things are tough and it makes a difference to have this windfall right out of the blue.”

Dave Monroe was easier to find. He’s a recently retired owner/operator who had been with Nolan for about 18 years and was called before a panel of CRA lawyers for questioning about two years ago. Monroe, along with three other owner/operators and general manager Peacock, were grilled by CRA officials who seemingly attempted to trip them up to avoid payment.

“It was intimidating,” Monroe says. “They tried to screw us up a little bit. They were asking us questions about what happened in 1995. How much fuel did you put in? Where did you buy it? We lost pretty much a day out of it, but it was worth it.”

Monroe received a cheque for \$9,600 right before Christmas.

But not every owner/operator made out quite so well. In fact, Nolan says in some instances it was discovered the owner/operators actually owed the company money.

“There are cases where people owe us money as a consequence of this. They were overpaid, but it’s usually small amounts and we’re not going after those,” Nolan says.

Payouts range from \$500 to \$16,000 at Nolan, depending on fuel buying patterns during the affected years. Generally, owner/operators that bought fuel in Canada and did most of their driving in the US made out the best.

Unfortunately for O/Os who worked for a company between 1991 and 2002 that did not participate in the litigation, it’s now too late to make a claim. The feds moved quickly to close the loophole that allowed the multi-million dollar payouts.

“When the Government of Canada realized it lost the case after the Supreme Court handed down the decision (for company-owned trucks in 2003), they immediately passed legislation that said from here on in, nobody could make a claim for excise tax on diesel fuel that is being transported across the border,” Ludwig says. “If you haven’t made a claim by Feb. 14, 2003, you are barred from filing a claim.” □



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Going Digital

Laws mandating the electronic recording of hours-of-service are coming, whether you like it or not. Here's what you need to know about getting with the program.

By Ingrid Phaneuf

TORONTO, Ont. – It's not like the industry didn't see it coming. But with a minority of small- to mid-sized Canadian carriers using electronic on-board recorders (EOBRs) at all, let alone using them for hours-of-service tracking, the Federal Motor Carrier Safety Administration's proposed new rule making such devices mandatory south of the border means EOBR providers are gearing up for the biggest shopping season in their history.

Carriers, meanwhile, are scrambling to figure out exactly what they're going to have to shell out for equipment and driver training.

"Historically, we haven't been in favour of the government mandating products," says Brian McLaughlin, COO of PeopleNet, a mobile communications and on-board computing provider. "We believe they should sell on their own merit, based on a defined return on investment."

But it's not like the rule came as a surprise to most carriers running south of the border, McLaughlin adds.

"We've seen penetration for our on-board computer and the HoS application for our module go up significantly over the past 18 months," he says.

"Carriers have been trying to get out in front of the rule, so we've seen demand up 70% year-over-year for the last two quarters."

Still, there is much that remains to be learned about what kind of technology the new FMCSA will accept under the new rule, points out Kate Rahn, director of operations for Shaw Tracking, another well-known telecommunications company serving Canadian carriers.

"The rule as it stands right now seems to have a lot of loopholes and that's a problem," says Rahn. "EOBRs are not currently widely used and now we're talking about using them to keep track of hours-of-service. So that's a whole other ball of wax."

So far, the rule seems to indicate that any device set to electronically record hours-of-service will have to be permanently attached to the engine, says Rahn. But that's a matter that's up for discussion, according to providers of handheld HoS recording providers such as CayCan Safety Consulting, based in Alberta.

CayCan webmaster Kris Fulgham says his company plans to apply to have its handheld GPS-based HoS tracking software recognized as a means of tracking hours-of-service under

the new FMCSA rule.

The software is already being used by carriers in Alberta, he says.

"We're a safety consultancy and we're already one of 21 certified third-party auditors working with Alberta Transportation," says Fulgham.

"And we've created a software solution that is really affordable and easy to use for anyone using their own iPhone or iPad handheld communications device – so it's perfect for the smaller carriers."

Whether CayCan's application will be accepted under the new rule remains to be seen, admits Fulgham, "but if it isn't, we're perfectly willing to find a way to hook it up to the engine."

In the meantime, Fulgham is among those who fully believes in the benefits of electronic tracking for both carriers and drivers.

"People needed to find solutions to verify logbooks are filled out correctly," he says. "And carriers have been paying auditing companies an average \$15 to \$20 per driver per month to do that, only to discover that someone is in violation after a 45-day turnaround. Electronic recording allows carriers to receive a real-time alert prior to a fatigue-related violation, that's verifiable by GPS location."

Fleets and drivers will also save time and therefore money by not having to fill out paper logs manually and process them in the back office, points out McLaughlin. They will also improve their CSA scores and reduce out-of-service violations and citations dramatically, he adds.

"So there is definitely an ROI there – the costs will go down while the benefits will go up. The FMCSA couldn't have brought town this rule if that wasn't the case."

Affordability and training

Affordability shouldn't be an issue, say providers, with options like no money down leases. But carriers counter that affordability will depend on just how quickly the FMCSA plans to implement the new rule.

"We're still waiting to hear exactly how it's going to happen and whether Canada follows suit," says Bob Halfyard, director of safety and compliance for Challenger Motor Freight. "First, we need to know exactly what kind of system will qualify. Then, we need to know how quickly we're going to have to phase it in. The cost and the return on investment

will depend on whether we have to retrofit or whether we can install the equipment on new trucks and work it into our capital costs."

As for driver and enforcement training, everyone, even carriers, appears to agree that it doesn't take long.

"We had to do some training, but definitely not a lot," says Jeff Hall, president of J&R Hall Transport.

As for enforcement officers: "We can just send them a fax with the hours-of-service over the previous 14 days if they prefer that to looking at a screen," Hall adds.

In fact, on-board electronic hours-of-service monitoring systems even include training modules for drivers en-route, says Shaw Tracking's Rahn.

"And we provide a laminated instruction card on how to check hours-of-service electronically for drivers to present to enforcement officers south of the border. If they don't want to use that, they can press a button and request a fax instead."

Driver resistance

Overall, initial driver resistance is easily overcome when they see just how much the technology can help them, say both carriers and providers.

Systems can switch automatically from one country's HoS rules to another and on-screen countdown clocks allow drivers to see exactly how much driving time they have left.

"Even if drivers are historically resistant to electronic on-board recording devices, they like those tools," says McLaughlin. Of course, drivers won't be able to fudge their logs to get home if they run out of time, McLaughlin admits. "But they weren't supposed to before. And they still have time for personal conveyance."

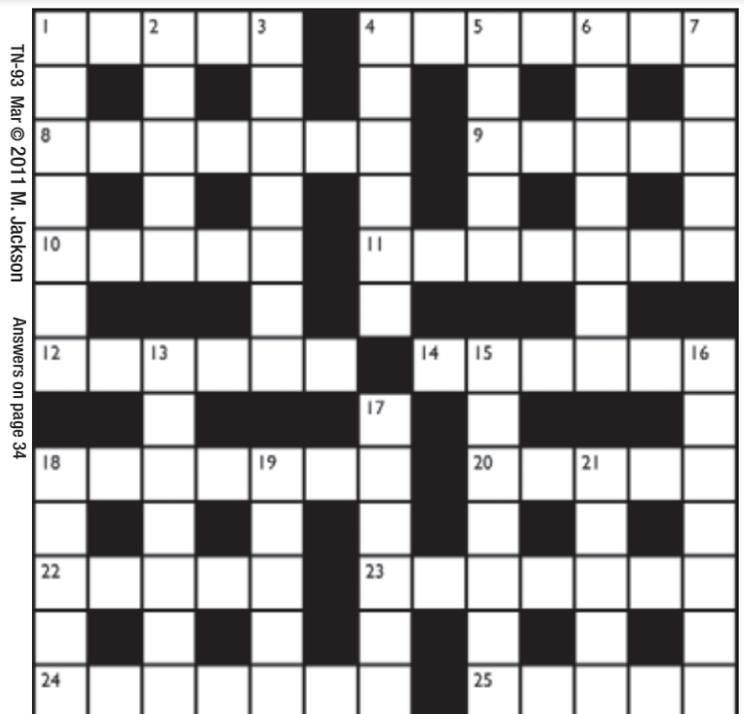
But will drivers, so traditionally resistant to the whole notion of 'Big Brother' looking over their shoulders ever willingly adopt a system that so obviously takes control of hours-of-service recording out of their hands? They will when they see how electronic HoS recording gives them more – not less – time to drive, say those in favour.

"According to studies, drivers typically save at least 20 minutes per day just on paperwork," says McLaughlin.

Rahn agrees, adding the fact EOBRs record driving time to the minute will give drivers more time as well.

"One of the things we're finding is that, while drivers are initially resistant to electronic recording because they think they'll have fewer hours to drive, the opposite is true. Drivers can actually gain 30 minutes to two hours per day, because they don't have to round their time to the nearest quarter hour. Never mind the fact you don't actually have to get out a piece of paper and a pen to write everything down." □

THIS MONTH'S CROSSWORD PUZZLE



Across

1. Van-body portion above cab
4. Shades for glasses-wearing drivers
8. Liquid-carrying tanker, a.k.a. ____ bottle
9. Peterbilt's ____ Cab Sleeper
10. Palindromic speeder detector
11. Georgia overdrive
12. Former flat-front Freightliner
14. Port city on Washington's I-5
18. Air-traveler's baggage type (5,2)
20. Sleeper alternative, perhaps
22. Jake ____ deceleration device
23. Toronto's Danforth and Eglinton
24. Accelerate (5,2)
25. Coin substitute at toll booth

Down

1. Medium-duty Sterling model
2. Where the rubber meets the road
3. Smokeys' radar guns, slangily
4. Tire's basic structure
5. Brand on N-Series low-cab-forward trucks
6. Home of former "Keep it Beautiful" plates
7. Unexpected engine stoppage
13. Malodorous city-truck cargo
15. Driver-comfort item
16. Truck-transmission brand
17. Hwy. 401 access lane
18. Fills to the max, i.e. ____ out
19. Triangular-sign command
21. Rig, in other words

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ALBERTA

Singer steps down from ACTA

Construction trucking group looks for new leadership as president resigns over frustration with driver apathy

By Jim Bray

CALGARY, Alta. – Ron Singer, long-time mover and shaker with the Alberta Construction Truckers Association (ACTA), has stepped down from his position as president of the industry group.

The move leaves Jennifer Singer as acting president.

Singer's resignation was prompted in part by his frustration with the state of the industry today, but he says the last straw for him was a kerfuffle over ACTA membership fees that began when the organization tried to give small carrier members a break by raising the fees paid by larger companies.

"They (the large carriers) were paying \$500 for over 100 trucks

while the smaller guy was paying \$200," Singer says. "It isn't fair and the members had wanted it addressed for years." Singer says they also tried to lower the dues the smaller operators paid, "Because they had spent years living with the old schedule, so we gave them a break of \$50 a year and raised the dues for the big guys. And boy did they ever jump! And I just decided to resign."

Singer argues that the new membership fee structure would have still been a better deal than fleets get elsewhere.

"We went out and researched all the other trucking associations and found out what (the big carriers) would be paying there," he

says, "and they'd be paying much more as members there than what they're paying us now – and they think we're gouging them!"

Singer hopes his resignation will also help to draw attention to some issues he thinks are long overdue to be addressed by the transportation industry, including a flurry of new regulations that are on government drawing boards.

"We've got more legislation coming in the next five years than we've had in the trucking industry in the last 50," Singer says. "It's going to be very critical legislation and we have to have input into it."

Without that, he says, the non-trucking interests and the large haulers will have all the input into such decisions and the construction trucking industry will have to knuckle under to whatever they come up with.

Singer says some of the pending

legislation will absolutely cripple the industry, and accuses industry members of basically sleepwalking toward it. He cites EOBRs (electronic on-board recorders – kind of a "black box," like you'd find on an airliner), saying they're not only an unnecessary expense for a trucker working in the city, but are unreliable as well.

"It's hard to make a dollar now," he says, "without having to shell out for an EOBR. And what happens when it stops working, or gives you false data? The DoT can pull you over any time it wants and there might be something in the data that isn't right, but because it's in the EOBR, he has to charge you for it anyway."

To Singer, the storm of new regulations could be so onerous that, before long, no one would want to drive a truck.

"One day, they're going to wake up and go to the store and that shelf is going to be bare because 50,000 truck drivers just retired," Singer warns. "And you think you're going to get the new guys to put up with cameras in the cab and stuff? I don't think so."

Singer says the industry needs to stand up and have its voice heard, but it isn't doing so "because they're only concerned about their bottom lines and don't care about the industry itself."

More input from the drivers is also vital to counteract the non-trucking special interest groups who lobby governments, Singer says, but who know nothing about the trucker's side of the equation.

"Some of these special interest groups need to be told they're out of line," he says, naming specifically a group named CRASH – which he says is funded by "the railroad" – and who, he says, sensationalizes truck wrecks. "All the public knows is the headlines," he says, "and then, when you do your research, you find out the truck driver wasn't even responsible for the accident."

Singer claims CRASH has hundreds of thousands of dollars behind it, and that helps give it clout.

"They (CRASH) are down in Ottawa meeting with the transportation minister and telling them about tired truck drivers causing wrecks," he says. "Yet, in 2009, the trucking industry was named the safest it has ever been."

Despite that, Singer says the industry not only isn't getting its message out, but the collective experience of its drivers isn't being heard.

"Don't forget that there are guys out there who've been running the highways for more than 40 years," he says, "and who've got four million miles under their belts, accident-free. They're the safest drivers on the road. But (regulators) never talk to those guys."

Further darkening the clouds Singer sees on the trucking industry's horizon is the aging population of its most important citizens.

"Most of the drivers are over 50 and probably 40% are over the age of 60," he notes. "How are we ever going to replace those guys? We've already got a driver shortage problem."

Retirements, whether because

NOTICE TO TRUCKERS 2011 SPRING LOAD RESTRICTIONS

Under the Highway Traffic Act, the province enforces reduced load restrictions on trucks to protect Ontario's highways during spring thaw, when road damage is most likely to occur.

Restriction on permits issued under the Highway Traffic Act:

All annual and project permits for moving of heavy vehicle loads, objects or structures, in excess of limits set out in the Act, unless otherwise specified are not valid on any highways during the months of March and April, in the southern portion of Ontario, and March, April and May in the northern portion.

For this restriction, the province is divided, west to east, by a line formed by the Severn River to Regional Rd. 169; Regional Rd. 169 from Washago to Hwy. 12; Hwy. 12, from Regional Rd. 169 to Hwy. 7, north of

Sunderland; Hwy. 7, from Hwy. 12 to Regional Rd. 7B at Carleton Place; Regional Rd. 7B to Hwy 15; and Regional Rd. 29 to Ampror.

Single trip permits, for moving of overloads on highways not designated in Schedules 1, 2 and 3, may be issued, but are subject to axle controls established by the Ministry of Transportation.

Reduced load limits will be in effect where and when signs are posted depending on road and weather conditions.

