

# *The Commercial Vehicle and Drivers (Record-Keeping) Regulations*

*being*

Chapter H-3.1 Reg 22 (effective March 4, 2004) as amended by  
Saskatchewan Regulations [4/2005](#), [117/2010](#), [98/2015](#) and [52/2021](#).

## **NOTE:**

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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### Appendix A

#### **Offences pursuant to the *Criminal Code* and the *Controlled Drugs and Substances Act* (Canada)**

## CHAPTER H-3.1 REG 22

### *The Highway Traffic Act*

#### Title

**1** These regulations may be cited as *The Commercial Vehicle and Drivers (Record-Keeping) Regulations*.

#### Interpretation

**2** In these regulations:

- (a) **“Act”** means *The Traffic Safety Act*;
- (b) **“carrier”** means the holder of a certificate of registration for a commercial vehicle;
- (c) **“class”** means, with respect to a vehicle, the class as determined in accordance with *The Vehicle Classification and Registration Regulations*;
- (d) **“commercial vehicle”** means any of the following vehicles:
  - (i) a vehicle that:
    - (A) is registered in Class A, C or D or that would be registered in Class A, C or D if that vehicle was registered in Saskatchewan; and
    - (B) has a registered gross vehicle weight of 5 000 kilograms or greater;
  - (ii) a vehicle that:
    - (A) is registered in Class LV or that would be registered in Class LV if that vehicle was registered in Saskatchewan;
    - (B) is being used for a commercial use and is not a farm vehicle; and
    - (C) has a registered gross vehicle weight of:
      - (I) 11 794 kilograms or greater; or
      - (II) if operated outside Saskatchewan, 5 000 kilograms or greater;
  - (iii) a vehicle that is registered in Class PB, PC or PS, or would be registered in Class PB, PC or PS if that vehicle was registered in Saskatchewan;

but does not include an emergency vehicle as defined in *The Vehicle Equipment Regulations, 1987* or a funeral vehicle;

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- (e) **“driver”** means the driver of a commercial vehicle;
- (f) **“registered”** means registered pursuant to the Act.

12 Mar 2004 cH-3.1 Reg 22 s2; 11 Feb 2005 SR  
4/2005 s2; 10 Dec 2010 SR 117/2010 s3; 13 Nov  
2015 SR 98/2015 s2; 14 May 2021 SR 52/2021  
s3.

**Records of convictions**

**3** Every carrier shall maintain a written record of any conviction against a driver pursuant to any of the following enactments for any offence committed while the driver was operating the carrier’s commercial vehicle:

- (a) *The Alcohol and Gaming Regulation Act, 1997*;
- (b) *The Animal Products Act*;
- (c) the *Criminal Code*;
- (d) *The Dangerous Goods Transportation Act*;
- (e) the *Transportation of Dangerous Goods Act, 1992* (Canada);
- (f) *The Highways and Transportation Act, 1997*;
- (g) the Act;
- (h) the *Motor Vehicle Transport Act* (Canada);
- (i) any regulations made pursuant to any of the Acts mentioned in clauses (a) to (h);
- (j) any enactment of any other jurisdiction in Canada or the United States of America similar to an Act or regulation mentioned in clauses (a) to (i);
- (k) any enactment, including a regulation or bylaw, of any other jurisdiction in Canada or the United States of America that deals with motor vehicle and road safety other than an enactment or provision of an enactment related to a parking violation.

10 Dec 2010 SR 117/2010 s4.

**Driver records**

**4(1)** Every carrier shall maintain a copy of the following for each driver who operates the carrier’s commercial vehicles:

- (a) a copy of a valid driver’s licence, including all documents deemed to be part of the driver’s licence; and
- (b) subject to subsection (2), a copy of the driver’s driving record.

**(2)** A carrier shall ensure that each of its driver’s driving records is kept up to date and contains information respecting the driver’s driving record for at least the previous 12 months.

12 Mar 2004 cH-3.1 Reg 22 s4; 10 Dec 2010  
SR 117/2010 s4.

**Accident records**

**5(1)** Every carrier must maintain a written record for each driver who operates the carrier's commercial vehicles of all accidents involving the carrier's commercial vehicles.

**(2)** A record maintained pursuant to subsection (1) must identify:

- (a) the date and circumstances of the accident;
- (b) the name of the driver;
- (c) the nature and amount of damage sustained; and
- (d) the commercial vehicle involved in the accident.

12 Mar 2004 cH-3.1 Reg 22 s5.

**Training records**

**6** Every carrier must maintain a written record of all training or upgrading respecting the transportation of dangerous goods that is undertaken by each driver operating the carrier's commercial vehicles.

