



January 12, 2023

Hon. Caroline Mulroney
5th Floor, 777 Bay St.
Toronto, Ontario
M7A 1Z8

RE: Canadian RV Industry request for exemption of ELD devices to “RV Tow-Away” Commercial Vehicles

Dear Minister Mulroney,

On behalf of the Canadian Recreational Vehicle Association (“CRVA”) and the Recreation Dealers Association (“RVDA”) of Canada, we are asking for your support and assistance in advocating for our Electronic Logging Device (“ELD”) Exemption for “Tow-Away” Commercial Vehicles in Ontario.

In 2019, Transport Canada announced a mandate that all Commercial Vehicles travelling in Canada MUST have an ELD device and while this directive took some time, it took effect as of January 1st, 2023. Prior this date, a written log was necessary for commercial drivers to keep track of their hours-of service.

An ELD is **a recording device that records vehicle parameters through its synchronization to the vehicle's engine**. It also allows for entries related to a driver's record of duty status (RODs) to show compliance with hours-of-service regulations.

RV Transportation companies and US RV Manufacturers informed CRVA and RVDA of Canada that Canadian RV Dealers would experience a severe disruption in their businesses if the ELD mandate was implemented because their drivers had indicated that they would refuse Canadian RV deliveries if required to attach an ELD device to their personally owned commercial vehicle or pick-up truck.

Since more than 85% of all RVs sold in Canada are manufactured in Elkhart, Indiana located just south of the Michigan border and about 6.5 hours from Toronto this is a serious issue for the RV Industry especially in Ontario where the most RV retailers in Canada are located. There are about 125 RV Dealerships in Ontario who rely on transportation companies and their network of individual contractors to receive their new inventory for sale to the public on a timely basis.

Having been made aware of this threat, on January 6th, 2022 the Canadian RV Association, RVDA of Canada and the RV Industry Association submitted an exemption request to Transport Canada which would match the regulation currently in place for RV deliveries in the United States which we deem to be a fair solution and one that all transportation stakeholders have been operating under.

In the United States, the US-DoT granted an RV-industry-specific ELD exemption in for the “Drive-Away/Tow-Away” industry for deliveries throughout the US in 2017 which reads:

(3) “Exception. – A motor carrier, when transporting a motor home or recreation vehicle trailer within the definition of the term “drive-away/tow-away operation” (as defined in section 390.5 of Title 49, Code of Federal Regulations), may comply with the hours-of-service requirements by requiring each drive to use, either (A) a paper record of duty status form; or (B) an electronic logging device”

Since the effective date of the above US-Option, Drive-Away/Tow-Away operators have legally been transporting motor homes and single recreation vehicle trailers without the use of approved/certified ELD's, but rather by continuing to use a daily paper log (read: Record of Duty-Status form), completed by hand, without being in violation of the US-ELD Mandate.

2/...

Having an ELD device permanently installed, tracking ALL of the personal vehicle owner's driving time whether it be while on duty, vacation or just going to the store is unacceptable to the individual. Additionally, the cost of the ELD Device and monitoring services are much too high for the contractor to absorb in his business.

In short, to avoid serious business interruption to the Canadian RV Industry, commercial vehicle drivers in the "Tow-Away" Industry have asked to have uniform regulations in Canada and the US.

After submitting our exemption request and following several meetings between Transport Canada and the Canadian RV Industry, Transport Canada presented a draft ELD exemption document to us on August 19th, 2022 which granted the RV Industry a special exemption to the ELD mandate but it still needed the approval of all Provinces. ([See PDF](#))

At the **Canadian Council of Motor Transport Administrators (CCMTA)** fall meeting in Ottawa on November 3rd, CRVA had the opportunity to discuss our exemption request with each of the Provincial Committee Members including Ontario and we were confident after those discussions our request would be approved.

However, on December 23rd, the Canadian RV Industry was devastated to learn that our Exemption Request would not be approved by the January 1st, 2023 implementation date in a Transport Canada email and **that more discussions were still needed.**

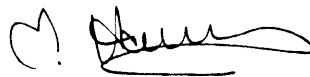
It is our understanding that every Province in Canada is supportive of Transport Canada's draft exemption document of an ELD device for the "Tow-Away" Industry **except Ontario** for reasons unknown to us.

As we start the new year and especially being a seasonal industry, timely RV deliveries to dealers and our customers is of the utmost importance. Additionally, we are rapidly approaching RV Shows and the inability for Dealers to have new units to display and retail due to delayed deliveries will have a dire financial impact for these businesses.

With the January 1st enforcement date now in effect, we are already seeing a shortage of transport options available to our RV retailers and the longer our request is delayed, the impact to the Canadian RV Industry and Ontario consumers will continue to escalate.

On behalf of the Canadian RV Industry, we are asking your Ministry to review our request again internally for a second opinion.

This is an urgent matter for the Canadian RV Industry and we are available at your convenience to discuss further.



1100 Burloak Drive, #300
Burlington, Ontario L7L 6B2
shane.devenish@crva.ca

Suite 145 - 11331 Coppersmith Way
Richmond, BC V7A 5J9
eleonore_hamm@rvda.ca