SCHEDULE 1 HIGHWAYS MARCH 1 TO APRIL 30, 2011

THERE ARE NO HIGHWAYS IN THIS SCHEDULE HAVING A REDUCED LOAD PERIOD.

SCHEDULE 2 HIGHWAYS MARCH 1 TO MAY 31, 2011

WHEN SIGNS ARE POSTED, THE FOLLOWING HIGHWAYS WILL HAVE A REDUCED LOAD LIMIT FOR THEIR ENTIRE LENGTH:

510	522	524	525	528	528A	529	529A	538	539A	540A	542A	553	554	558	559	560A	563	564	567	568	569	570	571	572	573
574	577	579	580	582	585	586	587	591	592	593	595	597	602	603	605	607	607A	609	611	613	615	617	619	621	624
630	636	639	641	642	645	647	650	651	652	665	667	668	670	671	672	673	802	804	805	810	811	7036	7037	7041	7042
7044	7048	7057	7059	7069	7072D	7102	7104	7110D	7125	7140	7152	7182	Nungesser Rd.	Lac La Croix Rd.	(Flanders Road South)										

WHEN SIGNS ARE POSTED, THE FOLLOWING HIGHWAYS WILL HAVE A REDUCED LOAD LIMIT FOR THESE LISTED LOCATIONS:

HWY.#	LOCATION	HWY.#	LOCATION	HWY.#	LOCATION	HWY.#	LOCATION
129	16.2 km north of Jct. Hwy. 554 to 48 km south of the south Jct. of Hwy. 101	540	Hwy. 540B (west entrance), west to Meldrum Bay	588	1.6 km south of Hwy. 11/17, west to end of Hwy. 588	634	Cloutierville Road at 3.4 km north of Hwy. 11 to its end
516	30.2 km north of Jct. 642 north to Hwy. 599	542	Hwy. 6, west to Jct. of Hwys. 540 and 540B	589	9.6 km north of Jct. Hwy. 591, north to end of Hwy. 589	638	2.5 km north of east Jct. Hwy. 17 north to 1.3 km east of west Jct. Hwy. 17
518	16 km east of Hwy. 400/69 east to west limits of Sprucedale, and east of Kearney to the Twp. of Perry/Town of Kearney boundary	546	0.6 km north of Jct. Hwy. 17 north to end of Hwy. 546	594	Hwy. 502, west to Hwy. 17	643	700 m west of Hwy. 584 to end of Hwy. 643
520	Hwy. 124, north to the Hamlet of Ardbeg	548	Maple St. (Hilton Beach) south to southwest limits of Richard's Landing	596	1 km north of Hwy. 17A, north to its end	657	0.8 km east of Hwy. 105 east to its end
523	Jct. Hwy. 60 at Madawaska south to Hasting/Nipissing County boundary	551	West Jct. of Hwy. 542 south to Providence Bay	599	62 km north of Hwy. 17, northeast to end of Hwy. 599	7025	Jct. of Hwy. 60 at Hillcrest Avenue north of Wilno, east 0.8 km to Jct. of Hwy. 60
527	98 km north of Hwy. 11/17 north to end of Hwy. 527	556	Hwy. 532 to Hwy. 129	600	0.5 km north of Hwy. 11, to Jct. of Hwy. 71	7045	Havilland Shores Drive, west side Hwy. 17, 0.3 km from Hwy. 17 west 1.3 km
532	6.4 km north of Jct. Hwy. 556 to end of Hwy. 532	557	2.7 km north of Jct. Hwy. 17 (Jct. of Granary Lake Rd.) north to end of Hwy. 557	601	1.6 km north of Hwy. 17 (west leg) to 5.0 km north of Hwy. 17 (east leg) (Dryden Airport)	7045	Havilland Shores Drive, east side Hwy. 17, from Hwy. 17 east 0.6 km
533	Hwy. 656, northwest to Hwy. 63	566	2.0 km west of the Montreal River at Matachewan to its end	608	1 km west of Hwy. 61 west to Hwy. 595	7045	Macintyre Road, from Hwy. 17 north 1.5 km to Jct. of Trout Lake Road
534	Jct. Hwy. 524 north to the Restoule Provincial Park	575	Hwy. 17 to 1 km south of Jct. Hwy. 64	612	Muskoka/Parry Sound District boundary, north to Hwy. 69	7082	Jct. of Hwy. 17 to the Regional Municipality of Walden limits (4.6 km)
535	1.6 km north of Hwy. 17 north to end	581	Jct. 7181 north for 6 km to Remi Lake Provincial Park	625	0.5 km south of Jct. Hwy. 11, south to end of Hwy. 625		
539	0.5 km north of Warren, north of Jct. Hwy. 64	583S	Town limits, 4.1 km south of Hwy. 11 to its end	632	Muskoka/Parry Sound District boundary, north to Hwy. 141 at Rosseau		

SCHEDULE 3 HIGHWAYS/ROADS MARCH 1 TO JUNE 30, 2011

WHEN SIGNS ARE POSTED, THE HIGHWAYS/ROADS WITHIN THE FOLLOWING TERRITORIES WILL HAVE A REDUCED LOAD LIMIT:

TERRITORY	LISTED LOCATIONS
NORTH BAY AREA	Britt, Burwash-Hendrie, Cartier, Chiniguchi R., Dawson, Dill Second, Downes Lake, Foster Truman, Fourteen Mile, Lount, Marten Lake, Memesa-gamesing, Mills & Hardy, Patterson, Phelps, Pringle, Tilden Lake, Thome, Wilson & McConkey, White Pine, Wyse & Poitras, Yellowstone
SUBURBY AREA	Armstrong Lake, Anima Nipissing
COCHRANE AREA	Bayly Marter, Beauchamp, Bourkes, Bryce, Cane, Cairo & Alma Twp., Crystal Lake, Eby, Foleyet, Gogama, Henwood, Horwood, Ingram, Lebel (Harvey) Kirkland, Lebel (King) Kirkland, Lorraine Twp., Marquis, Marter, Mattagami Twp., Ossian, Otto, Pacaud & Catharine, Robillard, Savard, Sheraton, Star Lake, Watabeag
SAULT STE. MARIE AREA	Aberdeen & McMahon, Aweres 1 S.L.B., Aweres 2 S.L.B., Devil's Lake, Devon Landing, Esher-Como-Healy, Fenwick, Pennefather & Vankoughnet
THUNDER BAY AREA	Galbraith-Morin, Garden Lake, Gaudette & Hodgins, Goulais Mission, Havilland S.L.B., Hawk Junction, Horseshoe Bay, Northland Lake, Patton & Montgomery, Peace Tree, Red Rock, Sultan, Tilley, Vankoughnet & Aweres, Vixen Lake, Wabos, Whamcliffe
KENORA AREA	Aubrey East, Bears Passage, Big Stone Bay, Blindfold Lake, Britton, Clearwater Lake, Colenso, Redvers E. & Wabigoon E., Cygnet Lake Rd.
Other Territories	Dance, Ena Lake, Engineer Lake Rd., Eton, Ghost Lake, Gordon Lake, Ingils Lake, Ingolf, Kendall Inlet, Kenricia, Kingsford, Laclu, Manitou Rapids FN, McCallum Point, McConnell Lake, McIntosh, McKenzie Portage, Melgund, Minaki, Mine Centre, Miscampbell, Mustric, Nanicost Centre, Nelles, Nickel Lake Shores, Pearson Landing, Pellatt No. 2, Pickerel Lake, Pratt, Red Pine Ridge, Redditt, Reef Point, Rowell, Rugby, Rush Bay, Woodchuck Bay, Sherwood Lake, Southshore, Southwatten, Southworth, Spohn, Spruce Lake Road, Storm Bay, Sutherland, Tannis Lake (Gundy Lake), Van Horne, Wabigoon Redvers West, Wabigoon South East, Wainwright, War Eagle, West Longbow Lake, Zealand No. 1, Zealand No. 3

ontario.ca/truckloads





CONSTRUCTION KERFUFFLE: Alberta Construction Trucking Association president Ron Singer has called it quits after sparring with members over planned changes to association fees.

of age or from frustration with the state of the industry; are also a contributing factor to the ACTA's woes.

"In the last 10 years, a lot of companies and owners have retired, they're no longer in the business," Singer says. "And most of them were our members. The old veterans supported the associations because they knew that if they didn't, certain things wouldn't get done."

Now, however – and perhaps

emblematic of today's society at large – there appears to be a culture of entitlement among the younger drivers.

"It's because the work has always been done for them," Singer says. "They've never been forced to stand up. All the work the associations have done over the years, they reap the benefit whether they belong or not. So why pay to be a member? They've taken it for granted. It's a selfish, 'What's in it for me?' attitude."

A new chapter about to be written in construction truckers' history

CALGARY, Alta. – The Alberta Construction Truckers Association (ACTA), formerly the Alberta Gravel Truckers Association, was founded in 1983 and changed its name to the current moniker so it could provide professional representation to other sectors of the industry, such as logging, mining, oil field hauling, etc.

"It was very well supported and we were very influential with the provincial government and the various municipal governments and even the federal government," recently resigned president Ron Singer says.

"We've been responsible for most of the positive change to weights and dimensions, the various configurations that are used now. In the construction trucking industry, we've been the major representative for western Canada for many years."

Among its achievements, ACTA lobbied the provincial governments on non-RTAC trailers restrictions.

"They were going to be axle weight restricted and phased out of the industry with a sunset clause," Singer says, "but we've been able to continue using them in Alberta."

ACTA also lobbied the federal and provincial weights and dimensions task force for acceptance of three end dump configurations (affecting eight axle reverse Su-

per-B, seven-axle truck and full quad trailer, and eight-axle tridem drive truck and full, quad trailer). The group also helped get the gross vehicle weight on seven-axle truck and full quad trailers raised to 55,300 kilograms.

Around the turn of the millennium, Singer notes, support for the ACTA from the industry started to wane and, by 2005, membership had dwindled to a level that could no longer sustain the association.

Shortly after that, however, the ACTA was reborn.

"They were starting from scratch," Singer recalls. "They had to do a lot of improvising, and double and triple duty, to get the job done of rebuilding all the old contacts and connections."

Working against those efforts, Singer says, was the fact that the industry had become extremely divided and the new board "could see it was going to be a huge challenge to get the association to the level it was at pre-2000."

The ACTA still represents several hundred trucks currently, and that means it still has some clout. "We certainly do enough that the provincial government is very interested in talking with us and has consulted us quite a bit," Singer says. "They know we're on the map and they utilize our knowledge and experience and we've provided the input required. These things pay dividends back." □

So far that has worked out for them, Singer says, because the association has always been there to work on their behalf.

"But you know what?" he says. "There may not be somebody there pretty soon, and it may happen at the most important time that we need somebody to be there."

Does that mean the ACTA's very existence is in jeopardy? "I'm saying it might," Singer says, "because it's myself and a few others that have kept it running for years and if we're not going to be there, who's going to step up and do it?"

The other side of the retirement coin and its loss of seasoned professionals is the inexperience and general lack of skills of the newcomers to the industry. This, Singer says, is leading to drivers who don't have the basic skill sets required to drive professionally.

"They're pushing automatic transmissions now so you can put in a guy who can't drive a truck," he says.

"They've got trucking companies now where the guy can't back up to the dock – they have to send a guy over to the shipper to back the truck into the dock because the driver can't do it. That's how scary it is."

Singer estimates that across the whole North American trucking industry, only about 5% pay dues "to represent their best interest in the industry, to do positive things for them. It really is a joke." An obviously frustrated Singer says it's time for the industry to stand up and be counted, to put its money where its mouth is, as it were.

"We don't even need their mouths," Singer says. "All (the ACTA) needs is the resources and we'd be there." Singer claims his company, Ron Singer Truck Lines Ltd., has spent \$50,000-75,000 dollars a year to repre-

sent the association, but even that wasn't enough. "We want to get to Ottawa – that's where we have to go – but we can't get there because we just don't have the money," he says.

Singer doesn't rule out a return to the ACTA, but isn't about to commit unless there's a similar commitment from the industry.

"All the industry has to do to get my interest back is stand up," he says. "Put your money in the hat and give me a minimum of 1,000 members and a five-year commitment and we'll change the industry. And we'll go to Ottawa and to Edmonton and wherever we need to go and we'll stand in front of the legislators and we'll make sure the legislation has everyone's input into it and that things are done the way they should be done."

The longtime trucker admits he's earned a very good living from the industry and feels he owes it a lot.

"And I want to provide for it," he says. "The last thing I wanted to do was resign my position at

ACTA, but I had to shock the industry because it has been taking us for granted for 25 plus years and they're going to have to wake up and smell the coffee real quick because I'm telling you what, there's not much time here."

Singer not only wants to see the membership ranks swell, but for new blood to help with the actual running of the ACTA. He's calling on truckers to step up to the plate and serve at least one term on the board, "rather than it having to count on the same people all the time. It's everybody's responsibility to play a role."

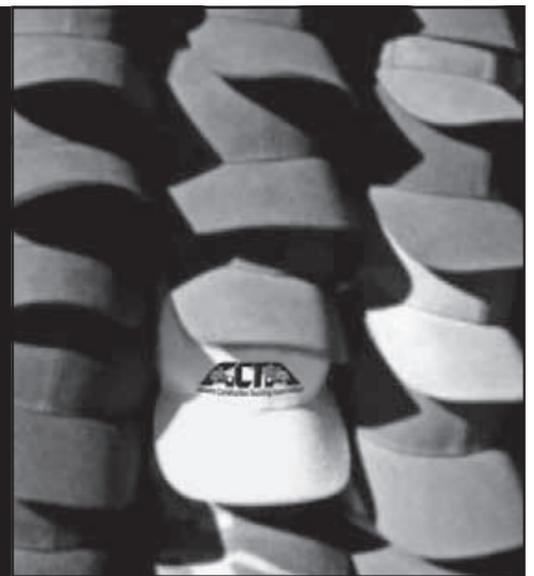
The bottom line, Singer says, is that "Greed and entitlement are the driving forces in our industry today," he says. "Our industry is divided and conquered like never before." □

'Greed and entitlement are the driving forces in our industry today'

Ron Singer

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BORDER

Trucking associations applaud plans for perimeter security at border

OTTAWA, Ont. – The governments of Canada and the US have announced plans for a partnership designed to accelerate the flow of goods between both countries, while also strengthening security and economic competitiveness.

The announcement, made Feb. 4 by Canadian Prime Minister Stephen Harper and US President Barack Obama, included two initiatives: the declaration of a shared vision for perimeter security and economic competitiveness, and the creation of a regulatory cooperation council (RCC). The initiatives will have four main priorities, including addressing threats early, trade facilitation, economic growth and job creation, integrated cross-border law enforcement and critical infrastructure and cyber-security.

The RCC, comprised of senior regulatory and trade government officials, has committed to meet within 90 days of the announcement to develop the Terms of Reference. The RCC will be looking at red tape reduction, transparency and ways to increase economic competitiveness by reducing bureaucracy. “The review of these rules is an exceptional opportunity to break down regulatory barriers and prevent new ones from being introduced,” said Prime Minister Harper. “The main goal is to make it easier for Canadian and American firms to do business on both sides of our shared border, leading to more jobs and growth in both Canada and the US.”