12 Mar 2004 cH-3.1 Reg 22 s6.

**Vehicle maintenance and inspection**

**7** Every carrier must maintain the following for each of the carrier's registered commercial vehicles:

- (a) a copy of work orders describing any repairs performed on the commercial vehicle;
- (b) a copy of:
  - (i) on-road and terminal inspection reports prepared by a peace officer or an employee of the administrator respecting the commercial vehicle;
  - (ii) any report respecting the commercial vehicle prepared by any person in the course of conducting a periodic vehicle inspection;
  - (iii) any report prepared in other jurisdictions that provides comparable information to the information required in subclauses (i) and (ii);
- (c) a copy of monthly reports prepared as part of the carrier's system of regular and continuous inspections and maintenance for all of the carrier's commercial vehicles;
- (d) a copy of any notice of any defect received from any manufacturer of the commercial vehicle and records establishing that any defects have been corrected.

12 Mar 2004 cH-3.1 Reg 22 s7.

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**8** Every carrier must maintain a written record of the carrier's existing public liability insurance coverage for all of the carrier's commercial vehicles.

12 Mar 2004 cH-3.1 Reg 22 s8.

**Record retention**

**9** Every carrier must maintain every record required pursuant to these regulations during the year to which the record relates and for an additional four years.

12 Mar 2004 cH-3.1 Reg 22 s9.

**Location of records**

**10** Every carrier must keep all records required to be maintained pursuant to these regulations at the carrier's registered office in Saskatchewan.

12 Mar 2004 cH-3.1 Reg 22 s10.

**Driver to submit information**

**11** Every driver of a commercial vehicle must report the following information to the carrier who owns the commercial vehicle at least once every 14 days unless the information has been previously reported by the driver:

- (a) any convictions within the meaning of section 3 involving the driver;
- (b) any reports of reportable accidents within the meaning of section 5 involving the driver;
- (c) copies of any reports mentioned in clause 7(a) and subclauses 7(b)(i) and (ii) that the driver has been given.

12 Mar 2004 cH-3.1 Reg 22 s11.

**Class PB vehicle and criminal record check**

**11.1(1)** Each year, every driver who operates a carrier's Class PB vehicle shall provide that carrier with a criminal record check that is completed by an agency approved by the administrator.

(2) No carrier shall permit or enable a driver to operate a Class PB vehicle if that driver has been convicted of an offence set out in Appendix A.

(3) No driver shall operate a Class PB vehicle if that driver has been convicted of an offence set out in Appendix A.

(4) On the request of the administrator, a carrier shall provide the administrator with copies of the criminal record checks mentioned in subsection (1).

(5) This section does not apply to limousines as defined in *The Vehicles for Hire Act*.

14 May 2021 SR 52/2021 s4.

**R.R.S. c.H-3.1 Reg 16 repealed**

**12** *The Commercial Carrier Record-keeping and Commercial Vehicle Driver Reporting Regulations* are repealed.

12 Mar 2004 cH-3.1 Reg 22 s12.

**Coming into force**

**13** These regulations come into force on the day on which they are filed with the Registrar of Regulations.

12 Mar 2004 cH-3.1 Reg 22 s13.

**Appendix A**  
**Offences pursuant to the *Criminal Code* and**  
**the *Controlled Drugs and Substances Act* (Canada)**  
 [Section 11.1]

- 1 Any sexual offence pursuant to the *Criminal Code*, including sections 151 to 153.1, 162 to 163.1, 170 to 173, 271 to 273, 273.3 and 286.1 to 286.4.
- 2 Offences pursuant to the *Criminal Code*:
  - (a) against the person pursuant to sections 172.1, 219 to 248, 279 to 283; and
  - (b) related to terrorism pursuant to Part II.1.
- 3 In the preceding 20 years, offences pursuant to the *Criminal Code*:
  - (a) against the person pursuant to sections 267 to 269.1 and 270.01 to 270.02; and
  - (b) pursuant to sections 76 to 78.1 (Hijacking; Endangering safety of aircraft or airport; Offensive weapons and explosive substances; Seizing control of ship or fixed platform), 79 to 82.6 (Dangerous Materials and Devices), 85 (Using firearm in commission of offence); 88 (Possession of weapon for dangerous purpose), 98.1 (Robbery to steal firearm), 318 to 319 (Hate Propaganda), 343 to 346 (Robbery and Extortion), 348 to 351 (Breaking and entering offences), 430(2) (Mischief – danger to life) and 433 (Arson – disregard for human life).
- 4 In the preceding 10 years, offences pursuant to the *Criminal Code*:
  - (a) pursuant to Part III (Firearms and Other Weapons), other than those offences mentioned in item 2(b) of this Appendix;
  - (b) involving a motor vehicle pursuant to sections 320.13 to 320.18;
  - (c) against the person pursuant to sections 264, 264.1, 266, 270 and 270.1;
  - (d) pursuant to Part IX (Offences Against Rights of Property), other than those offences mentioned in item 2(b) of this Appendix;
  - (e) involving fraudulent transactions pursuant to sections 380 to 405;

(f) involving mischief in relation to property pursuant to subsections 430(3), (4) and (4.1); and

(g) involving arson pursuant to sections 434 to 435.

5 In the preceding 10 years, any offence pursuant to the *Controlled Drugs and Substances Act* (Canada).

6 Any offence pursuant to any law of any state of the United States of America that is substantially similar to an offence mentioned in items 1 to 5 of this Appendix.

14 May 2021 SR 52/2021 s5.