Notice to independent owner-operator drayage truckers

Applications for the new Truck Licensing System are coming in quickly.

As of today, 28 companies have been approved, and applications for over 43 companies are pending review. In total, about 820 truck tags have been allocated to trucking companies. The list of approved companies will be updated regularly on Port Metro Vancouver’s website trucking page.

We have been receiving many questions from independent owner operators who want to better understand how they can work in the new system. The following are those questions, with answers.

The new system will allow drivers the opportunity to earn a decent living because there will be larger, more stable trucking companies; provincial auditing, regulated rates and a new trucking commissioner; and fewer trucks for more turns per day.

Port Metro Vancouver does not hire drivers or trucking companies, and is not an employer or customer of the drayage sector. However, recognizing TLS reform may have a negative impact on some current TLS Permit holders, and in the interests of industry stability, Port Metro Vancouver is voluntarily offering a generous one-time, unprecedented opportunity for those TLS independent operators holding a valid permit who will not be serving Port Metro Vancouver under the new TLS policy.

This Transition Support Program allows these operators to be eligible for a financial opportunity based on categories, dependent on the number of days an operator has accessed a marine container terminal from August 1, 2014 to January 31, 2015, up to a maximum of $15,000. The program also includes help to dispose of owner operator trucks by way of auction or salvage, should operators choose to do so. The transition program will be available provided there is no work disruption.

We are nearing completion of the Joint Action Plan with 12 of the 14 actions now complete and the last two in progress. Though this change has been challenging for all of us, we look forward to improved working conditions for drivers and stability in the port.

If you have any further questions, please feel free to contact us by email at tls@portmetrovancouver.com or by phone at 604.665.9333.

Questions and Answers

What is “sponsorship”? Is there a contract? What are the conditions? Why do I need to be sponsored?

“Sponsorship” is the working relationship between the owner operator and the trucking company. The “sponsor” is the trucking company and the “sponsored owner operator” is the owner operator who has committed to provide container drayage services to that trucking company. Sponsorship is also only required if the owner operator requires access to one, or more, of the four marine container terminals (Vanterm, Centerm,
Deltaport, Fraser Surrey Docks) at Port Metro Vancouver. If you and your truck do not need access to the terminals, you do not need to be a sponsored owner operator in TLS. The sponsorship process is similar to the “claiming” process in the current system, with much less required administration.

The sponsorship relationship is identified by the “Sponsorship Application” (see Form 3.2 in the Truck Licensing System - Local Drayage TLS Handbook). Approval of the Sponsorship Application binds both the trucking company and the owner operator, to the covenants contained in the Licence document and the Access Agreement. The Sample Licence A & B and Sample Access Agreement are available publicly for your convenience at www.porttalk.ca/tls.

Can I be sponsored by more than one company?

Sponsorship is a one-to-one relationship. Owner operators are committing to providing container drayage services to a single trucking company, therefore owner operators can be sponsored by only one company at a time.

Who holds the truck tag?

The truck tag is currently granted by Port Metro Vancouver. However, the granting of truck tags will eventually be transitioned and fall within the responsibility of the Province of B.C.’s Container Trucking Commissioner. Trucking companies are applying for a specific number of truck tags. They must prove they have enough work to match that number of tags and that the associated trucks meet the requirements. Based on the evidence they provide, they may be granted the number of truck tags requested.

What if my sponsorship ends because I want to leave? What if the trucking company cancels the sponsorship?

The outcome of a sponsorship relationship is determined based on which party ends the sponsorship.

If the sponsor/trucking company terminates the relationship, the owner operator has 30 days to secure an alternate sponsorship. If an alternate sponsorship is secured, the truck tag will transfer to the new sponsoring trucking company.

If the sponsored owner operator terminates the relationship, the trucking company has 30 days to sponsor another owner operator, or they can add an approved company vehicle.

If either the owner operator or the trucking company are unable to secure a new sponsorship relationship within 30 days, the truck tag is “returned” to the Commissioner.

In the event an owner operator loses a sponsorship relationship after 30 days, the owner operator can still participate in the new TLS. However, the owner operator would have to identify another trucking company with an available truck tag allocation that is willing to sponsor the owner operator.

Do I, the sponsored owner operator, need to renew anything?
As long as the working relationship continues, and the Licence and the Access Agreement are still valid and in good standing, the sponsorship lasts as long as the duration of the Licence and Access Agreement. For terms that exceed one year, there will be an annual review process, when the TLS Administrator will do what has always been done to ensure the auto insurance is valid, the truck is still qualified, etc. The trucking company will be required to submit the information on behalf of the sponsored owner operator as required by the Licence and the Access Agreement. The sponsorship expires when the Licence and Access Agreement expire.

**As an owner operator, I have been able to take extended leaves in the past. Will I be able to continue this?**

The intention of TLS reform was not to change the flexibility for those sponsored owner operators who will be providing container drayage services to a trucking company. Truck tag use will be measured by GPS and the future common reservation system; every TLS trucking company will be responsible for monitoring their usage of the truck tags issued to them. Port Metro Vancouver recognizes the potential for both planned and unplanned circumstances that may affect how often a truck tag is used. The new TLS has some flexibility for extended periods of no use. If there are plans to park a truck, that arrangement will need to be discussed with the trucking company.

However, all owner operators are also permitted to have a driver added to the sponsorship as their employee so that the truck may, in fact, still operate while the original driver is away. There are no limitations on that, but the owner operator is subject to audit and must pay that employee in accordance with the regulated rates.

The sponsoring trucking company may have their own requirements or require approval of additional drivers under the sponsorship agreement.

**If I want to replace my truck, how will I do that now?**

The company that sponsors you is responsible for managing the administration of its entire fleet, including sponsored owner operator trucks. You must advise your company of any changes to your truck, and provide them updated insurance documents, showing the new licence plate, etc. If the trucking company does not advise Port Metro Vancouver of administrative changes, such as a changed licence plate number, the truck will not be permitted into any of the marine container terminals (Vanterm, Centerm, Deltaport, Fraser Surrey Docks).

**The old truck fee was $300 per truck. As an owner operator, am I required now to pay any fee for my truck or for sponsorship?**

Absolutely not. Only trucking companies are required to pay for the truck tag and other charges. This has been clearly articulated and explained to all trucking companies. If you are being asked by a trucking company to pay a fee for sponsorship or other operational costs, you should contact the Drayage ConfidenceLine to report complaints or concerns.

**Do I have to do an opacity test and install the DOC prior to submitting an application?**
No. Wait until you hear if you are conditionally approved. Then, we will require evidence of the opacity test and the installation of the DOC as part of the conditions required for final approval.