The RCC is expected to bring forward an action plan within two years.

The Canadian Trucking Alliance (CTA) has applauded the joint announcement and is calling the RCC’s two-year plan a “very ambitious goal.”

“We have been calling upon the governments on both sides of the border to

enter into a new shared, smart border agreement for some time,” said CTA’s president and CEO, David Bradley. “We are hopeful this process will lead to a better balance between security and trade imperatives, restores a risk management approach to the border and a meaningful return on investment in the trusted trader programs.

“Canada and the United States, alone or in partnership, cannot hope to compete with the emerging economies and/or other trading blocs, unless we have a predictable, reliable and efficient supply chain; the sheer enormity and overlap of the measures that have been imposed on cross-border trade over the past decade has not always been consistent with that imperative.”

Bradley noted that the trucking industry and trade community have been promised these things before, only to be disappointed with the results. “It will be essential for the governments to truly consult with the organizations whose members and businesses are living the border problems every day. Previous efforts to achieve improvements at the border, such as the Security and Prosperity Partnership (SPP) were unsuccessful in part because they came at the problems from the 120,000-ft. level instead of where the rubber meets the road. The functioning of the border is a complex process; it can’t be fixed by asking people what the top two or three things are that they would like to see changed.”

Bradley also said that he does not think it is realistic to expect that the negotiations will lead to the dismantling measures introduced in the name of security that have been implemented over the past number of years.

“It may be a misnomer to characterize this to be the negotiation of a perimeter security agreement; I don’t

detect any lessening of US concerns over security, or their view that the border in some ways represents the first line of defence. The Department of Homeland Security (DHS) will no doubt continue to be an elephant in the room.”

However, he said, “that does not mean that progress cannot be made in terms of better coordination and cooperation at the border, both between agencies on both sides of the border, but also between government departments on the same side of the border – the so-called single window concept – and in terms of mutual recognition of security programs for identifying trusted traders that are essentially the same in both countries.”

He also said that Canada needs to look at some of its own border security programs to ensure that they are not even more burdensome than similar programs in the US. For example, he said it makes little sense for businesses to have to belong to two programs – Customs Self Assessment (CSA) and Partners in Protection (PIP) – in order to gain access to the Free and Secure Trade (FAST) lanes for goods moving northbound into Canada, whereas the US only requires participation in one program – Customs-Trade Partnership Against Terrorism (C-TPAT) – in order to gain access to southbound FAST lanes.

In addition, he said it is important that Canada adopt the same transponder technology as the US in administering what are essentially similar Customs automation programs.

He also says in discussing harmonization of certain programs that Canada should be prepared to match US enforcement efforts of who can do what in terms of certain point-to-point freight movements in the other coun-

try and in terms of the ability for domestic loads to move in-transit in either country.

“We’d prefer a modernized approach to both issues, but so far that has been a hard sell in the United States. We need to be practical; we need to ensure a level competitive playing field.”

Finally, Bradley said that while there are those who will decry the negotiations as a threat to Canadian sovereignty, he believes that “most Canadians understand the importance of the US marketplace for Canadian economic prosperity and jobs.”

“Joint decision-making, better coordination and cooperation in terms of managing our shared border, and synchronized infrastructure investment and construction, leading to a stronger economy, enhances our sovereignty, it doesn’t denigrate it. Despite what some may say, most Canadians get it.”

The American Trucking Associations has also voiced its support of the agreement, calling it “a positive first step to increasing the competitiveness of businesses on both sides of the border.”

At the same time that President Obama and Prime Minister Harper were meeting, ATA members and staff met with US Customs and Border Protection (CBP) Commissioner Alan Bersin to discuss ways to improve cross-border trucking operations.

“We held a very open and positive discussion with Commissioner Bersin and other CBP officials to find ways to improve and expedite the movement of freight across the border,” said Graves. “We look forward to working with CBP and other government agencies to define what is needed to have a more secure and efficient process for cross-border trucking operations.” □

Ambassador Bridge prez jailed as border bridge saga continues

By Ron Stang

WINDSOR, Ont. – The initial phase of construction has been completed on the Windsor-Essex Parkway connecting Hwy. 401 to a new bridge between Windsor and Detroit.

That phase consists of a couple of ramps linking what is now the end of Hwy. 401 to local provincial and municipal roads, but which will not open until the entire parkway is complete in 2014.

Meanwhile the consortium chosen to build the 11-kilometre route, the Windsor Essex Mobility Group led by Spain’s ACS construction giant, will begin major excavation of the six-lane sunken highway late this summer.

But while plans are a go on the Canadian side for the biggest road infrastructure project in Ontario, fears have been increasingly raised that the \$1.4-billion Parkway will be a road to nowhere.

The reason? A political stalemate in the Michigan legislature to approve a public-private partnership (or P3) to finance, build and operate the almost \$1-billion bridge connecting Canada and the US and to which the Parkway would connect. The entire project is known as the Detroit River International Partnership, or DRIC.

The Republican-dominated Michigan Senate has blocked legislation to approve the P3 because of concerns taxpayers would be left holding the

bag if, for example, tolls are insufficient to pay back investors. In cash-strapped Michigan, with among the highest state unemployment rates in the US, for several key lawmakers, that has been a non-starter.

This was despite an offer from the Canadian government last spring of \$550 million up front to pay for US bridge approach roads and freeway connections. The money would be paid back by Canada assuming Michigan’s share of toll revenues in the P3.

As Republican Paul Opsommer, chair of the Michigan’s House Transportation Committee, said, “My main goal is making sure that if toll revenue is not as high as anticipated that we don’t have to pay for that with taxpayer dollars.”

Enter Michigan’s new governor Rick Snyder. Snyder, also a Republican, was elected in the US midterm elections last November.

But unlike Snyder’s Republican colleagues, the new governor, a former hi-tech executive, has given cautious support to DRIC.

This was reinforced during Snyder’s first State of the State address in January, in which he said he had reached a deal with Washington to leverage Canada’s \$550 million for \$2 billion in federal funds for Michigan highway projects.

Observers and bridge supporters – which include the vast majority of

business leaders in the US and Canada who have spoken out on the issue – cheered the announcement as the breakthrough to get DRIC moving.

Rich Studley, Michigan Chamber of Commerce president, hailed the announcement as “outstanding” and “a call to action.”

But DRIC is not out of the woods yet. Opsommer, the Michigan House leader, said he wanted “more details” and noted the governor did not have a commitment from Washington in writing.

Most Republicans have also been opposed to DRIC for ideological reasons; it would use taxpayer money to unfairly compete with the private Ambassador Bridge.

Meanwhile, for the more than 80-year-old Ambassador, there has been plenty of legal drama in recent months.

Ambassador owner Manuel (‘Matty’) Maroun – who would lose tens of millions of dollars, including substantial truck tolls, should DRIC be built – earlier last year brought a lawsuit challenging the government bridge, claiming it would be “unlawful” competition. The Ambassador has proposed its own new six-lane bridge and is seeking government permits.

And there have also been suits and countersuits between the Ambassador and state of Michigan over the bridge’s role in the recently-completed

\$230-million Gateway project which overhauled highway interchanges connecting to the bridge.

Michigan has accused the bridge of not completing its share of the work including a new truck ramp. Instead, trucks are detoured on a circuitous route through city streets before connecting to freeways. For its part the bridge has demanded the state open new ramps so that traffic doesn’t have to use surface streets to enter the bridge. Michigan has kept them closed in retaliation for the bridge not living up to its work agreement.

Then, in January, a Michigan court found bridge management in contempt for ignoring an earlier ruling to build the truck ramp and tear down part of a new mammoth duty free store and gas bar because it infringed on public property. Bridge president Dan Stamper was sentenced to jail for several hours, until the bridge literally began excavation work.

But the bridge has challenged even that order, saying its recent purchase of a local private property alters the dynamics of the work.

Throughout, bridge management has been adamant they are in the right. Last month Stamper blamed Michigan officials for “doing everything they can to stop our successful 80-year-old private sector business from building our new bridge with our own money. They will lose.” □

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OPINION

Counting down the most important issues facing the industry

In my last article I outlined the top 10 most important issues facing the trucking industry in 2011, as I see them. I would talk about them in detail each month, one by one. This month, I would like to discuss what I see to be the number one issue facing the trucking industry: low rates and the economic downturn.

Deregulation, diversification, an oversupplied trucking industry, emission controls and an uneducated trucking industry has led to where we are today.

Deregulation: Back in the day, when the trucking industry was regulated by the authority to operate, your rates had to be published with the government authority. In order for new trucking companies to be granted authority to operate, they had to prove there was a need for a new trucking company to operate in that region.

When the trucking industry decided to deregulate, rates were not required to be posted with the governing authority and new trucking companies did not need authority to operate. They did not need to prove there was a need for the services of a new trucking company. All that was required was to register with Pro Rate and Fuel Tax report, show financial responsibility, demonstrate your trucks and cargo were fully insured, prove a satisfactory safety rating and away you go to haul wherever you want. Such was the birth of the free market enterprise system (Alberta being the leader of this system).

Has the trucking industry benefitted from deregulation? I say no. The shippers sure have. Do we need to re-regulate operating authorities and post our rates? I say yes, in a new well thought-out way.

Did you know in the life insurance industry, if I am an insurance company and I want to solicit my services to a client of a competing insurance company, I cannot approach the other insur-



Constructive Dialogue

RON SINGER

ance company's client until I notify that insurance company that I will be soliciting their client?

Well, when I notify that insurance company that I will be talking to their client, I open the door for the other insurance company to ensure they have done everything to meet that client's expectation, keeping them honest and ensuring their client is happy with their services.

The onus will then be on them to make their client happy. If they can't, then the door is now open for me to pursue their client with the expectation that I cannot cut the rate they charge their client: my rate must be more not less by law.

Does the trucking industry need a system like the life insurance industry has? I say yes. A similar well thought-out system would surely solve a lot of problems as we have an oversupplied trucking industry.

Years of service in each sector of the trucking industry, safety rating, compliance, employee employer relations and need for service would be my guiding principles.

Diversification: Diversification has been a popular solution to the economic downturn for the larger trucking companies. Has the trucking industry benefitted from this process? I say no. Why? When trucking companies diversify into other sectors of the trucking industries they usually fail to do their homework.

They usually are not new trucking companies; they are most often well established trucking companies that should know better. They usually don't know or understand how that sector of the

trucking industry works.

The rates they charge often reflect their ignorance and they most often cut the market rates in that sector of the trucking industry to attract new customers. The shippers love it. I know of trucking companies that have entered the dry bulk industry in the past that have cut their way into the market.

They are not paying their drivers, they do not pay them holiday pay, they do not pay them the wages they said they would pay, they pay the drivers a bonus to overload, cheat the logbook and they do not pay their suppliers' bills.

The shipper knows it, the government knows it and the DoT knows it, but they are still out there cutting rates, ripping off their drivers and not paying their bills. They all turn a blind eye to it as the reputable, respectable trucking companies just have to park a few more trucks, lay off a few more drivers that have to go on unemployment insurance and the trucking company has to plead with the bank to renegotiate their future truck payments. Obviously these actions are irresponsible and negatively affect the trucking industry and our image, but it goes on and on and on.

Emission Controls: In 2007 and 2010, there was a significant overbuy of equipment before the new emission regulations took effect. This created a significant glut of equipment into the trucking marketplace at a time it was not required (just before the world economy was about to crash).

Where was the oversight? There was none. What were we thinking? Greed, entitlement, a feeding frenzy was the order of the day for a lot of trucking companies. Where were the trucking industry experts? They were busy making deals with the government of the day.

Not only has the pre-buy of this

equipment created a significant oversupply of equipment in the trucking marketplace at the worst time, these new emission standards have made our new trucks less fuel-efficient, more costly to operate, less reliable and durable and we have not reduced our environmental footprint, in fact we have increased it.

You can buy this equipment used for less than 50 cents on the dollar. What is the benefit to the trucking industry and the environment? Zero. The environmental movement, government and the hidden agendas are out of control with this stuff. The only reason they are able to continue on this destructive course is because the trucking industry is divided, sitting on their hands and letting it happen.

An uneducated trucking industry: The trucking industry needs some new grassroots leaders. The number one requirement should be that you must have driven a truck for at least 20 years.

They need to be where the chains meet the road, sitting in an avalanche line-up, kicking the sleeping drivers out of the brake checks and the drivers out of the rest areas on their wrong side of the road. The DoT should be writing them up accordingly.

The driver recruiters need to be watching their drivers get out of the truck stops to see if their drivers are doing an en-route walk-around inspection, before they go into the truck stop for a coffee. They need to follow their drivers in a snowstorm and parking them if they can't maintain a safe road speed and not being a risk to other drivers. They need to be in the chain-up zones to ensure their drivers are putting on their chains when the chain-up signs are lit and ensuring their drivers have chains and know how to put them on. They need to make sure their drivers are stopping at the brake checks for obvious reasons. (These are just some of my pet peeves).

The industry leaders need to roll up their sleeves and get back to the grassroots of trucking like it was 10 years ago or more. Growth in the trucking industry must be sustainable.

Every single trucker needs to open up his wallet, pay his fair share of dues to support a credible trucking association that best represents their issues.

The good health of the trucking industry depends on us. What are we waiting for? Let's get with the program. This will be the subject of my next month's article, so stay tuned.

Well that's it for this month. Tell me what you think, what's your opinion? Do I have it right? Or am I just like some of the other industry leaders that can't see the forest for the trees.

See you out there somewhere between Alberta and British Columbia where the chains meet the road. □

— Ron Singer is owner of Ron Singer Truck Lines. He can be reached at 403-244-4487 or by e-mail at ronsing@telus.net.



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Plug and stay

Boosting interest in electrified parking spaces

By John G. Smith

TAMPA, Fla. – Truckers have traditionally relied on the power of diesel when running many of the creature comforts in today’s sleepers, but one US program hopes that a growing network of electrical outlets can silence the sounds of idling engines.

The US Department of Energy is investing \$20.2 million into the Shorepower Truck Electrification Project (STEP), which will install electric pedestals in 50 truck stops along selected interstate corridors. Each site will be equipped with 25 of the electrified parking spots, while funds will also offset up to 20% of the cost to install 120-volt devices in 5,000 American trucks.

Equipment eligible for the rebates includes devices such as Auxiliary Power Units or battery-powered HVAC systems, as long as they can plug into the shore power supplies. In the meantime, some truckers are already using early installations by running simple extension cords through openings in their cab doors or sleeper windows.

Access to the Shorepower Technologies network used in this program tends to cost about \$11 per night – far less than the cost of an idling engine, notes Jon Gustafson of Cascade Sierra Solutions, which is administering the Department of Energy program. This may be an understatement. Long-haul truckers typically idle their engines between 1,400 and 3,000 hours a year in a bid to power everything from HVAC systems to refrigerators and televisions, burning between \$4,900 and \$10,500 of diesel in the process. If not properly managed, idling costs can actually add up to 10.5 cents per mile, with issues like premature engine wear and rebuilds contributing another two cents per mile to that, he adds.

