



PLEASE NOTE

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For more information concerning the history of these regulations, please see the [Table of Regulations](#).

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CHAPTER H-5

HIGHWAY TRAFFIC ACT

COMMERCIAL VEHICLE (TRIP INSPECTION AND RECORDS) REGULATIONS

Pursuant to section 148 of the *Highway Traffic Act* R.S.P.E.I. 1988, Cap. H-5, Council made the following regulations:

- 1.** In these regulations
- Definitions
- (a) “Act” means the *Highway Traffic Act* R.S.P.E.I. 1988, Cap. H-5; Act
- (b) “commercial vehicle” as defined in clause 142(b) of the Act and includes any trailer drawn by any such vehicle; commercial vehicle
- (c) “driver” means a person who drives a commercial vehicle on a highway; driver
- (d) “recreation vehicle” means a vehicle designed as mobile accommodation or as self-propelled mobile accommodation and used as transportation for personal and recreational purposes without compensation and includes but is not limited to cabin trailers, collapsible cabin trailers, tent trailers and camping trailers. (EC225/89) recreation vehicle
- 2.** This Part does not apply to
- Application
- (a) an emergency vehicle;
- (b) any two or three axle commercial vehicle not drawing a trailer that is primarily used for the transportation of primary products of a farm, forest, sea or lake, provided the driver or his employer is the producer of such products;
- (c) a commercial vehicle transporting passengers or goods with the object of providing relief in the case of an earthquake, flood, fire, famine, drought, epidemic, pestilence or other disaster;
- (d) a recreation vehicle. (EC225/89)

PART I TRIP INSPECTIONS

- 3.** (1) The driver shall inspect his commercial vehicle or cause it to be inspected on a daily basis prior to its first trip of the day. Inspections

Continuous trip	(2) Where a trip is a continuous trip involving more than one day, the daily inspection shall take place no later than the first rest stop of the day. (EC225/89)																		
Items to be inspected	4. An inspection under section 3 shall include an inspection of the items set out in Schedules I and II that are part of the commercial vehicle. (EC225/89)																		
Report	5. The driver of a commercial vehicle or the person designated by the driver while completing the inspection shall note in an inspection report any safety related defects in the items referred to in Schedules I and II, or if none, the report shall so indicate. (EC225/89)																		
Defects observed in driving	6. In addition to any defects noted in the inspection required under section 3, a driver of a commercial vehicle shall at the end of the day record in the inspection report any defects observed while in charge of the vehicle. (EC225/89)																		
Information	<p>7. An inspection report required under these regulations shall contain the following information where applicable:</p> <table border="0" style="margin-left: 20px;"> <tr> <td style="padding-right: 10px;">1</td> <td>Motor vehicle</td> <td style="padding-left: 100px;">make</td> </tr> <tr> <td>2</td> <td>Motor vehicle</td> <td>number plate or unit number</td> </tr> <tr> <td>3</td> <td>Trailer #1</td> <td>number plate or unit number</td> </tr> <tr> <td>4</td> <td>Trailer #2</td> <td>number plate or unit number</td> </tr> <tr> <td>5</td> <td colspan="2">A list of the items to be inspected as set out in Schedules I and II</td> </tr> <tr> <td>6</td> <td colspan="2">Date of inspection</td> </tr> </table> <p>(EC225/89)</p>	1	Motor vehicle	make	2	Motor vehicle	number plate or unit number	3	Trailer #1	number plate or unit number	4	Trailer #2	number plate or unit number	5	A list of the items to be inspected as set out in Schedules I and II		6	Date of inspection	
1	Motor vehicle	make																	
2	Motor vehicle	number plate or unit number																	
3	Trailer #1	number plate or unit number																	
4	Trailer #2	number plate or unit number																	
5	A list of the items to be inspected as set out in Schedules I and II																		
6	Date of inspection																		
Repairs recorded	8. The person who repairs any defect noted under sections 5 and 6 shall record in the appropriate inspection report the date on which the repairs were completed and shall sign the entry in the report. (EC225/89)																		
Exemption for short trips	9. Sections 5, 6, 7 and 8 do not apply to a commercial vehicle operating within a radius of 160 kilometres of the location at which the driver reported for work if the driver is to return to that location and be released from work. (EC225/89)																		

PART II RECORDS

Records	<p>10. Every carrier shall maintain or cause to be maintained for each commercial vehicle under the carrier's control the following records:</p> <p style="margin-left: 20px;">(a) an identification of the vehicle including company number, if so marked, make, vehicle identification number, year and the name of</p>
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the person furnishing the vehicle where the vehicle is not owned by the carrier;

(b) a record providing the means for establishing the nature and the due date of the various inspections and maintenance operations to be performed;

(c) a record of inspection, repairs and maintenance including the date, odometer reading and nature of the inspection, repair and maintenance; and

(d) a record of modification involving axles or suspensions that affect a manufacturer's gross vehicle weight rating or gross axle weight rating. (EC225/89)

11. Every carrier shall keep or maintain at the carrier's principal place of business in Prince Edward Island Retention of records
at principal office

(a) all records required under section 10 for a period of six months from the date that the vehicle has ceased to be under the carrier's control and in all other cases for a period of two years; and

(b) the inspection report referred to in section 7, as completed by the driver, for a period of three months from the date on which the report was completed. (EC225/89)

12. It is an offence for any driver not to have a completed daily trip inspection report for his commercial vehicle as required by these regulations. (EC225/89) Offence

SCHEDULE I**Outside Inspection**

1. All lights and reflectors (equipped and functioning as required under the Act and the regulations made thereunder)
2. Wheels and fasteners (for wheel or rim cracks, defective lock rings, loose or missing fasteners)
3. Tires (for tread depth, flat or noticeable leak, any visible bumps or bulges, mixture of bias and radial tires on same axle, contact with any part of the vehicle or any other tire)
4. Fuel system (for a visible leak at any point, tank filler caps shall not be missing, fuel tank shall be securely mounted)
5. Exhaust system (for audible leaks, missing or loose components, secure mountings)
6. Fifth wheel (for loose, missing or ineffective fasteners, missing, broken or deformed parts in the locking mechanism, operating handle being in closed or locked position when in use)
7. Suspension, spring, air bags and controlling attachments (for any cracked, broken, loose or missing axle positioning or fastening parts, broken or missing spring leaves, broken coil springs, deflated air suspension due to system failure)
8. Towing and coupling devices as required under the Act and the regulations made thereunder (for missing or unattached safety devices, or safety devices not capable of secure attachment, wear kinks or broken cable strands, improper repairs)
9. Load security for compliance with the requirements of the Act and the regulations made thereunder
10. Air brake adjustment and connections (for absence of braking action on each wheel, missing, broken or loose mechanical components where readily visible, audible air leaks and brake readjustment limits)
11. Hydraulic brake fluid (for level and visible leakage)
12. Power steering fluid (for level and visible leakage)
13. Mirrors as required under the Act and the regulations made thereunder (for condition and adjustments)

SCHEDULE II**Inside Inspection**

1. Steering wheel, excessive play, looseness
2. Brake pedal reserve and fade
3. Brake booster operation
4. Brake failure warning light functions as intended
5. Brake air pressure or vacuum gauge
6. Warning signal, low pressure or low vacuum
7. Windshield washer and wipers function as intended
8. Windshield and windows are to afford the driver a clear view
9. Mirrors, adjustment and condition
10. Defroster and heaters function as intended
11. Horn functions as intended
12. Driver's seat belt and seat security function as intended
13. Parking brake adequate to hold vehicle
14. Emergency equipment as required by Prince Edward Island for that class of vehicle