
Hours of Service (HoS) and Electronic Logging Devices (ELDs)

Canada's Commercial Vehicle Drivers Hours of Service Regulation SOR/05-313 establishes federal Hours of Service (HoS) requirements. Provincial regulations, including Ontario and our direct neighbours Manitoba and Quebec, adopt much of the federal regulation.

[SOR/05-313](#) exemptions include a 2 or 3-axle commercial vehicle being used to:

- transport primary products of a farm, if the driver or operator produced the products, or
- return after transporting the primary products of a farm, if the vehicle is empty or is transporting products used in the principal operation of a farm.

Ontario Hours of Service (HOS) [O. Reg. 555/06](#)

Drivers of trucks over 4,500 kg in Ontario have daily, weekly and bi-weekly limits for driving time and minimum requirements for off duty time. This applies to most drivers who require a Commercial Vehicle Operator's Registration (CVOR). Ontario exemptions include:

- A 2 or 3 axle vehicle transporting primary farm products where the driver or the motor carrier is the producer of those primary products; or returning, if the vehicle is empty or is transporting products used in the principal operation of a farm,
- A pickup truck, when driven for personal use, if the GVWR is 6,500 kg or less, and fitted with either the original unmodified manufacturer installed box, or replacement box that duplicates the unmodified manufacturer installed box.

Electronic Logging Devices (ELDs)

In 2019, Transport Canada established requirements for use of electronic logging devices (ELDs) to promote better compliance with hours of driving and rest, reduce driver fatigue and improve road safety. ELD requirements pertain only to the method used to track records of duty status (RODS) data. HOS regulatory requirements have not changed, and all the rules related to on-duty, off-duty, driving time, and exemptions have not changed.

As of June 2021, CMV drivers who cross provincial boundaries must use certified ELDs to record hours of service. To give industry and provinces time to get ready, ELDs were not enforced until January 1, 2023. Now, drivers of CMVs failing to meet Ontario ELD requirements may face: fines from \$250 to \$20,000, and points on their safety record that affect rating. Most Ontario CMV drivers required to complete daily logs need an ELD. Exemptions include:

- drivers exempt from HOS requirements defined in O. Reg. 555/06 (see above)
- driving within a 160 km radius of, and returning to, the location you began the day (no limit to the total kilometres travelled within that radius for that day)
- driving a CMV with a model year before 2000

Transport Canada certifies ELDs: [Transport Canada List of Certified ELDs](#). CMV drivers may use a portable ELD, a smartphone or wireless device if the device meets Transport Canada ELD technical specifications and is mounted in a fixed position visible to the driver during operation.

CMVs Operating Outside Ontario

Provincial ELD mandates for carriers operating strictly within provincial borders come into force on different schedules. While Ontario ELD regulations and exemptions comply with federal requirements, drivers operating outside of Ontario should check rules in other jurisdictions.

Quebec's ELD mandate comes into enforce on April 30, 2023. Under Quebec Highway Safety Code [C.24.2 - Regulation Respecting The Hours Of Driving And Rest Of Heavy Vehicle Drivers](#), most CMVs will need ELDs. Quebec's HOS do not apply to the driver or operator of some CMVs for certain personal use and farm vehicle configurations, including a 2 or 3-axle truck:

- transporting the primary products of a farm, if the driver or operator of the truck is the producer of the products; or a return trip after such transport, if the vehicle is empty or is transporting products used in the principal operation of a farm.

Manitoba's ELD mandate came into force in 2021. [M. Reg. 72/07 Drivers Hours of Service Regulation](#) adopts much of the federal regulation, and applies to drivers and carriers that operate strictly within provincial boundaries. Manitoba's HOS regulation does not apply to a farm motor vehicle defined as a registered farm motor vehicle and unladen or engaged in the transportation of the registrant's own goods and includes a farm truck (M. Reg 57/06).

The U.S. ELD mandate came into force in 2017. Code of Federal Regulations (C.3.subC.b.) Pt. 395 [Hours of Service of Drivers](#), CMV carriers travelling into the United States must use ELDs. For more information on U.S. requirements see [Federal Motor Carrier Safety Administration's website](#) and review each U.S. State regulation to ensure compliance with local HoS and ELD rules.

Most U.S. HoS exemptions fall within a 150 mile radius and/or 14-hour time constraint, to addresses the issue in general terms rather than by industry segment. These constraints are reflected in 395.1(k) **Agricultural operations**. Part 395 provisions shall not apply during planting and harvesting periods, as determined by each State, to drivers transporting:

- Agricultural commodities from the source of the agricultural commodities to a location within a 150 air-mile radius from the source; Farm supplies from a distribution point to a farm or other location for farm use, within a 150 air-mile radius from the distribution point;
- Farm supplies for agricultural purposes from a wholesale distribution point of the farm supplies to a retail distribution point of the farm supplies within a 150 air-mile radius from the wholesale distribution point; or
- Livestock (as defined in section 602 of the Emergency Livestock Feed Assistance Act of 1988 ([7 U.S.C. 1471](#)) including insects)) within a 150 air-mile radius from the final destination of the livestock.