To compound matters, the cost of fuel has been on a steady rise. The prices at US pumps have increased about 25% per year over the past two years. “That cost is what needs to be in mind when deciding whether electrification should be part of your equipment strategy,” he said during a presentation to the annual general meeting of the Technology and Maintenance Council.

The price of fuel is not the only factor to consider. An increasing number of US jurisdictions are tightening the restrictions on idling trucks. Thirty-one states and 47 local jurisdictions are already limiting idling in one way or another, introducing fines along the way. A focus on Truck Stop Electrification (TSE) also aligns with other federal initiatives in the US, such as those designed to reduce greenhouse gases and the US dependence on foreign oil.

Of course, the concept of “shore power” is nothing new. Anyone who has ever docked in a marina, or pulled into an RV park will recognize the systems that typically deliver 120-volt, 60-cycle, 20-amp service. Millions of trucks are already equipped with 120-volt block heaters, observed Skip Yeakel, principal engineer with Volvo Group North America.

But trucks generally have limited



Technical Correspondent

JOHN G. SMITH

access to electrical connections. Truck stops are reluctant to build the infrastructure until they identify a demand, while most truckers rely on inverters for power supplies because of a lack of infrastructure. IdleAire Technologies – which had promoted its own network of connections – reported just 131 locations before it ceased operations earlier this year.

“We know we have to build the sites in order for it to make sense,” says Jeff Kim of Shorepower Technologies, which is installing STEP’s power pedestals and offering the related payment system. “If you don’t have a place to plug in, it doesn’t work.”

Electrified parking spots involve more than a series of extension cords across a parking lot. Truck stops can sacrifice 30% of their parking spaces to make room for the necessary electrical connections, said Vince Mangano of Integrated Marketing Services, referring to one reason that the technology has been slow to arrive. “The larger and more cumbersome the technology, the greater the impact,” he added. “Somehow the packaging has to be small.” There also needs to be a way to track the way the individual tools are being used. “It’s a lot of investment to pave a lot and see a lack of efficiency.”

STEP’s supporters simply hope they will see the returns on these investments. Participating truck stops can share the revenue from electricity sales, and could sell the appliances that truckers could fit into their sleepers. Truckers will enjoy access to electricity, the Internet and cable TV fed through each pedestal. And

while regulators focus on the way anti-idling tools can prevent smog, the truck stops might be able to appease common complaints from their neighbours. “The emission side of it is important from a regulatory perspective, but the average John Doe is complaining more about the noise,” Mangano said.

Future electrified sites may not be limited to traditional truck stops that are equipped with service centres, convenience stores and fuel islands. “Non-traditional” options could include fleet terminals, rest areas, distribution centres, ports of entry and manufacturing facilities, he said. While truck stops would want to see additional sales, fleets could equip their own yards in a bid to use less fuel. Shippers could equip loading areas to comply with health and safety rules that are designed to limit the impact of exhaust fumes.

Those who watch over the different sites would just be influenced by different things. Fleet managers and drivers will be able to use the promise of added business to influence a traditional truck stop. Decisions about other locations are often governed by community politics and regulators, complete with the funding that comes from taxes and road fees.

The needs might also change in the years to come. Future connections could be equipped to deliver 208 or 480 volts to support reefers and specialty equipment, Gustafson said.

The results of the STEP initiative itself will be graded pretty quickly. A related report needs to be sent to the Department of Energy as early as February 2014, and those results will need to be published the following May. By then, regulators will have a better idea of whether truckers are willing to plug and stay. □

Industry being assaulted: Graves

TAMPA, Fla. – Citing a wide array of regulatory challenges and crumbling infrastructure, ATA president and CEO Bill Graves says that the trucking industry faces nothing less than an “assault” by groups ranging from environmentalists to supporters of other transportation modes.

“There are a number of people who simply don’t get what we do every day,” he said during a kickoff address at the Technology and Maintenance Council’s annual general meeting.

Anti-truck groups are cloaking themselves as safety advocates and are oblivious to the impact that their proposed changes would have on the US economy, he added. Other groups that he refers to as “environmental extremists” appear opposed to any mode of transportation that relies on fossil fuel.

Promoters of other modes of transportation are making their cases “under the guise of liveability,” he said.

Graves even suggested that plans to revisit Hours-of-Service rules – potentially affecting everything from time behind the wheel to rest breaks and restart provisions – were nothing less than a “political payoff” used to convince Sen. Frank Lautenberg to confirm former Baltimore Trucking Association president Anne Ferro as head of the Federal Motor Carrier Safety Administration.

It isn’t his only concern about government mindsets. While the Bush Administration saw new CSA safety ratings as a way to target more trucking companies with fewer resources, there has been a key shift in thinking. “Our concern with the Obama administration is that it will become, ‘Do more with more,’” he said. And while the trucking industry supports the idea of fuel-efficient trucks, there are concerns about the way new standards will be implemented, and how they will influence everything from trucks to trailers. “If it costs us more than we benefit in fuel efficiencies, we have a problem with that.”

But he appeared to find a promise in plans to revisit the way fuel tax funds are invested into the nation’s infrastructure. The federal fuel tax and highway trust fund was not established to support bike trails, Graves said. “Roads are not free, and they certainly are not cheap. We need to get our priorities straight.” □

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HEALTH

Need a boost? Put down the energy drink and go for a walk

Last month, I wrote that Vitamins A, B, C, D and E can help keep your mind functioning well. Outside of eating foods containing these, engaging in some other practices could give you additional short- and long-term benefits.

Let's say you need an occasional, short-term alertness boost. Using caffeine is an option. Caffeine works by stimulating the central nervous system, heart, muscles, and the centres that control blood pressure. I'm sure you've used an occasional strong cup of coffee to wake up. Generally, drinking limited amounts of caffeine in beverages, such as coffee, tea or soft drinks is not harmful.

However, use energy drinks with caution. Along with their high proportion of caffeine, they may also pack a large dose of sugar. So while the caffeine is stimulating, the high sugar content is causing a sugar spike in your body to which your pancreas reacts with burst of insulin, resulting in low blood sugar and a feeling of tiredness, making you crave another energy drink. It's a vicious circle.

Certainly, habitual consumption of caffeine can lead to addiction. Maybe you've felt this yourself. If you miss your usual coffee, you feel irritable, depressed and may even get a headache. Some more serious common side effects of excessive caffeine are: cardiac arrhythmias and palpitations; high blood pressure; insomnia; and



anxiety attacks.

One unusual side effect of energy drinks is seizures in people who have no history of epilepsy. These seizures may be triggered by either caffeine or taurine (another common ingredient in energy drinks). This type of seizure most often occurs when a person is sleep deprived.

As a diuretic, caffeine makes your body excrete fluids. High caffeine levels can lead to high fluid loss, resulting in dehydration. Consequently, you may feel tired and unable to think clearly, instead of energetic and alert.

Instead of looking for a quick caffeine fix, consider why you feel tired. You probably are tired. So, consider your life situation. Are you under excessive stress? Overworked? Not sleeping well? Eating poorly? Addicted to caffeine? A long-term solution cannot be bought in a can at the corner store. In fact, if you've been running on energy drinks, they are probably part of your problem.

Which brings us to a long-term solution – a change in lifestyle. In particular, say, 'goodbye' to crashing in front of the TV every night and say, 'Hello' to your new best

friend: physical exercise.

Why? Not just for physical fitness, but to whip your mind into shape as well.

When your cardiovascular system is not working well, it affects your memory. Studies show that if you exercise aerobically, you significantly increase the amount of blood that flows to your brain. This leads to better memory.

In a recent study comparing the effects of exercise on mental performance, researchers formed three groups of volunteers, between 55 and 70 years old. Group 1 exercised aerobically by walking three times a week for 45 minutes. Group 2 did easy calisthenics. Group 3 did no exercise. At first all three groups were similar in terms of oxygen consumption, level of physical fitness, memory, and mental dexterity.

However, by the end of the study everything had changed. The oxygen consumption of the people in the aerobics group was considerably higher than that of the other two groups. Over a four-month period, the mean scores for the aerobics group improved in five out of seven tests for memory and mental dexterity, while the other two showed no major change.

On top of this, exercising makes you feel better. Exercise triggers your body's production of endorphins. These mood-boosting chemicals help keep your attitude on track. Exercise can also make

your brain's frontal lobes work harder, releasing more serotonin, dopamine and norepinephrine and making you feel happier.

During exercise, your brain also sends out brain-derived neurotrophic factor (BDNF). Not only does BDNF improve your mood, its main function is to help brain cells survive longer. This may explain why exercise appears to slow the progression of dementia.

With these facts in mind, should you take out a gym membership? Considering a trucker's schedule, it's probably not feasible. For sure, running, lifting weights, playing sports or taking a fitness class on a regular basis would be ideal. But really, anything that gets your heart pumping a little faster will help: washing your rig, parking a little farther away from the motel, or even walking around the block before you check in for the night.

The most important point of exercise is that it's not enough to think about it. You have to do it. Start out with 10 minutes a day and work yourself up to 30 minutes a day, three to five times a week. Then, stick to it.

Remember, to keep your mind working well, it's more than the thought that counts. □

– Karen Bowen is a professional health and nutrition consultant, and she can be reached at karen_bowen@yahoo.com.

Achilles tendonitis: Heel pain in truckers

Heel pain is a common occurrence in professional truck drivers. Although there are several causes of heel pain, I will be concentrating on one specific condition called Achilles tendonitis.

In order to understand this injury, you must first understand the anatomy of the area. The Achilles tendon is a fibrous band of tissue that connects the calf muscles to the heel bone. This tendon is very important for locomotion and is used in many activities such as walking, running and jumping.

Achilles tendonitis is simply inflammation of the Achilles tendon. In most cases, this injury occurs when



the tendon is strained from excessive force or overuse. For truck drivers there are a few common causes of Achilles tendonitis, which include using improper technique when getting in and out of their trucks and jumping off the back of their trailers. In addition, operating the accelerator or clutch for many consecutive hours may cause trauma and irritation to

the tendon over time.

There are several risk factors that may increase the chances of developing this type of tendonitis. First of all, poor flexibility of the calf muscles and flat arches will decrease the ability of the Achilles tendon to absorb shock. To add to this, not warming up before physical activity and wearing inappropriate footwear will also increase the likelihood of straining the tendon.

The most common symptom of Achilles tendonitis is pain at the back of the heel bone that develops gradually and worsens over time. Some people experience a dull ache in the back of the leg above the heel after participating in physical activity. On visual inspection, you may notice swelling or a lump on the Achilles tendon.

It is important to address this injury at its onset in order to avoid developing a more serious condition.

Most of the time, a health care professional will be able to assess and diagnose this condition after taking a detailed history of the injury and performing a thorough physical examination. Advanced diagnostic testing such as ultrasounds and MRIs may be necessary to identify and confirm the diagnosis.

The treatment of Achilles tendonitis is often very simple. The first line of treatment consists of rest and ice to reduce the inflammation. In addition, your doctor may recommend anti-inflammatory medications to further reduce inflammation and

decrease pain. Gentle stretches may also promote healing of the tendon.

However, it is important to perform the stretches in a slow and controlled manner in order to avoid re-injury. Orthotic devices such as heel lifts may also be utilized to relieve the tension on the tendon during the healing process. If the injury does not respond to these conservative modes of treatment, your doctor may explore other possibilities such as corticosteroid injections or even surgery.

The goal of surgery is to repair damaged tissue and restore function of the foot.

As I always say, prevention is the best treatment. It is important for drivers to use proper footwear which provides adequate cushioning for the heel and support for the arch.

Also, it is good practice to replace footwear when it shows signs of excessive wear. Next, performing a regular stretching routine, which includes a few calf muscle stretches will improve flexibility and reduce the stress on the tendon.

Lastly, warming up before performing any physical activity will loosen up the muscles and tendons of the legs.

I recommend that drivers walk around their truck five to 10 times as a good warm-up. By following these simple tips, you will greatly reduce your chances of developing Achilles tendonitis.

Until next time, drive safely. □

– Dr. Christopher H. Singh runs Trans Canada Chiropractic at the 230 Truck Stop in Woodstock, Ont. He can be reached at 519-421-2024.



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OVER THE ROAD

It's time to re-examine pay per mile vs pay per hour

At the time of writing this column, diesel prices have been on the rise for seven straight weeks and the Federal Motor Carrier Safety Administration (FMCSA) has newly proposed rules for hours-of-service (HoS) and for electronic on-board recorders (EOBR).

In broad terms, the trucking industry's response has been that all of the added restrictions will reduce productivity. Drivers have responded with the feeling that reduced hours and added restrictions equal reduced miles, which in turn equals reduced income.

So in a nutshell we're looking at escalating costs, increased regulation, and reduced productivity for both carriers and drivers. Not a very rosy picture is it?

The business of trucking has changed but the method of compensating drivers for their investment of time and effort has not. If the movers and shakers within the trucking industry are concerned with an overall loss in productivity, why not pay drivers for their time plus a bonus for increased productivity where it counts – in each and every power unit?

Perhaps it's time for a different paradigm that does away with the piece rate form of compensation most of us in this industry currently live and die by. Trucking as a whole needs to take a serious look at paying drivers a fair and equitable hourly rate with the ability to earn additional income through



Over the Road

AL GOODHALL

productivity bonuses.

Think of our current pay per mile model for a moment. It encourages the driver to run the maximum number of miles in the shortest period of time, a holdover from the days of cheap fuel and loose or non-existent HoS rules. But that's not today's reality. In today's world 'pay per mile' sandwiches the drivers' need to generate income between the business's need to control costs and the enforcement of the HoS rules. Drivers are stuck between a rock and a hard place.

In a highly competitive market where drivers are asked to invest more of their time in the name of efficiency but are governed by rules giving them less time in the name of safety, a pay per mile method of compensation no longer makes sense.

I know that pay per mile versus pay per hour has the potential to be very contentious and I'm not coming down on one side or the other. But my 'paid by the mile' income has not kept up with the rate of inflation and the HoS debate has shown no sign of being resolved since I started driving 12 years ago.

I'm ready to take a look at ideas that may put more money in my pocket, improve my quality of life, add to a carrier's bottom line and aid in compliance with the rules and safety policies that govern our industry.

There is no possible way that I can address all the pros and cons of hourly pay versus pay per mile in a single column, but we need to start somewhere and the first thing an hourly rate would do is recognize commercial truck drivers as the professional journeymen that they are. The industry now has available to it through the technology of EOBRs, the ability not just to enforce rules but to capture a vast amount of information that relates to a driver's performance.

This technology also captures the inefficiencies in the system that are beyond the driver's control such as dock delays. Paying a driver for their time on-duty as well as driving would motivate carriers to work closer with their customers to eliminate delays at the dock and all the other time wasters that have worked their way into the system over the years. This would be a big win for the driver but the argument could be made that it would be a huge cost for the carrier.

