

Driveaway-Towaway

Driveaway-Towaway sector - exemption from having to use an electronic logging device to monitor compliance with the Commercial Vehicle Drivers Hours of Service Regulations

Tracking Number – ASF-2026-04E

Pursuant to section 16 of the *Motor Vehicle Transport Act* (MVTA), after consulting with the affected provinces and being of the opinion that the exemption is in the public interest and is not likely to affect motor carrier safety, I hereby exempt extra-provincial truck undertakings and their commercial vehicle drivers engaged in driveaway-towaway operations from sections 77 to 78.3 of the *Commercial Vehicles Drivers Hours of Service Regulations* (the *Regulations*), subject to the conditions set out below.

Purpose

The purpose of this exemption is to allow eligible motor carriers and their drivers to record their record of duty status in accordance with s. 82 of the Regulations, as an alternative to the mandatory use of an electronic logging device under s.77. This is being done to eliminate the operational and cross-border constraints associated with using electronic logging devices while transporting commercial vehicles and RVs and fully harmonizing the exemption with a similar waiver issued by the U.S. Department of Transport, Federal Motor Carrier Safety Administration.

Application

This exemption applies to extra-provincial motor carriers and their drivers engaged in either the: driveaway of commercial vehicles; driveaway of motor homes; or towaway of commercial vehicles and recreational vehicles trailers; between and through all provinces and territories.

Definitions

Unless the context requires otherwise, words and expressions used in this exemption have the same meaning as in the *Commercial Vehicle Drivers Hours of Service Regulations*.

The definitions in this section apply to this exemption:

“base jurisdiction” means the province or territory where the commercial vehicle is registered or base-plated.

“driveaway of commercial vehicles” means an operation in which one or more commercial vehicle(s) are the commodities being transported, including the commercial vehicle providing the motive power, where the commercial vehicle(s) being transported are:

- a. being transported by a driver employed for that purpose;

- b. being transported for the purpose of sale or lease;
- c. being transported between manufacturers and dealers, between dealers and end- users, between sellers and purchasers and between lessors and lessees;
- d. unladen;
- e. being transported with each commercial vehicle having one or more sets of wheels on the surface of the roadway; and
- f. multiple power units being transported in combination by means of a towbar, pintle, fifth wheel or a saddle-mount device which performs as a fifth wheel assembly;

“driveaway of motor homes” means an operation in which a motor home is the commodity being transported, where the motor home being transported is:

- a. being driven by a driver employed for that purpose;
- b. being transported for the purpose of sale or lease;
- c. being transported between manufacturers and dealers or between dealers and end-users; and
- d. unladen.

“towaway” means an operation in which a commercial vehicle or recreational vehicle trailer is the commodity being transported, and is:

- a. being driven or transported by a driver employed for that purpose;
- b. being transported for the purpose of sale or lease;
- c. being transported between manufacturers and dealers, between dealers and end-users, between sellers and purchasers and between lessors and lessees;
- d. unladen; and
- e. connected by means of a fifth-wheel hitch, ball-and-socket hitch or towbar.

Conditions

This exemption is subject to the following conditions:

1. Prior to commencement of operations under this exemption, the motor carrier shall:
 - a. notify the federal director by email to MVS-SA@tc.gc.ca of its intention to operate under this exemption and provide the following information:

