

NEW CARGO SECUREMENT STANDARDS REGULATION

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On June 29, 2005, the Government of Québec authorized publication in the *Gazette officielle du Québec* of a new Cargo Securement Standards Regulation.

This new regulation, which came into force on July 14, 2005, adopts the provisions of National Safety Code Standard 10 – Cargo Securement. This standard is available on the Web site at <http://www.ccmta.ca>.

In 2005, the other Canadian administrations also adopted the provisions of National Safety Code Standard 10 – Cargo Securement, to harmonize cargo securement standards in Canada. These new regulations, both in Québec and in the rest of Canada, represent a major step in the process of harmonization of cargo securement standards throughout North America. The Federal Motor Carrier Safety Administration (FMCSA) has already adopted a new regulation, which came into force in the United States on January 1, 2004.

To ensure a smooth transition from the old cargo securement standards to the new standards, an adjustment period was provided up to October 31, 2005. However, as of this February 1, the new cargo securement provisions presented in the [Cargo Securement Standards Regulation \(Order-in-Council 583-2005\)](#) will be applied in Québec to improve road safety and ensure harmonization of cargo securement standards with those of other North American administrations.

However, we have been informed by our colleagues from other administrations and by certain carriers' and shippers' associations that complete integration of the new cargo securement requirements of National Safety Code 10 – Cargo Securement presents some major difficulties.

To take into account this information, it was agreed with Contrôle routier Québec (CRQ) to defer the application of some cargo securement requirements for certain types of vehicles or cargo and to recognize certain industry best practices as equivalent to some cargo securement requirements, until an official position is presented by the Canadian Council of Motor Transport Administrator (CCMTA).

Thus, up to February 1, until the Ministère des Transports du Québec (MTQ) can inform the transportation industry of the final position that will be adopted, the Regulation's new standards will apply, accounting for the special conditions described below.

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1. CARGO SECUREMENT WITHIN VANS

Section 9 of National Safety Code Standard 10 – Cargo Securement provides that cargo shall be firmly immobilized or secured on or within a vehicle by structures of adequate strength, blocking, bracing, dunnage or dunnage bags, shoring bars, tiedowns or a combination of these. These cargo securement requirements within sided vehicles will not be the object of roadside control until the rules of applicability currently being developed have been propagated. However, the general requirements of subsections 1 and 3 of section 471 of the Highway Safety Code and the Transportation of Dangerous Substances Regulation continue to apply.

2. CARGO SECURING DEVICES INBOARD THE RUB RAILS

Section 15 of National Safety Code Standard 10 – Cargo Securement provides that the securing devices used on or within a vehicle shall, wherever practical, be located inboard the rub rails where the vehicle has rub rails. It has been agreed to postpone the application of this requirement to allow the industry to make the necessary modifications to the equipment used. However, it is strongly recommended to include all the securing devices inboard the rub rails when the vehicles and the components of the securing devices allow this. The outer part of a rub rail installed on a road vehicle may prove to be inadequate when it is used as an anchor point. Before using this part of a rub rail for such purposes, it is appropriate to consult the vehicle's manufacturer to ensure this accessory's effectiveness.

3. SECUREMENT OF BELL ENDS OF CONCRETE PIPES

Section 78 of National Safety Code Standard 10 – Cargo Securement provides, in particular, that bell pipes shall be loaded alternating on opposite sides of the vehicle. This principle of alternation may prove to be a problem in some situations due to certain characteristics of the pipes. When a heavy vehicle user is unable to comply with this principle, it must be ensured that all the male ends of the pipes loaded on the same side of the vehicle are raised by a chain section that increases the friction between the cargo items and the bed of the vehicle.

4. SECUREMENT OF ACCESSORY EQUIPMENT FOR TRANSPORT OF VEHICLES WITH AN INDIVIDUAL WEIGHT OF MORE THAN 4500 KG

Section 89 of National Safety Code Standard 10 – Cargo Securement provides, in particular, that accessory equipment on a heavy vehicle, including a hydraulic shovel, shall be completely lowered and secured to the vehicle. Heavy vehicle users do not have to conform to this requirement when:

- the accessory equipment can only move vertically;
- accessory equipment that can pivot, tilt or move sideways is blocked or immobilized by the transport vehicle's structure or by a blocking or securement mechanism built into the transported vehicle.

For more information concerning the cargo securement standards, you can visit the Ministère des Transports du Québec Web site at <http://www.mtq.gouv.qc.ca/> or call 1 888 355-0511.