On the contrary, eliminating that wasted time puts the driver back on the road keeping the freight moving. More importantly, giving carriers the ability to capture hard data

to measure performance provides fertile ground to develop incentive programs for drivers.

A study by the Technology and Maintenance Council (TMC) of the American Trucking Associations established that a truck driven using poor driving habits can consume up to 26% more fuel than a truck driven using fuel-efficient driving techniques.

An hourly rate of pay along with incentive bonuses is an excellent way of tapping into these potential savings and it's win-win. It also speaks to the need of ongoing driver training, driver recruitment, and driver retention.

The time is ripe for carriers to develop and use these new technologies to empower their drivers and recognize them as business partners – not just employees. Maybe I'm a dreamer, but it is possible.

Some people may be of the opinion that the golden age of trucking is past, buried by burdensome regulations and escalating costs. The freedom and joy we find in trucking down the open road is still there but the culture is changing. That's not easy to deal with. □

– Al Goodhall has been a professional long-haul driver since 1998. He shares his experiences via his 'Over the Road' blog at <http://truckingacrosscanada.blogspot.com>. You can also follow him on Twitter at [Twitter.com/Al_Goodhall](https://twitter.com/Al_Goodhall).

OPINION

How the modern truck is killing driver camaraderie

Last issue, I wrote about my love for the classic-style truck, but my affection for them goes far deeper than just looks. I believe that as trucks have changed over the years, they have changed us as drivers too, and not for the better.

As I touched upon briefly last month, I spent the first 20 years of my career driving around in Europe and beyond.

As a Brit, I was always in a foreign country so it was standard practice to give a wave to any British truck I saw on the road. It was also standard practice – in Europe at least – to stop and offer help to other Brits if they had problems. Further afield, you would stop and help anyone at the side of the road.

Most of the time the drivers you stopped to help were familiar faces. Maybe I'd shipped out on a ferry with them, or spent a day with them at a border or clearing Customs.

Maybe it was over a beer or two at the end of a hard day's work, whatever the case we all knew each other.

From what I hear, the same applied on this side of the Atlantic. There was camaraderie between drivers, but it seems to have disappeared now and for that I blame the modern truck. Firstly, they don't break down as much, so you don't need to pull over to



You say tomato, I say tomahto

MARK LEE

help people out.

But that's a good thing. Meeting other drivers and striking up friendships is very nice, but I'd much rather not do it on the shoulder of the Trans-Canada at 30 below with a dead truck. So although it removes a certain element of the days of old, I'd take reliability every time.

It's the rest of the modern trucks that spoil what we once had. Years ago a long-haul truck was a small day cab with a sleeper box attached to the back. To get into the bunk, you had to climb through a small hatch and once you'd managed that, all there was to do in there was sleep. Now we have enormous sleeper compartments with couches, tables and chairs, TVs, DVD players, electronic games consoles, computers with Internet access, microwaves, fridges – all the comforts of home.

Now when we park for the night there is no need to leave the cab at all except to take a shower and use the restroom. Some don't even need to do that, so the truck stops are almost empty. There may be a few drivers having supper, but

they're all sitting on their own.

Back in the good old days, when you parked the truck for the night you used to get out and go into the truck stop. You had no choice really, as everyone else was in the same predicament. The truck stops were full, so you had to share a table and you made friends.

The next time you saw your dinner companion out on the road, you would have a chat over the CB radio, you'd learn where Smokey Bear was hiding, whether there were any hold-ups, what the weather was doing and generally passed the time of day. Now that has all stopped, nobody knows anybody anymore.

You can run from the Pacific to the Atlantic and the CB will not make a sound. You see a truck on the shoulder and instead of stopping to help, you move over into the left lane and blow past.

Now I know trucks have become more complicated and very few people carry tools anymore, let alone spare parts, but the poor driver stuck on the shoulder may have run out of smokes, he may be thirsty or hungry and be grateful for a can of soda, a candy bar or a bag of chips.

One other important thing that we don't do anymore is learn. While we're spending the evening sitting in our huge sleep-

er, we're not talking to drivers and we don't pick up useful tips anymore.

Most of what I've learned over the last few decades has been handed down to me by my fellow drivers and because I've got nobody to talk to in the truck stop, that knowledge doesn't get passed along anymore.

Us drivers who have been around the block a few times have earned and inherited this knowledge and we have a duty to pass it on to the new guys.

But we won't if we spend our off-duty hours sitting in a sleeper with the curtains closed and the new guys, because they don't know any better, will mess the job up.

The guys back in the office will then have meetings and come up with a set of instructions on how to do the job and we lose the best thing that this job has to offer: our freedom.

We become robots who have to do everything the way we're told it has to be done. If that's progress, you can keep it. □

– A fourth generation trucker and trucking journalist, Mark Lee uses his 25 years of transcontinental trucking in Europe, Asia, North Africa and now North America to provide an alternative view of life on the road.

FLEET PROFILE

Winds of change

A small fleet finds success in staying true to its roots while adapting to an ever-changing industry

By James Menzies

TORONTO, Ont. – As an admirer of the trucks that ply Canadian highways, I've always been intrigued by those belonging to L. Ritchie Cartage. Their black and red Western Star tractors – a mixed fleet of sleepers and day cabs – can be seen running the Greater Toronto Area on any given day.

Perhaps one of the greatest perks of this job is that an invitation to learn more about a trucking company is never more than a phone call away. And so on a recent cold February morning, I arranged a visit to the Scarborough facility L. Ritchie Cartage calls home.

President Sylvia Rhodes provided directions and warned me about the guard dogs, Dingo and Tiggurr. They wouldn't attack, she assured me, as long as I didn't look like a hot dog. That was a relief. A hamburger, maybe, but not a hot dog.

L. Ritchie Cartage is run out of a nondescript building on Kennedy Ave., about midway between the 401 and 407. It's an easy building to miss, and in fact I did miss it and had to turn around. A small wooden sign peeked out from a snow bank, confirming I was at the right place and declaring that the company had been in business since 1954. I later learned the company that started out as a single straight truck used to be located on Nugget Ave. and relocated to its current home about 11 years ago. Sure enough, Dingo and Tiggurr greeted me with a bark that was menacing enough to scare off any intruder, and likely a good many truck journalists.

Yet, a sharp command from an employee had the dogs licking my hands and accepting me as a guest with no ill intentions. I was surprised to see the 40-truck fleet, which also operates about 160 trailers, sits on a small three-acre lot with a modest office and a shop big

enough to house just one truck at a time. The trailers are stacked three deep behind the office building and a handful of tractors are parked against the fence awaiting service. Most, however, were out on the road, which is always a good sign.

Rhodes provided a brief company history as we walked through the yard. The company was founded by Lloyd Ritchie in 1954 and in the mid-60s, son Dave took the reins and transitioned the fleet from straight truck local work to a fleet of tractor-trailers running both locally and long-distance. Dave and Rhodes are partners in the company today, although Dave admits he at one time had little interest in taking over the family business.

"I actually wanted to be a chartered accountant, but school and I didn't see eye to eye," he recalls with a chuckle. "I didn't think trucking was the job for me, so I had quite a few other small jobs. When I got back into trucking, I brought a new attitude and that was the biggest difference. I figured, if this is what I was going to do, I might as well do it to the best of my ability."

For her part, Rhodes grew up around equipment, namely her older brother's drag racing car, so a career in trucking seemed natural.

"I got my start washing parts and doing body shop repairs in the garage in the driveway," she recalls. Rhodes broke into the trucking industry managing IT, finance and purchasing for an Ontario trucking company. In 1999, she joined L. Ritchie Cartage where she manages those same functions and then some.

Ergonomic spec'ing

Ritchie and Rhodes share an interest in equipment, as well as a special affinity for the long-nose classic-styled conventional trucks that comprise the majority of the fleet. They acknowledge L. Ritchie Cartage is a dying breed, a trucking company that identifies itself with the long-nose, classic-styled truck even after most fleets have abandoned it in favour of more fuel-efficient slippery trucks. While they admit the fleet will likely transition to more aerodynamic models with the next round of purchases, they still offer valid reasons – besides good taste – to favour the long-nose.

"We had a Sterling highway truck and we clipped a deer in Pennsylvania," Ritchie recalls. "It ended up being a \$10,000 fix because it took out all the plastic, the air to

air...If you hit a deer with a Western Star, you put an aftermarket bumper on it for \$450 and you're in and out an hour later looking brand new. We lost that Sterling for darned near a week. You can use an awful lot of fuel for \$10,000."

For a small fleet, L. Ritchie Cartage is surprisingly sophisticated when it comes to spec'ing equipment. Rhodes has taken an interest in driver health over the years and is very particular about ergonomics. The fleet participated in a study on ergonomics with the Workplace Safety Insurance Board (WSIB) and C R E - M S D (Centre of Research Expertise for Musculoskeletal Disorders) several years ago, which helped develop guidelines for ergonomics in the transportation industry.

Part of the study involved taking a tape measure to various parts of the truck and scrutinizing the layout of the seat, dash and other frequently used tools.

"Believe it or not, there are manufacturers out there where the seat is not aligned with the steering wheel," Rhodes says. "Some of the other things we look at are the degree of force required to crank up the trailer legs and to open doors and to secure the doors on the trailers, whether grab handles are appropriately placed for drivers to get into and out of the tractor."

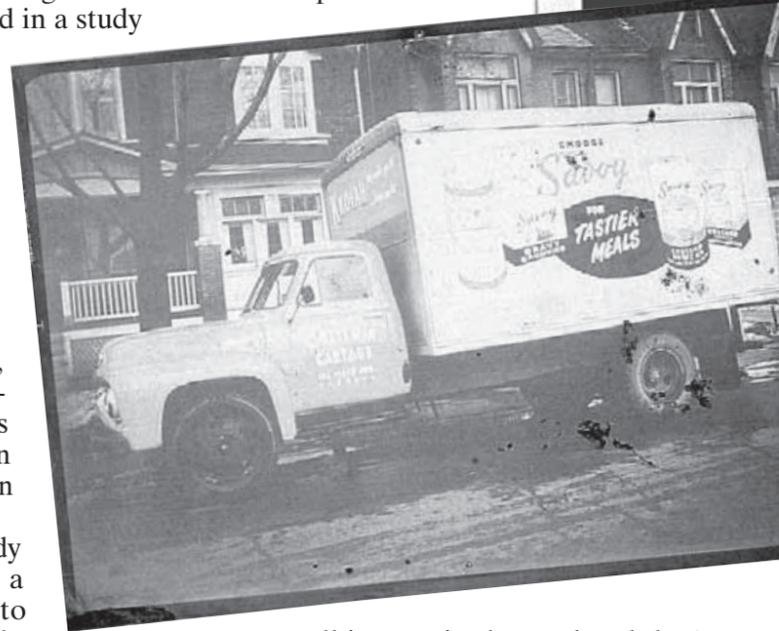
Having spec'd the most ergonomic equipment possible, the company then trains its drivers on how to safely use it, stressing the importance of things like maintaining three points of contact when climbing in and out of the cab. The company has also been transitioning to automated transmissions, which may seem a peculiar spec' for a classic truck like a Western Star but are winning fans among the drivers.

"Not all the fleet has it, but through attrition we've been upgrading the fleet to automatic trucks," Rhodes says. "Initially, with any change there's resistance and our drivers are no different in that regard. There was some resistance to changing but in some cases drivers who had the opportunity to use the automatic transmissions when their standard transmission units were in for repair came back and requested a change to an automatic truck. So through exposure and the opportunity to try out the equipment, the initial resistance was overcome rather rapidly."

Most of L. Ritchie's trucks are company-owned. The fleet has experimented with owner/operators, but it struggles to find O/Os who share the fleet's high standards for equipment appearance and maintenance. Almost every truck in the fleet has just one driver, so the drivers take ownership in the figurative sense, if not the literal one, and take good care of the equipment.

"Appearance is always important," Ritchie says. "The Western Star is a

nice looking truck. Even on the city trucks we put the dual stacks. We put the air cleaners on the outside. For the few extra dollars it costs, amortized over seven or eight years, what is it really? Does it pay off with the driver? Does he keep the truck cleaner? How do you measure that? But I can have a sense of pride when I'm



walking out in the yard and that's important."

Drivers are welcome to customize their rides and the company will have its own mechanic handle any installations. Ritchie doesn't want drivers messing with the wiring, which is the cause of most of the fleet's maintenance-related headaches.

"Anything a driver wants to put in a truck, we'll do it in our garage," Ritchie says. "If he wants a light under the dash, we'll put the light in for you."

Other driver-friendly spec's include double-width passenger seats so city drivers can get some rest when they're waiting to be loaded or unloaded.

"Our city trucks go to warehouses and they'll wait for two or three hours and drivers will have a nap in the truck," Ritchie reasons. "So we ordered city trucks with two-man passenger seats so they can stretch out and have a sleep. It sounds foolish, giving drivers a place to sleep in a day cab but they're going to do it anyways, so why do you want to give them two single seats? And under that seat as well, there's a whole storage compartment, so it keeps the truck clean as well."

It's perhaps that attention to detail that has contributed to very little turnover among L. Ritchie's rank of seniormost drivers, the longest serving of whom has been with the company for about 40 years.

There's always some turnover among the newer hires, Rhodes admits, although some driver turnover is healthy.

"We stress customer service from the point of the interview. We stress timeliness, we stress safety and we ask that our drivers conduct themselves as professional drivers," Rhodes says. "Our drivers are exemplary. Drivers that don't fit that model will generally not fit in with the other drivers and they will choose to either conform or to leave."

"The turnover that exists in this company is always at the bottom," Ritchie adds. "The long-term drivers, we lose them when they retire."

L. RITCHIE
Cartage Limited

The benefits of being small
As a small fleet, L. Ritchie Cartage has a commitment to safety and compliance that rivals that of any well-run large carrier. The

up with the flow of traffic. But, she says, they've learned to adapt just fine.

"I find it interesting that through all the negative comments that have been made as the speed limiting was being implemented, nobody ever mentioned that the speed limit is actually 100 km/h in Ontario," she points out. "I'm also aware that in some cases, there are companies that

tomers as fuel prices have spiked in an effort to control their costs. But while we've been finding there are challenges out there, there have also been opportunities and we've enjoyed some of those opportunities."

Opportunities? In the wake of arguably the worst recession since the Great Depression?

"We've seen customers that are looking for better levels of service, which is an area we excel in," Rhodes continues. "We've been able to attract business that way. We've seen customers that are interested in pre-loading equipment more and working with their carriers to ensure the efficient utilization of resources. Where we can accomplish cost-cutting for ourselves, we're happy to

have been very receptive to hearing that feedback," she says.

The proof, as they say, is in the pudding. Much of L. Ritchie Cartage's new business comes from customers that seek them out.

