



Owner-Operator's Business
Association of Canada

Association professionnelle des
routiers autonomes du Canada

*...from the
director's chair*

If you aren't at the table, you're on the menu

When it comes to making regulations for trucking – or any other aspect of life in a modern democracy, frankly – the title of this column really says it all. It's not always about who has the right ideas, or finding the best ways to achieve an objective; it often comes down to who participates in the deliberations and how effectively they can make their case. If you have a point of view and some territory to protect, you need to be at the table. You can rest assured others will be there protecting their interests – perhaps at your expense.

I attended three meetings during the last week of November where input from drivers actually mattered. First was CVSA's North American Cargo Securement Harmonization Public Forum, held in Montreal.

The Commercial Vehicle Safety Alliance holds two such gatherings each year, and participation is unrestricted and open to all stakeholders and interested persons including law enforcement, regulators, carriers and drivers.

Anyone who attends is free to comment on work currently under evaluation, or to bring new issues to the table.

The next day, I sat in on a CCMTA Weights and Dimensions Committee Task Force meeting. While access to these sessions is somewhat restricted, comments and suggestions are welcome. While making or changing regulations of this nature isn't done overnight, the committee does consider most suggestions, and welcomes input from concerned parties, like OBAC.

A couple of days later, I was in Fredericton for a meeting of the New Brunswick Working Group on Trucking Service Improvements.

The N.B. government has made red tape reduction a cornerstone of its long-term prosperity plan, and is genuinely trying to

streamline and minimize the hassle factor in highly-regulated industries like trucking.

It's not very often you hear regulators asking truckers "how will this affect your business?" or "if you were regulating cell phone use, what would the rule look like?"

There was vigorous participation from owner/operators and really small fleet owners during the one-day session, and there was genuine interest in the opinions and ideas that were brought forward. It was a very refreshing session, and I wish there were more like it around the country.

Getting back to my point, input from the steering wheel crowd is vital at such sessions. Regulations affect everyone, but drivers are on the front line when it comes to compliance, and ultimately to enforcement. If we aren't there when the rules are crafted, they may not reflect our needs and concerns. The vehicle inspection regs illustrate this principle well.

It's one thing to require a driver to check out a truck before taking it on the highway, but it's quite another to hold that person responsible for anything and everything that might be deficient – especially in the case of a company driver with absolutely no say in the fleet's maintenance and repair policies.

That's where the rules let drivers down. While giving credit where it's due with respect to the new vehicle inspection regs with major and minor defect classifications, the regs still pit drivers against maintenance managers – and often dispatchers – when it comes to fixing freshly discovered defects.

Time constraints often delay the needed repairs, or they are put off until the truck is back in the fleet's own shop.

The rules, unfortunately, are silent on what a driver is supposed to do when up against a



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Building some kind of driver protection mechanism into the regulations would have been a priority if we'd been at the table when those rules were written.

There's no question that anyone operating a truck on a public roadway has an obligation to do that job as safely as possible, but others in the supply chain need to be held accountable too, and when problems arise, it shouldn't be the driver who always bears the full burden of compliance.

There's no shortage of regulation in trucking where the table tilts just a little too far one way for my comfort, but, without driver input, can we expect anything different?

Don't get me wrong; simply "showing up" at the table isn't what makes a difference.

When we sit down with policymakers and regulators, we need to be well-informed, have our facts and figures right, and our research done.

And more than anything, we need the insight and vision that comes from years of experience and millions of miles of real-world trucking.

Some significant rule changes are on the regulatory horizon (EOBRs, medical requirements, and others) as we move into 2010. OBAC will be at the table this time around, and your support is vital. For every issue on the table, we can add value to the debate with a driver's eye view. In many cases, we're not on a different side of the issue than others in the room, but we're always on a different side of the steering wheel – and that, my friends, makes all the difference.