

PART 26: FORESTRY OPERATIONS

- Bullboards** **26.65** (1) For the protection of the driver, each logging truck must have a substantial barrier at the back of the cab that
- (a) is at least 15cm (6 in) higher than the cab, and
 - (b) is at least 15cm (6 in) wider than the cab ~~or is the maximum width allowed by the Motor Vehicle Act or the Motor Carrier Act.~~ **but does not exceed a maximum width of 2.6m (102in).**
- (2) The barrier at the back of the cab of a self-loading logging truck may be less than the height specified in subsection (1) but must not be less than the cab height.
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Explanatory Note

Section 7.10 (vehicle width) of the *Commercial Transport Regulations* states that no person shall, without a permit, drive or operate on a highway a vehicle having a total outside width, including its load, in excess of 2.6 m. Many logging truck cabs are 2.6 m wide.

The *Occupational Health and Safety Regulation* ("OHSR") currently requires that the barrier at the back of logging truck cabs be at least 15 cm (6 in) wider than the cab or the maximum width allowed by the *Motor Vehicle Act* or the *Motor Carrier Act*. The *Motor Vehicle Act Regulations* ("MVAR") stipulate that bulkheads or cab protectors must be the width of the vehicle or vehicle cab. Section 26.65 (1) (b) references the MVAR in order to accommodate logging trucks cabs that are wider than 2.45 m (but not greater than 2.6 m). These logging trucks would not be able to affix a barrier that is 15 cm wider than the cab, in compliance with section 26.65 (1) (a), without being over the maximum width permissible for vehicles that operate on a highway.

Sections of the MVAR regarding bulkheads and cab protectors for commercial vehicles, including width requirements, will be repealed in early 2005 and replaced with requirements that are not applicable to logging trucks.

Further, the *Motor Carrier Act* was repealed in 2004. The Ministry of Transportation is currently finalizing the consequential amendments related to the repeal of this Act, including the deletion of its reference in the OHSR. The consequential amendments are expected to be carried out in late February of 2005. The inclusion of the reference to the *Motor Carrier Act*, with a strikethrough, is only provided because it currently still exists in the OHSR. The reference to the *Motor Carrier Act* will not exist in future drafts of these amendments.

The proposed amendments repeal the reference to the *Motor Vehicle Act* and provide a complete set of width requirements related to cab barriers for logging trucks. The amended barrier width requirements simply restate the width requirements that are currently in place.

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- Bullboards** **26.65** (3) **For the purposes of subsection (1), a barrier must be capable of withstanding a horizontal forward static load equal to 40% of the weight of the cargo being transported**
- (a) **on the truck or trailer to which the barrier is affixed,**
 - (b) **on the semi trailer immediately behind the truck tractor to which the barrier is affixed, or**
 - (c) **that may shift and contact the bulkhead**
- with the weight uniformly distributed over the entire barrier.**
- (4) **The barrier of the motor vehicle must be**
- (a) **designed, constructed and maintained so that it has no aperture large enough to permit any item of cargo to pass through it, and**
 - (b) **installed in a manner acceptable to the Board to ensure that the rated capacity of the barrier is not diminished.**
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Explanatory Note

Section 26.65 (1) indicates that “For the protection of the driver, each logging truck must have a **substantial barrier** at the back of the cab...” (emphasis added). WCB officers use strength and structural requirements for bulkheads and cab protectors found in the *Motor Vehicle Act Regulations* (“MVAR”) to define a substantial barrier for the purposes of section 26.65.

Sections of the *MVAR* regarding bulkheads and cab protectors for commercial vehicles, including strength and structural requirements, will be repealed in early 2005 and replaced with requirements that are not applicable to logging trucks.

The proposed amendments add strength and structural requirements for a substantial barrier that mirror those currently found in the *MVAR* with the exception of subsection 26.65 (3) (c) which is meant to address logging trucks pulling more than one semi trailer. In this case, a guideline will provide further guidance as to what portion of the weight in additional semi-trailers must be used in determining the required rated capacity of the barrier.

In addition, it is proposed that both a requirement, mirroring a current requirement in the *MVAR*, be added to ensure that no aperture in a barrier is large enough to permit cargo to pass through it, and a requirement be added regarding installation to ensure that barriers are affixed in a manner that ensures that the barrier can perform to its rated capacity. With regards to the proper installation requirement, it is anticipated that a guideline will provide three ways that compliance with this can be met. The first two will reference approaches set out in section 4.3 (2) (a) and (b), namely, installation in accordance with manufacturer’s recommendations and installation as specified by a professional engineer. The third will describe an installation approach that is acceptable to the Board.

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Bullboards 26.65 (5) The barrier must be

- (a) permanently marked with**
 - (i) the name and address of its manufacturer,**
 - (ii) the model number or serial number of the barrier, and**
 - (iii) its rated capacity in terms of the cargo weight that may be transported in compliance with this section, or**
- (b) identified by carrying in the vehicle a copy of a letter that**
 - (i) accurately describes the barrier,**
 - (ii) certifies the model number or serial number of the barrier and its rated capacity in terms of the cargo weight it can carry, and**
 - (iii) has been signed by the manufacturer or a professional engineer.**

Explanatory Note

WCB officers currently use strength and structural requirements for bulkheads and cab protectors found in the *Motor Vehicle Act Regulations* (“MVAR”) to define a substantial barrier for the purposes of section 26.65. This package of Part 26 amendments proposes that barrier strength and structural requirements, mirroring those in the *MVAR*, be added to section 26.65 (see previous page).

In addition to establishing barrier strength and structural requirements, the *MVAR* requires that barriers be permanently marked, or an appropriately signed letter must accompany the barrier, with the manufacturer’s information, the serial or model number, and the barrier rated capacity (i.e., the cargo weight that can be transported when using that specific barrier).

WCB officers rely on this *MVAR* “identification” requirement to provide them with a simple method of determining if logging truck barriers are in compliance with the substantial barrier requirement in section 26.65.

Sections of the *MVAR* regarding bulkheads and cab protectors for commercial vehicles, including barrier identification requirements, will be repealed in early 2005 and replaced with requirements that are not applicable to logging trucks.

The proposed amendment adds a requirement for barriers to be permanently marked, or accompanied by an appropriately signed letter, with the information required to assist WCB officers in determining compliance with barrier strength requirements. These requirements mirror the barrier identification requirements currently found in the *MVAR* with the exception of the addition of the requirement to “accurately describe the barrier” in 26.65 (6) (b) (i). This requirement is added to ensure that an officer can confirm that a letter accompanying a barrier does in fact belong with that barrier.