"We don't tend to lose customers, we tend to add customers," Rhodes says. "Often times, we will find that shippers and receivers that we've worked with in the past will change their employer and then they will seek us out at their new location. So we do tend to be fortunate. We have a lot of that loyalty from our customers, it tends to follow us."

A positive pessimist?

Still, in this business, which hinges so heavily on the overall health of the economy, Rhodes is reluctant to declare herself an optimist. When asked how optimistic she is about the overall health of the industry, Rhodes takes a lengthy pause.

"I'm positive, but I'm not sure if I'm optimistic," she says after some reflection. "I'm watching the economy as it shifts and I'm looking for the consistencies. We've all seen capacity taken out of the industry and at the same time we've seen tremendous changes across other sectors of our economy. Where does it land? I'm not sure. Every economist you hear from has a different perspective and this is all they do, study the economy. It'd be pretty arrogant of me to think I know better than they do when that's their full-time job."

So for now, L. Ritchie Cartage plans to continue doing what it has always done. Hire the right people. Run nice looking equipment and take good care of it. Help its customers solve their problems. Get the goods where they're going, legally and on time.

But like any company, L. Ritchie Cartage will have to adapt to new realities, which regrettably may mean the end of those long-nose conventionals that first caught my attention and prompted me to pick up the phone and shamelessly ask for an invite to their place of business.

"We have looked (at the numbers) and I guess as equipment becomes older, we will be looking at the newer equipment and the benefits it offers," admits Rhodes.

And Ritchie himself, the namesake of the company and an old-school trucker agrees, albeit with a hint of trepidation.

"Aerodynamics," he sighs. "Is that the way to go? I think that's our future. I like the look of the long-nose, but I also have a company to run." □



HUMBLE BEGINNINGS: L. Ritchie Cartage was founded by Lloyd Ritchie and at first consisted of a single straight truck (pictured).



fleet does not belong to the Ontario Trucking Association, preferring the representation it receives from the local Toronto Trucking Association. But when asked about regulatory requirements like speed limiter legislation and the impending requirement to track hours-of-service via on-board electronics, Rhodes and Ritchie are philosophical – not confrontational.

"If you take a look at what the government is trying to do, it doesn't really affect a responsible company," Ritchie says. "Limiting trucks to 105 km/h? Well, we were at 67 mph, so it wasn't that big of a deal. Who's going to complain about it? The guys who are going 75 mph. If you bring in electronic logbooks, all it's going to do is level off the playing field. We can't compete with operators who are going to run 70-80 hours a week, so let's get rid of these guys."

Rhodes admits some of the company's drivers initially griped about the 105 law, mostly because they run heavy and need to get up some speed at the bottom of hills to keep

are not speed-limiting equipment. They're the ones driving past ours. But in terms of fuel mileage, it's a good thing."

Problem solvers

Although L. Ritchie serves a mixed bag of manufacturing and retail customers, the fleet relies heavily on Ontario's downtrodden manufacturing sector for freight. The recession of the last few years has not been kind to truckers or to manufacturers. Still, you won't find the folks at L. Ritchie Cartage wallowing in self-pity. Instead, the company is leveraging its strengths as a customer-focused service provider to help solve its customers' problems and become more than just a freight relocater.

"There has been a lot of changes," Rhodes notes. "We've seen customers, in some cases, moving their production to plants that are closer to their cus-

share that with the customer as well, so working with customers has been very important."

When a customer finds itself in a bind, Rhodes says the fleet has been able to help it save face with its own customers by offering solutions that won't interrupt production and supply.

"Sometimes we'll work with our customers to ensure that *their* customers' needs are met," Rhodes explains. "If they have a customer that has a shortage of dock staff available, we may be involved in dropping equipment at their customers' locations to ensure a cost-effective solution for everybody."

And the fleet will also offer suggestions when it observes inefficiencies at its customers' operations, say for instance, a driver notices a lift truck operator who is too aggressive and causing damage to equipment while loading.

"We have found that customers



NICE IRON: Today, L. Ritchie is one of the few fleets running predominantly long-nose, classic-styled tractors on the highway.

TAX TALK

So, you got a letter from the taxman

You may have received a letter from the Canada Revenue Agency recently with information about deductions you claimed on past tax returns. You're probably wondering whether you're being audited, watched, or should feel scared. Well, the answer is you're supposed to be better informed.

Canada's tax system is based on self-assessment, which means that individuals are responsible for accurately completing and filing their tax returns on time.

In 2010, the CRA began a campaign that involved sending letters to 37,000 Canadians to educate them about specific claims and, for some, to provide notice of the CRA's intent to audit. This campaign is continuing in 2011. In January and February, the CRA sent 29,000 letters like those



Tax Talk

SCOTT TAYLOR

described above.

Why You?

You're one of the lucky recipients of an educational letter because you work in an industry – trucking – where a disproportionate number of people either misunderstand their tax obligations or willfully avoid paying their taxes altogether.

CRA wants you to have a better understanding about certain types of claims you've made that can result in confusion or common errors.

In sending the letter, CRA's expectation is that you'll review

past income tax returns and make sure your income and deductions are reported correctly. If you determine that the claims you made on your returns are accurate, you don't need to take any action.

If you find that you claimed some items incorrectly on past tax returns, this letter gives you the opportunity to request an adjustment. Some letters also notify taxpayers that the CRA may conduct audits in their industry sector.

Am I an audit target?

It's hard to say whether you're more likely to be audited because you received an "educational" letter from CRA. The agency regularly reviews groups of taxpayers to determine how many of them are paying their taxes in full and

on time. If the review shows that there are many who are not, the CRA may audit taxpayers within this segment. According to CRA, there are four common ways of selecting files:

Computer-generated lists: The CRA computer system can compare selected financial information from taxpayers engaged in similar businesses or occupations. It can easily identify outliers with audit potential.

Audit projects: In some cases, the agency tests the compliance of a particular group of clients. If the test results indicate significant non-compliance within the group, it may trigger an audit.

Leads: This includes information from other audits or investigations, as well as information from outside sources.

Secondary files: Sometimes CRA will select files for audit because of their association with other previously selected files. For example, if you're in partnership with another person, and he or she has been selected for audit, it's usually more convenient to examine all the records at the same time.

What should you do?

This letter does not mean that the tax returns you filed in the past are incorrect. Like 90% of Canadians, you probably filed an error-free return and paid your taxes on time. You do not need to respond to this letter unless you're directed to do so.

What you should do is take steps to make sure your income and deduction are being reported properly. If you received a letter, follow these suggestions:

Review your return: CRA is trying to be proactive by supplying information to you to file your tax return correctly. Take the hint, review your returns. Even if a professional tax preparer completed your return, you're responsible for the information on it.

If your tax preparer makes a mistake or intentionally understates your income or over-claims a refund, you're the one who will be answering to the CRA and paying all the taxes plus interest and maybe even penalties that are owed.

Respond quickly: If you want to change a tax return because you have found errors, you will need to submit a request for an adjustment. Do it within 30 days from the date of the letter to reduce the interest charges on any outstanding amounts.

Don't ignore it: I think it's important to point out that CRA keeps track of who receives these letters. If they come and audit you this year or more into the future, they will expect that you reviewed your return and made sure it's correct as far as that particular issue is concerned.

The ol' "I didn't know" defense will not fly. CRA also may be more aggressive in these cases with interest and penalty charges. After all, they told ya, but ya didn't listen. □

– Scott Taylor is vice-president of TFS Group, a Waterloo, Ont., company that provides accounting, fuel tax reporting, and other business services for truck fleets and owner/operators. For information, visit www.tfsgroup.com or call 800-461-5970.

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3) This location operates, controls or administers:

Diesel powered vehicles.....	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Refrigerated vehicles.....	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Pickups or Utility Vans.....	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Propane powered vehicles.....	<input type="checkbox"/> YES	<input type="checkbox"/> NO

4) Do you operate maintenance facilities at this location? YES NO
 IF YES, do you employ mechanics?..... YES NO

5) Indicate your PRIMARY type of business by checking ONLY ONE of the following:

a) <input type="checkbox"/> For Hire/Contract Trucking (hauling for others)
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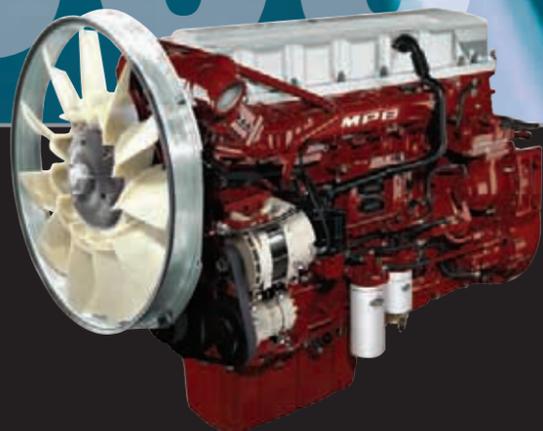


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FLEET NEWS

Four Canadian fleets win TCA safety awards

ALEXANDRIA, Va. – Four Canadian carriers have been listed among the 18 companies selected as division winners in the Truckload Carriers Association's 35th Annual National Fleet Safety Awards. The awards recognize trucking companies that demonstrate a superior commitment to safety and accident reduction.

Brian Kurtz Trucking of Breslau, Ont. topped Division II, for carriers that haul five to 14.99 million miles annually. MacKinnon Transport of Guelph, Ont. also led its category, coming first in Division III for carri-

ers that haul 15 to 24.99 million miles annually. Groupe Robert of Boucherville, Que. finished in second place in the Division V category (50-99.99 million miles), while Bison Transport of Winnipeg, Man. placed first in Division VI, for carriers that haul 100 million or more miles per year.

"Safety has always been the top priority in this industry. TCA developed these awards 36 years ago to recognize the top performers," said Don Lacy, chairman of TCA's Safety and Security Division and director of safety for Prime, Inc. in Spring-

field, Mo. "Today, receiving a National Fleet Safety Award has become a highly coveted badge of honour that recognizes and rewards companies for working tirelessly to improve their procedures in the safety arena."

All division winners are now eligible to compete for two grand prizes, one in the 'less than 25 million annual miles' category and one in the '25 million or more annual miles' category. To win the grand prize, companies will be judged on their overall safety programs, both on- and off-highway, including employee driver/independ-

ent contractor selection procedures, training, supervision, accident investigation, inspection and maintenance of equipment, and outside activities including general highway safety.

All 18 companies will be recognized at an awards ceremony to be held during TCA's Annual Convention at the Hilton Bayfront Hotel and San Diego Convention Center in San Diego, Calif. March 13-16, as well as during TCA's Safety and Security Division Annual Meeting at the Embassy Suites Murfreesboro Hotel and Conference Center in Murfreesboro, Tennessee May 15-17.

The two grand prize winning companies will be honoured at the same two events. □

Giant Tiger installs Yeti snow removal system



PROBLEM SOLVED: The Yeti system removes snow and ice and then shoots it away from the area.

By James Menzies
OTTAWA, Ont. – Giant Tiger has made a sizeable investment in snow removal equipment at its Ottawa-area distribution centre for its private fleet trucks and third-party carriers.

The company has invested in the Yeti snow removal system, which removes snow and ice from tractor-trailers using two augers, a sweeper and a snow blower all cleverly packaged into one system. The Yeti may be the only snow removal system that effectively removes ice and Bill Cherry, transportation specialist with Giant Tiger, says the snow blow-

er prevents snow and ice from building up at the base of the machine.

"We're pretty happy with it," Cherry told *Truck West*. "The drivers go through and it takes about three minutes. It blows the snow away from where it is, so we don't have to worry about plowing the snow when a bunch of trucks go through."

The system was purchased this winter and cost about \$80,000 when all was said and done. Snow and ice accumulation has been a big problem at Giant Tiger. The trailers often sit adjacent to the warehouse overnight

and the wind blows the snow from on top of the building onto the trailers. Cherry said it wasn't uncommon for two- to three-foot snow banks to collect on trailer roofs. Because the trucks hop right onto Hwy. 417, most of it would still be there when the trucks entered the highway.

While drivers did their best to clear their equipment of snow and ice, Cherry admitted it wasn't always possible to do a proper job.

"You get a night like we had the other night where it's cold and snowing and drivers are out there at two in the morning, what kind of job are they going to do?" he reasoned. "This is very driver-friendly."

About 50-60 loads are hauled out of Giant Tiger's distribution centre every day for delivery to roughly 200 retail stores across the country. Cherry said he explored other op-

tions for snow removal, including outsourcing it or paying drivers to clear their own equipment using a scraper and scaffolding-type setup.

"(The Yeti) was a big investment, but by the time you pay a driver to do that and then you have four to five drivers waiting to do their trucks, it's not going to take long to get your investment back," he says of the alternative. Cherry is expecting a return on investment in two years.

"It's only going to take a couple of years to get a payback or one lawsuit avoided from ice going through somebody's windshield and we've got it paid for."

So far, the Yeti has been pretty much problem-free, he says.

"It seems to be very well made. We had one issue where a sensor came loose the second day we had it, but they knew exactly what was wrong and we fixed it over the phone. It's well made, there's nothing flimsy or cheap on it," Cherry says. □

Six Canadian fleets among best to drive for

ALEXANDRIA, Va. – A group of Canadian fleets have been listed among the 2011 Best Fleets to Drive For, a survey and contest that identifies North American for-hire trucking companies that provide the best workplace experiences for their drivers.

Out of the 20 winners, six Canadian carriers made the cut: Bison Transport of Winnipeg, Man.; Erb Group of New Hamburg, Ont.; Brian Kurtz Trucking of Breslau, Ont.; MacKinnon Transport of Guelph, Ont.; Vedder Transportation Group of Abbotsford, B.C.; and Yanke Group of Saskatoon, Sask. Trimac Transportation's Houston, Texas operations also received the nod.

In addition, five companies have been identified as "Fleets to Watch" (honourable mentions) for making rapid progress toward an outstanding driver workplace. Two Canadian fleets made this list of up-and-comers: Drive Logistics of Windsor, Ont. and Turk Enterprises of St. Andrews, Man.

The nomination process for the third annual contest began in the fall of 2010, when company drivers and owner/operators were asked to nominate carriers that operate 10 trucks or more. After confirming the validity of the nominations and the trucking companies' desire to participate, CarriersEdge interviewed human resources representatives and executives of the nominated fleets about their corporate direction, policies, and programs. Nominated fleets were evaluated against a scoring matrix covering

a variety of categories, such as total compensation package – including base pay, bonuses, vacation, and sick day allotment; health benefits; pension plans; professional development opportunities (training, coaching programs, etc.); career path/advancement opportunities; commitment to employee personal growth, including work/life balance, driver family support, and employee-directed charitable contributions; commitment to continuous improvement, including dispute resolution processes and inclusion of driver feedback in policymaking; team building and driver community development activities; annual driver turnover rate and efforts to improve; and fleet safety record.

A selection of each fleet's drivers was also surveyed, with their feedback compared to management's and incorporated into the final score. The responses were then tallied, resulting in the selection of this year's 20 winners and five honourable mentions.

