

## PART 26: FORESTRY OPERATIONS

- Bullboards**      **26.65**      (1) For the protection of the driver, each logging truck must have, **at the back of the cab**, a substantial barrier ~~at the back of the cab~~ that
- (a) is at least 15 cm (6 in) higher than the cab, and
  - (b) is at least 15 cm (6 in) wider than the cab ~~or is the maximum width allowed by the *Motor Vehicle Act*~~. **but does not exceed 2.6 m (102 in) in width.**
- (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*. The *Motor Vehicle Act Regulations* (“MVAR”) had, until recently, stipulated 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 truck 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 the first requirement in 26.65 (1) (b), 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Sections of the MVAR regarding bulkheads and cab protectors for commercial vehicles, including width requirements, were repealed in early 2005 and replaced with requirements that are not applicable to logging trucks. Accordingly, the proposed amendment repeals the reference to the *Motor Vehicle Act* and adds a specific requirement to accommodate logging truck cabs that are wider than 2.45 m.

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- Bullboards**      **26.65**      (3) For the purposes of subsection (1), the barrier must be capable of withstanding a horizontal forward static load equal to 40% of the weight of the cargo being transported that may shift and contact the barrier, with the weight uniformly distributed over the entire barrier.
- (4) The barrier of the logging truck 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

Existing 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). Workers’ Compensation Board (“WCB”) officers have used strength and structural requirements for bulkheads and cab protectors previously found in the *Motor Vehicle Act Regulations* (“MVAR”) to define a substantial barrier for the purposes of existing section 26.65.

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regarding bulkheads and cab protectors for commercial vehicles, including strength and structural requirements, were repealed in early 2005 and replaced with requirements that are not applicable to logging trucks.

Proposed new section 26.65 (3) adds a strength requirement for a substantial barrier similar to that previously found in the *MVAR*. A guideline will provide further guidance as to what portion of the weight on additional semi-trailers must be used in determining the required rated capacity of the barrier.

Proposed new section 26.65(4) adds two structural requirements for a substantial barrier. Proposed new subsection 26.65(4)(a) adds a requirement, mirroring a previous structural requirement in the *MVAR*, to ensure that no aperture in a barrier is large enough to permit cargo to pass through it. Proposed new subsection 26.65(4)(b) adds a requirement regarding installation to ensure that barriers are affixed in a manner that ensures that the barrier can perform to its rated capacity. The *MVAR* previously required that a barrier be affixed in accordance with the manufacturer’s recommendations. The proposed *Occupational Health and Safety Regulation* (“OHSR”) requirement provides greater flexibility regarding barrier installation and will be accompanied by a guideline that will detail a number of installation approaches that are acceptable to the Board. Acceptable installation approaches will include installation in accordance with manufacturer’s recommendations, installation as specified by a professional engineer, and more detailed installation processes such as using particular types of bolts, U-bolts and UNF bolts.

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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 logging truck 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.**
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**Explanatory Note**

In addition to using the previous *Motor Vehicle Act Regulations* (“MVAR”) strength and structural requirements for bulkheads and cab protectors to define a substantial barrier for the purposes of existing section 26.65, Workers’ Compensation Board (“WCB”) officers have also relied on the previous MVAR requirement that a barrier be permanently marked, or have an appropriately signed letter accompanying the barrier, detailing relevant barrier information. This information provides WCB officers 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, were repealed in early 2005 and replaced with requirements that are not applicable to logging trucks.

Proposed new section 26.65 (5) adds a requirement for barriers to be permanently marked, or accompanied by an appropriately signed letter, with the barrier information required to assist WCB officers in determining compliance with barrier strength requirements. These requirements mirror the barrier identification requirements previously 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 relate to that barrier.