- i. the name of the provinces or territories where it intends to operate;
 - ii. the legal operating name of the motor carrier;
 - iii. carrier identification number (e.g. CVOR, NSC);
 - iv. current safety rating (e.g. Satisfactory Unaudited);
 - v. contact coordinates (i.e. name, phone number, address, email);
 - vi. acknowledgment that the motor carrier is fully aware of and will comply with all terms and conditions of the exemption;
 - b. require that a copy of the exemption and the email from the federal director acknowledging the motor carrier's intention to operate, are placed in any commercial vehicles that are operated in accordance with the conditions of this exemption; and
 - c. obtain and review a driver's abstract, or if the motor carrier is U.S.-based, a Motor Vehicle Record (MVR), for each driver that is expected to operate under this exemption and again annually thereafter;
2. While operating under this exemption, the motor carrier shall:
- a. keep records that include the following information:
 - i. the commercial vehicles that are to be operated under the provisions of the exemption;
 - ii. the licence plate numbers of those vehicles and the state, province or territory of issuance;
 - iii. the names of the qualified drivers who will operate the commercial vehicles;
 - iv. the drivers' driving licence numbers and state, province or territory of issuance, in accordance with jurisdictional acts and regulations; and
 - v. a drivers abstract that has been issued and reviewed within the previous 12 months;
 - b. hold a valid safety fitness certificate that has been assigned an Excellent Safety Rating, Satisfactory Safety Rating or a Satisfactory Unaudited Safety Rating by the base jurisdiction pursuant to the *Motor Vehicle Transport Act* and the *Motor Carrier Safety Fitness Certificate Regulations*;
 - c. keep at their principal place of business a copy of the exemption and any acknowledgement response to their notice of intention to operate received from the

- federal director and shall at the request of an inspector or provincial director, make both available for inspection;
- d. require drivers to record their record of duty status in accordance with s. 82 of the Regulations;
 - e. ensure that when engaged in the driveaway-towaway of one or more commercial vehicles for the purpose of sale or lease, that a valid copy of the bill of sale or lease agreement, as appropriate, is placed in the power unit operated in accordance with the conditions of this exemption;
 - f. monitor that all drivers of commercial vehicles operating under the conditions of this exemption comply with its requirements and where non-compliance is observed, document the non-compliance and ensure that remedial actions are taken;
 - g. conduct and document timely reviews of all collision reports involving their commercial vehicle drivers and if it is found that a driver had been operating under the exemption at the time of the collision, the motor carrier is to determine if there was evidence of non-compliance with the Regulations or the terms and conditions of the exemption; the causality or preventability of the collision; and take mitigating action, if necessary, in order to prevent a re-occurrence;
 - h. submit a monitoring report to the federal director not later than 12 months after commencing operations under the exemption, and annually thereafter, with the content of the report including but be not limited to:
 - i. describing the motor carrier's efforts to monitor compliance with the exemption during the previous year and any subsequent findings in that regard;
 - ii. providing the names of drivers who operated under the exemption during that time, their driver's licence numbers and state, province or territory of issuance for those drivers;
 - iii. summarizing the results of reviews conducted on reports of collisions involving drivers who were operating under the exemption at the time of the collision, including any determinations made with respect to evidence of non-compliance with terms or conditions of the exemption or the *Regulations*, the causality or preventability of the collision and any mitigating action to prevent a re-occurrence; and
 - iv. describing in general terms, how the exemption was used and under what circumstances;

- i. maintain the records required by 2(a), 2(c), 2(g) and 2(h) while operating under the exemption and for a period of six months after termination of operations under the provisions of the exemption and produce for inspection such information upon request by a provincial or federal director;
 - j. no later than six months before requesting a renewal of the exemption, provide the federal director with a report detailing the operational efficiency of the exemption, including but not limited to:
 - i. the number of commercial vehicle collisions, with a narrative explaining nature of any injuries, time-of-day, causality and preventability and any mitigating action to prevent reoccurrence; and
 - ii. the perceived operational benefits of operating under the exemption;
3. While operating under this exemption, the driver shall:
- a. carry a copy of the exemption and the email from the federal director acknowledging the motor carrier's intention to operate, in the commercial vehicles that are operated in accordance with the conditions of this exemption and make both documents available for inspection by an inspector upon request;
 - b. record their record of duty status in accordance with s. 82 of the Regulations; and
 - c. indicate in the "Remarks" section of record of duty status if the exemption is being used that day.

Validity

This exemption comes into effect upon signing and remains valid 36 months after the date that it comes into effect, 23:59 MST.



Melanie Vanstone

Director General, Motor Vehicle and Road Safety Directorate
(on behalf of the Minister of Transport)

October 20, 2026

Date