"We were pleased to see that for 2011, drivers nominated 30% more fleets over last year. Also, fleet participation (fleets who agreed to participate in the phone interviews) went up by over 80%," said Mark Murrell, president of CarriersEdge.

The next phase of the contest will be to announce the highest scoring fleets from each of two categories: Best Overall Fleet for Owner/Operators and Best Overall Fleet for Company Drivers. They will be announced at the TCA Convention March 13-16. □

MISSING



STEPHANIE KOVACEVICH 5634-V

D.O.B.: October 15, 1993

Missing since: October 1st, 2008

Missing from: Mississauga, Ontario

Height: 5' 6"

Weight: 130 lbs.

Eyes: Blue/Green

Hair: Blonde, Shoulder Length

Characteristics: Nickname Blondie "Alias" Kim Bailey, faint scar on forehead. Was last seen wearing St. Loyola school uniform – navy blue pants, navy blue short sleeve Loyola shirt with 2 white stripes on both sleeves and black running shoes.

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NEW PRODUCTS



Eaton has come out with a new brand of drivetrain components specifically for the aftermarket. Dubbed EverTough, the new line made its debut with a new line of **heavy-duty clutches**. The company says pricing will be competitive, allowing fleet and dealer customers to carry a complete line of Eaton's new and aftermarket clutch products. The EverTough clutches feature an aftermarket-specific facing and a release system with dual zerk fittings and dampeners to meet the torsional vibration requirements of the aftermarket. Lube intervals are 25,000 miles and they come with a one-year, unlimited mileage warranty. The clutches have torque ratings of up to 2,050 lb.-ft. and are available in 14- and 15.5-inch heavy-duty designs for all makes of trucks.

Bergstrom has announced its Canadian and US dealers will be offering the Webasto Air Top 2000 ST auxiliary **cab heater**, by the end of the first quarter of 2011. The Webasto heater will be available with Bergstrom NITE systems through the company's commercial vehicle aftermarket distributors and truck dealers. Bergstrom says the unit is the perfect pairing with its own NITE system, to offer all-season performance and comfort. The Air Top 2000 ST produces 7,000 BTU and can run for 20 hours on one gal-

lon of diesel. It weighs just 5.7 lbs. For more info, visit a Bergstrom dealer or go online to www.nite-system.com.

Ridewell has added a **new suspension** to its RAR-260 trailers suspension family. The tall-mounting height 25K capacity overslung RAR-260 suspension is now available with weld-on and bolt-on hangers, the company announced. The bolt pattern is compatible with industry-standard bolt patterns. The line also includes a new high-travel 30K overslung design. A tall-mounting height 30K weld-on and a full line of 30K bolt-on overslung suspensions round out the product line, Ridewell announced. The RAR-260s are available in mounting heights ranging from 15 to 24 inches. For more info, go to www.ridewellcorp.com.



Bendix Spicer Foundation Brake has come out with a new double-diaphragm **spring brake** for drum brakes that offers, what Bendix claims is the lightest weight in the industry along with excellent durability and performance. The Bendix EverSure spring brake with no-touch technology is in production now in industry-standard dimensions, the company says. Bendix says the new spring brake is more than two pounds lighter than competitive spring brakes. For more info, visit www.foundationbrakes.com.



Dana says it has now upgraded the performance and durability of its entire line of SPL heavy-duty universal joints, after improving its Spicer Life Series SPL Model 170 **universal joint assembly**. Improvements to the SPL-170 include: a new bearing package that includes larger needle bearings for increased capacity; a special Viton synthetic seal for improved grease retention and serviceability; and a thermoplastic seal guard to keep contaminants away. It also comes with a new premium synthetic lube that extends lube intervals to three years or 350,000 miles, the company says. Similar improvements to the SPL Model 250 were made last August, Dana announced. Both the SPL-170 and SPL-250 are available on all makes of heavy-duty trucks manufactured in North America.



TRP Aftermarket Parts has come out with a new line of **exhaust mufflers, pipes and clamps**. The line includes aluminized and chrome-plated tubes, Y-pipes and stacks as well as premium flex hoses in a variety of materials and pre-cut sizes, the company announced. The stacks are available in a range of lengths and configurations, including straight, west coast, curved and monster in both four- and five-inch diameters. More info is available at www.trpparts.com.

OPINION

Find a hobby and stick with it



Dear old mom, rest her soul, always made a point of stressing the importance of finding a hobby in one's life. Granted, most hobbies require time and that's not always possible, especially if you're a long-haul driver. But if you can, there are some real benefits in immersing yourself into something you enjoy.

When I was a teenager, I always wanted to play guitar like Eric Clapton (I still do, but it's apparent it's not going to happen).

I discovered in those early years that I had an 11 on my amp. When I'd crank out my version of *Layla* on my Les Paul knock-off, my bedroom windows would shake, the neighbours would head for the hills and poor old mom would protect me from my unappreciative sisters.

"It's his hobby," was all I could hear from the other side of the door. Perfect. Mom's on my side and she rules.

It wasn't long after both sisters married and moved away that I put my guitar down. I suppose I enjoyed tormenting them more than actually playing. After they left it wasn't as much fun. It also could have been the fact that I sucked.

My 'hobby' didn't end there. When I moved into my first house I discovered that my next-door neighbour's son was a drummer. I'd often hear him pounding away on those skins in his basement and think 'Here we go, I'm living next to a Neil Peart wannabe. What goes around comes around. Chin-up.'

One slightly foggy Friday night I arrived home early in the morning from a St. Patrick's Day party and found my neighbour's son had just done the same. Talking in the driveway, I mentioned that I played in high school. Next thing I know, I'm tuning that dusty old guitar up in his basement and we played until 5:30 in the morning. (Lucky for us, his parents were away that weekend).

That night turned into what has become my hobby. We continued to play, met other guys that played, formed a band and I now actually get paid to play. A side note, I still suck at playing guitar but discovered long ago that I could master four strings relatively well. I play bass and absolutely love it.

The other night we had just finished playing a bar in Barrie. Our drummer was kind enough to compliment me on my playing. "You played great tonight Rob, did you turn up the pacemaker?" Fifty-three and still playing in a band, my mom would be proud. □

- Rob Wilkins is the publisher of Truck West and can be reached at 416-510-5123.

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Cat says dealer network ready to support new vocational truck

PEORIA, Ill. – Caterpillar says its North American dealer network is ready to service and support the company's new vocational truck, set to launch this spring.

The Class 8 Cat CT660 vocational truck will be unveiled at the Conexpo/ConAgg trade show in March. The company says its network of 54 Canadian and US dealerships, including their 400 or so service locations and 2,300 service bays have been prepared to support and service the new truck.

The preparations include "intense" training, the company says, to prepare them for bumper-to-bumper support for the new truck.

"Caterpillar and Cat dealers already had extensive experience supporting on-highway custom-

ers from our 40-plus year history of serving the truck industry, especially with powertrains," said George Taylor, who has led the CT660's development. "Cat dealers are excited about the new Cat Trucks and thrilled to make them available to customers. Dealers have also shown extraordinary dedication to ramping up their facilities and expanding sales and service support capabilities to meet truck customer needs."

"Customers can count on exceptional product support for the CT660," added Ed Cullen, manager of strategy and dealer development. "That means service support at dealer facilities and in the field from Caterpillar, dealer mobile service teams and the 24/7 Cat Truck Call Center.

It also means expert consulting assistance from dealers when it comes to spec'ing truck options, so customers order exactly the trucks they want and need for their specific job application and work environment."

Glenn Keenan, vice-president of power systems for Canadian chain Toromont, which has 26 locations in Ontario, Manitoba, Nunavut and Newfoundland, said his locations are ready for the new truck.

"When we committed to going down this path, we did a skills' assessment of our technicians. We were pleasantly surprised at how skilled and prepared our technicians already were for servicing Cat trucks from bumper-to-bumper," he said. Keenan also said

Toromont has been hiring truck technicians and mechanics with specialized expertise in chassis, transmissions, engines and axles. He also noted the Toromont locations are well-equipped to service the new truck.

"We can actually offer customers a broader range of services because we've got great depth in dyno and chassis service capabilities," he said. "Basically, we already work on things on the back end of the truck that require hydraulics or welding. As we've been preparing, we've actually changed the complexion of our dealership. And we are in a good spot to source all-chassis."

Trucknews.com will have updates from the official launch of the CT660 in Las Vegas on March 20. □

Volvo continues fleet safety award. Can Canadian fleets three-peat?

GREENSBORO, N.C. – Canadian fleets are looking to continue their winning streak at the third instalment of the Volvo Trucks Safety Awards, with two Canuck fleets having taken home the prize in the first two years of the award's existence. Bison Transport and MacKinnon Transport took the top prize in their categories in the first and second years, respectively.

The award recognizes two North American fleets per year for their commitment to safety. The honorees will each receive \$25,000 to be used in their safety-related activities. Organizers say Michelin will once again sponsor the awards.

"Safety has long been a Volvo core value, and a central concern of the entire trucking industry," said Ron Huibers, senior vice-president of sales and marketing for Volvo Trucks in North America. "The Volvo Trucks Safety Award is a way to recognize the industry's best for their excellent work and dedication to safety."

"Highway safety starts long before trucks take to the road," Huibers added. "Our vehicles feature active safety technologies, like Volvo Enhanced Stability Technology and Volvo Enhanced Cruise, that make the highways safer for all of us. Volvo Trucks and Michelin view this award as an opportunity to support fleets in furthering their own commitments to safety."

The Volvo Trucks Safety Award is open to all US and Canadian fleets operating at least five Class 8 units. Fleets must have at least one Volvo tractor in operation to be eligible for the award. Entrants will be ranked by their accident frequency rates. Participating fleets will also be judged on their accident prevention activities.

The deadline for entry is June 30. The winners of the award will be announced during the American Trucking Associations' Management Conference and Exhibition in October.

The two grand prizes will be awarded to the fleets with the best records in two divisions based on annual vehicle miles travelled: less than 20 million miles and more than 20 million miles. Complete rules and entry forms can be found at www.volvotrucksafetyaward.com. □



BIG ENTRY: Daimler made a big splash when it produced its 1,000th hybrid.

Daimler celebrates hybrid milestone

MT. HOLLY, N.C. – Daimler Trucks North America (DTNA) is celebrating the production of its thousandth hybrid-electric vehicle.

The company brought customers, partners and employees together recently to watch its 1,000th hybrid roll off the assembly line – a Freightliner Business Class M2 106. The truck was built at Freightliner's Mt. Holly, N.C. plant.

"DTNA has worked closely with our partners and customers to develop leading-edge hybrid solutions that shape future transporta-

tion by maximizing fuel efficiency while also benefiting the environment," said Mark Lampert, senior vice-president of sales and marketing for DTNA. "And it is because of the shared dedication between us, our partners and customers that we were able to reach this important 1,000th vehicle milestone."

Last spring, Daimler opened a Local Hybrid Application Center in Portland, Ore., which will serve as the company's home for further hybrid product research and development. □

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WEIGHT REDUCTION: Volvo has a new Fontaine fifth wheel that's integrated into the truck frame, saving about 100 lbs.

Volvo rolls out lightweight, integrated fifth wheel

GREENSBORO, N.C. – Volvo Trucks has come out with an integrated lightweight fifth wheel system, designed in partnership with Fontaine. The new option is installed directly into the truck's frame and weighs about 100 lbs less

than a conventional fifth wheel system, the company announced.

Volvo worked with Fontaine to develop a new lower assembly that supports both the fifth wheel and the truck frame, allowing engineers to reconfigure the top plate without

losing stability, strength or durability, the company says. The cast steel top plate weighs 165 lbs.

"Fifth wheel system designs have historically been limited by the need to fit on top of the frame rails – this innovative frame-mount design eliminates unnecessary weight without sacrificing the refined ride and drive

characteristics of a Volvo," said Wade Long, Volvo Trucks marketing product manager. "Reducing vehicle weight lowers fuel consumption, costs and greenhouse gas emissions. We're committed to providing customers with the safest, most fuel-efficient and most environmentally-friendly trucks on the road." □

Freightliner touts 2010 market share growth

PORTLAND, Ore. – Daimler Trucks North America (DTNA) has declared it finished 2010 as the market share leader for the US and NAFTA regions in the Classes 6-8 and Class 8 markets.

The company attributes its market share growth to the acceptance of its selective catalytic reduction (SCR) engine emissions technology.

DTNA's Classes 6-8 retail sales climbed to 67,800 units in the NAFTA market in 2010, reaching 31.6% market share, a gain of 2% over 2009, according to the company.

US sales accounted for 56,900 units and 32.6% of the market.

Daimler also scored 32.4% of the Class 8 NAFTA market and 33.9% of the Class 8 US market.

Not surprisingly, Freightliner led the way among DTNA brands. The NAFTA market saw 42,800 Class 8 Freightliners sold for 30.3% of the market share. Western Star also saw retail sales growth over 2009.

"Our 2010 sales success significantly exceeded our expectations," said Martin Daum, president and chief executive officer, DTNA. "While the total market rose only slightly over 2009, a crisis year for our industry, DTNA benefited from very high customer acceptance of our proven BlueTec emissions technology. We look forward to continued growth, and a productive and rewarding year for DTNA and the industry in 2011." □

Canadian sales rep wins Arrow's top award for N.A.

TORONTO, Ont. – For the sixth time in seven years, a Canadian sales rep was named tops in North America by Arrow Truck Sales. Even more impressively, it's been the same salesperson in each of those years. Vikas Gupta has been named top sales representative for Arrow Truck Sales for 2010. He topped all Arrow sales representatives in the US and Canada.

"It's truly an honour for any of our sales representatives to earn this award, but to achieve this level of success on such a consistent basis is even that much more impressive," said Frank Oliveira, formerly vice-president of Arrow Canada and now vice-president with Volvo Trucks North America. Gupta has worked for Arrow Truck Sales for seven years and has repeatedly won the company's most prestigious awards, including being named to the President's Club and being named Diamond Level sales award winner. □

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Mark Dalton: Owner/Operator

An eye for an eye

By Edo van Belkom

THE STORY SO FAR:

Mark is heading to Vancouver when he gets a call. One of Bud's drivers was attacked while helping a supposedly stranded motorist on the highway to Prince George. Mark takes the load, but drives to Vancouver first to drop off his load and visit the driver in the hospital...

Mark knew he'd found the right hospital when he saw the line-up of rigs parked on the street out front. They looked out of place in the city and took up several parking spots each, but there'd be more and more of them arriving over the next few days.

Inside the hospital, Mark approached the front desk. But before he could say a word, the woman staffing it said, "Are you a truck driver?"

Mark wondered if it was written on him somewhere like a word on his forehead. "Yes," he said. "I'm looking for..."

"Earl Purcell?" she asked.

"Yeah, that's right."

"He's in 302. Take the elevator and make a right when you get off."

Mark nodded his thanks and headed for the elevators. When he got out on the third floor and turned right, he was surprised to see several drivers milling about in the lounge area just off the hallway.

Mark didn't know why he knew they were drivers, he just knew, probably the same way the woman at the information desk knew he drove a truck for a living just by looking at him.

The drivers all looked over at him as he started down the hallway, seeming to immediately recognize him as a driver as well.

Mark nodded at each of them in turn and without a word being exchanged, one of the men pointed in the direction of Earl's room. He headed that way and passed a policeman who may or may not have been there for Earl, then stopped just before the entrance to the hospital room.

It was quiet in the room, except for the regular beeping of some machine and the slight wheeze of Earl drawing breath.

Mark took a step through the doorway and saw Earl lying on the bed. There were tubes running

into his arms that were connected to bottles hung up on hangers next to the bed. There was another tube that went from a nozzle on the wall to his nose, no doubt providing oxygen for him and making breathing easier on his cracked ribs. There was a bag hanging from the foot of the bed so Earl wouldn't have to go through the ordeal of getting out of bed to relieve himself.

Mark let out a sigh, seeing that. 'Imagine,' he thought, 'having to go through the pain and discomfort of having a catheter installed to make life easier.'

Inside the room and closer to the bed, Mark could hear more mechanical beeping and ticking, as a bunch of tiny machines and computers kept everything on an even keel for Earl as his body struggled to heal itself.

Then there were the bandages. There were a couple on his arms, probably covering cuts or scrapes he got in the beat down, but it was the one big bandage that was wrapped around his head and half of his face with blood seeping through it that was most disconcerting.

'Man,' Mark thought. 'They really did a number on ol' Earl.' Somebody... somebody would be held accountable for this.

"Hello," Mark said, coming to a stop next to Earl's bed and putting a hand on the rail fencing of the bed.

"Hi," Earl responded in a gravelly whisper, lifting the fingers of his right hand in a kind of wave.

"I got a call from Bud. I'll be taking your load over for you."

"Good," he said with obvious relief. "That's good." While it looked as if a weight had been taken off his chest, many seemed to remain. "The trailer's a bit twitchy...keep it around a hundred, anything more and she seems to want to pull to the right."

"I'll figure it out," Mark said. Then, after a long pause, "What happened?"

Earl sighed.

"If you're not up to it, I understand."

"It's not that," he said. "I'll tell it to as many people as want to hear it, but it takes some effort."

"If it makes you feel any better, I heard about it on the news."

He nodded his approval, then be-

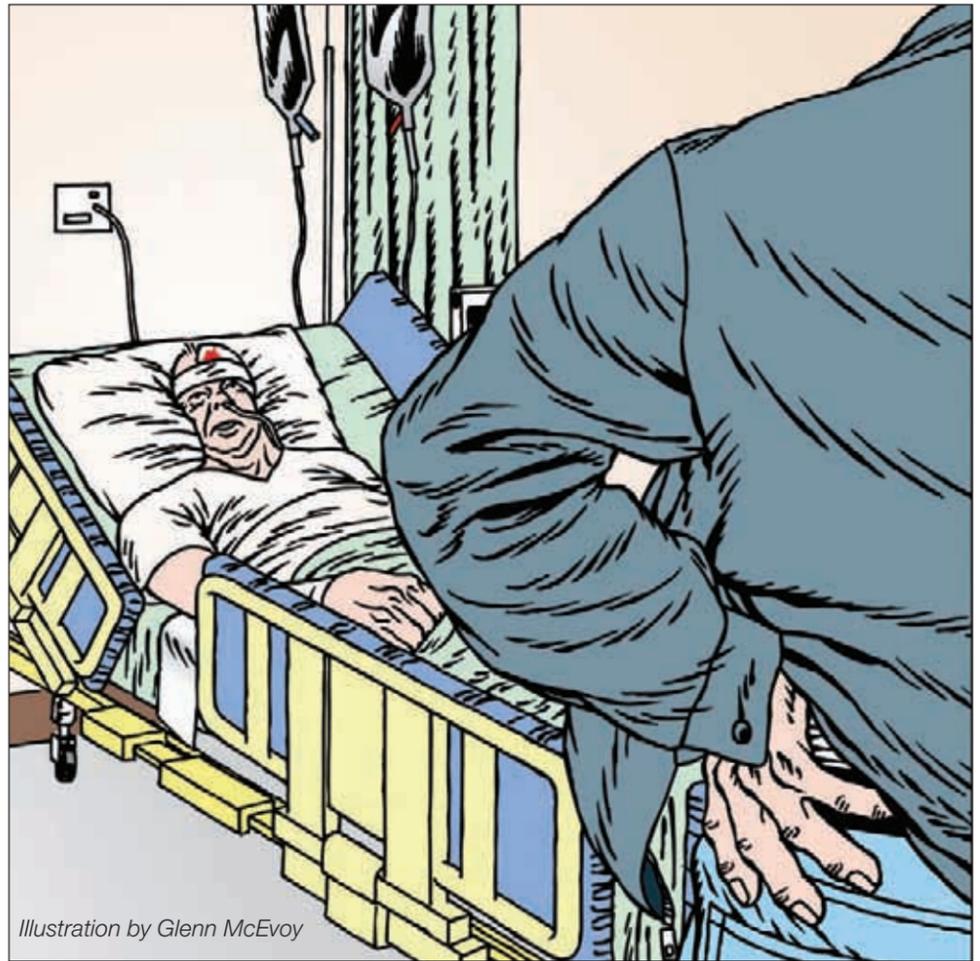


Illustration by Glenn McEvoy

gan the account. "I was driving on the Yellowhead Highway just north of Blue River...I saw this grey Buick pulled over on the side of the road, and this guy's got the hood open, looking down at the engine. That's not the busiest of highways so I figured I'd help him out...You know, a boost or a ride, maybe a call on a cell phone."

The retelling had winded the man so he paused to catch his breath. Mark waited patiently.

"As I walked toward the guy," he continued, "two other guys get out of the car... I thought it was strange, you know, why were they waiting in the car?" He paused and his shoulders hiccupped in a sort of shrug.

Another pause.

Mark didn't say a word.

"When I got to the car, I said, 'What's the problem?' The guy just stared at me and said, 'You guys are all the same.'" Earl winced in pain, maybe at the memory or maybe it was hurting him to breathe. "Then he hit me...Sucker punch left side of my face."

Mark checked and it was indeed the left side that was wrapped up in bandages. Bloody bandages.

"They all hit me after that...All three of them. Kicked me too. Next thing I know I was here. The doctors tell me I'll recover well enough to drive again, but there's no way... I'm done, to hell with it!"

Mark was incensed by what he heard. It was bad enough Earl was beaten for no reason, but the incident had also taken something from

him that he wasn't quite ready to give up. He was 67 for cryin' out loud, probably still loved driving. Kept him busy. Something to do. Extra money for the grandkids. Whatever reason he was still driving, it was supposed to be his choice when to quit, not that of three thugs on the side of the road.

Mark vowed that he would do everything he could to ensure these men paid for what they did. After all, for all Mark knew, it could have just as easily been him lying in that hospital bed instead of Earl.

"Just so you know," he said, putting a hand on Earl's arm. "I'll do whatever I can to see these guys get what they deserve."

Earl laughed slightly, then grimaced as his body reacted to the pain that was brought on by his laughter.

"What's so funny?"

"The trucking associations put up rewards, the cops told me they'd get them, and every driver who's been here told me they're gonna help... but you're the first one I feel might actually do something." A pause, then, "I don't know why." □

- Mark Dalton returns next month in Part 3 of An Eye for an Eye.

Did you know that there are two full-length novels featuring Mark Dalton?: Mark Dalton "SmartDriver" and Mark Dalton "Troubleload." For your free copy register with ecoENERGY for Fleets (Fleet Smart) at fleetsmart.gc.ca. Both are also available in audio book format.

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SAFETY

Formal loss reporting plans will leave nothing to chance

Time is a precious commodity, and it begins to slip away as soon as a collision occurs. Marks and skids in the road begin to fade away, witnesses disappear down the highway and every detail becomes a little harder to recall.

They are delays which can carry a heavy cost. Without all the facts, carriers can be powerless to defend against excessive repair bills to address "minor" damage, or the surprising claims that can emerge after victims have the time to contact a personal injury lawyer.

But a formal loss reporting plan will outline all of the steps that should be followed as soon as a call is made from a crash scene. Consider these related details that can be offered to frantic callers:

Remain calm: As bad as a situation appears to be, it could be worse. Drivers need to be aware of surrounding dangers when leaving the cab, use flashers and flares to ensure that other drivers do not crash into the stopped vehicles, and call for emergency services such as an ambulance. Minor spills should also be contained before they have the chance to spread into a sewer or nearby waterway.

Keep connected: One of the best ways to protect the line of communication is to collect the number of the phone that a driver is using. They may be calling from a pay phone or someone else's cell phone in the chaos of a crash scene.

Gather the information: A formal



Ask the Expert

KEVIN COLE

loss reporting kit in the truck cab can identify important details that need to be collected on site. The simple forms include space to record the time and location of the crash, the direction of travel and speed just before the collision, road and weather conditions, and the presence of any traffic controls.

Get the numbers: Some details will need to be collected in the hours, days or weeks to follow. Facts such as licence plates, officer badge numbers, and the contact information for any witnesses or third parties will be helpful and expedite the investigation to come.

Draw the details: A picture can be worth a thousand words, and this is particularly true when trying to describe important details about a collision scene. Drivers can complete a simple diagram to show the truck's position before impact, at the point of impact and the final resting point, as well as where other vehicles were at each moment in time.

Take plenty of pictures: A simple digital camera can offer clear details about the scene of the collision as well as any damage to equipment and cargo. Wide shots should show road conditions and where all the vehicles are sitting. Close-up pictures

of any damage can add a sense of scale if they include a common object such as a \$5 bill. The camera can even show where damage does not exist, particularly if someone makes a claim about an issue that the driver did not see. Always tend to those that are injured, never take photographs while injured persons are still present at the loss scene.

Be careful about what you share: While drivers need to answer questions from police officers, their fleet representatives or insurers, they should be wary about sharing details with anyone else. Always confirm the identity of the person you are speaking with. This is not the time to admit fault or apologize. The facts will determine how the situation actually unfolded.

Protect the evidence: Under a legal concept known as spoliation, anyone who fails to preserve evidence can be assumed to be trying to hide their guilt. Something as simple as removing debris from the road may hinder the work of an accident reconstruction expert.

Take a break: Drivers face a higher risk of being involved in yet another crash if they resume their trips too quickly. Fleet personnel should have the chance to make sure everyone is free of injuries, that equipment can be safely operated, and that all the details are in hand. It is not acceptable to attempt to evaluate a driver's condition over the telephone – a proper evaluation completed in person is required.

Once all of this information is collected, it will need to be filed for future reference. The details around a collision should be kept for up to two years, and can include a number of documents such as the driver's qualification file, original log sheets, vehicle maintenance and repair records, vehicle registration, pages from the accident reporting kit and satellite records. Documented drug and alcohol tests or dispatch records will offer information about the driver's condition, while documents like the bill of lading will tell the story of the cargo.

After all, this information is a valuable asset, and it can protect the business for years to come. □

– This month's expert is Kevin Cole. Kevin is a senior advisor with Safety and Training Services for Markel Insurance Company of Canada and has more than 25 years experience in providing loss control and risk management services to the trucking industry. Markel Safety and Training Services, a division of Markel Insurance Company of Canada, offers specialized courses, seminars and consulting to fleet owners, safety managers, trainers and drivers. Markel is the country's largest trucking insurer providing more than 50 years of continuous service to the transportation industry. To read about more industry hot topics, visit Markel's website at www.markel.ca and click on the Articles & Essays section. Please provide your feedback to letstalk@markel.ca.

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TSQ

BOWMANVILLE, Ont. – The prospect of mandatory electronic on-board recorders (EOBRs) has been a hotly contested topic since the US DoT introduced legislation in January that would require all interstate motor carriers to use the devices to track driver hours-of-service.

While the Federal Motor Carrier Safety Administration claims use of EOBRs will increase both safety and efficiency, groups like the Owner-Operator Independent Drivers Association call the proposed regulation “overly burdensome,” arguing that EOBRs cannot accurately and automatically record a driver’s hours of work and duty cycle. But is there an acceptable alternative besides preserving the current paper logbook system? *Truck West* went to the Fifth Wheel Truck Stop in Bowmanville, Ont. to get drivers’ opinions of the technology as well as suggestions for a substitute.

Shana Singh, a driver with Mainstream Transportation Services out of



Truck Stop Question *Is there an acceptable alternative to electronic on-board recorders?*

ADAM LEDLOW



Shana Singh

Kitchener, Ont., says there are both good and bad aspects to the implementation of EOBRs.

“It is a good law, as they will know if you are in an accident, the speed and where you stop. There are no lies

since it is an electronic device, which is good,” he said. “There are some bad parts as well, but law is law, and whatever comes up you have to follow. I do not want to break the law. The dispatch has to understand these things, and it is the driver’s life out there. Sometimes they force us to get the job done. If dispatch can understand the device, then it is really helpful.”

Duane Smith, a driver with Rite-Line Transportation out of Florenceville, N.B., says he doesn’t think electronic logbooks are necessary for the trucking industry. “They will ‘tattletale’ on you, and we have enough of that on the road now; we



Duane Smith

do not need any more of it.” As for an alternative, Smith says companies should be able to trust their drivers to “know when they’re tired or when they have done a day’s work.”

“I just find the new log system...is kind of screwed up now, so why mess with it more? I found before that we could just split sleep – sleep four hours, then get up and drive some more and do another four hours. That worked well for me, but now you start your clock at 7 a.m. and are done at 9 p.m., and some days you don’t get anywhere. It’s a waste of a day.”



Stewart North

Stewart North, a driver with Power-source Transportation out of Griffith, Ind., sums up his opinion of EOBRs in one concise sentence: “They suck.”

“I think it is an invasion of privacy, and I do not think they are accurate. I do not think that the government has a right to sit there and govern what we do, how we do it and when we do it. We have certain rules that we abide by and you have people inside the government that are driving computers and not trucks. They think that we don’t know what we’re talking about, and that is caused by the logbook,” he said.

North’s suggestion for an EOBR alternative? “Have the government come out here and drive a truck for a while and then sit there and decide after that. They wanted safety? Put the trucks on one side and the cars on the other side, and determine which one is safer.”

Sylvain Mayer, a driver with Ivaco Rolling Mill out of L’Orignal, Ont., says truckers operating in Ontario might manage with EOBRs, but drivers hauling US-bound freight would likely encounter more difficulty.

“For me, it is alright because I always do Ontario, so my hours are not too high. If you go in the States, it’s hard with the (difference in) hours between that side and this side.”

Mayer says his EOBR alternative would involve putting more money in the drivers’ pockets. “I think the company will need to pay the people more because if you follow the logbook like you are supposed to then no-one is going to make money.” □

– Special thanks to @peterpetch for coming up with this month’s question. Have an idea in mind for a future Truck Stop Question topic? Send a message via Twitter to @adamledlow or e-mail adam@transportationmedia.ca.

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