

# Royal Gazette

Prince Edward Island

Postage paid in cash at First Class Rates

**PUBLISHED BY AUTHORITY**

**VOL. CXXXII - NO. 51**

**Charlottetown, Prince Edward Island, December 23, 2006**

**CANADA**

**PROVINCE OF PRINCE EDWARD ISLAND  
IN THE SUPREME COURT - ESTATES DIVISION**

TAKE NOTICE that all persons indebted to the following estates must make payment to the personal representative of the estates noted below, and that all persons having any demands upon the following estates must present such demands to the representative within six months of the date of the advertisement:

Estate of: Date of the Advertisement	Personal Representative: Executor/Executrix (Ex) Administrator/Administratrix (Ad)	Place of Payment
BONNELL, M. Lorne Murray River Kings Co., PE December 23rd, 2006 (51-12)*	Mark Bonnell Linda Love (EX.)	Cox Hanson O'Reilly Matheson PO Box 875 Charlottetown, PE
FOLEY, Dorothy Margaret Alberton Prince Co., PE December 23rd, 2006 (51-12)*	Nancy Butler (EX.)	Regena Kaye Russell Law Corporation PO Box 383 O'Leary, PE
FRIZZELL, Victor Howard Eldon Queens Co., PE December 23rd, 2006 (51-12)*	Blanche Diamond (EX.)	McInnes Cooper BDC Place Suite 620, 119 Kent Street Charlottetown, PE
GALLANT, Alvin (Joseph) Oyster Bed Bridge RR#10 Charlottetown Queens Co., PE December 23rd, 2006 (51-12)*	Elizabeth Marie (Betty) Francis Alvin Gallant (EX.)	Doucette T. Daniel Tweel PO Box 3160 Charlottetown, PE
GALLANT, Sylvain J. (Sr.) Stratford Queens Co., PE December 23rd, 2006 (51-12)*	Sylvain J. Gallant (Jr.) (EX.)	Catherine M Parkman Law Office PO Box 1056 Charlottetown, PE
LEDWELL, Adeline Marie Charlottetown	W. Mark Ledwell	Stewart McKelvey Stirling Scales Mary P. Ledwell (EX.) PO Box 2140

*\*Indicates date of first publication in the Royal Gazette.*

This is the **official** version of the Royal Gazette. The electronic version may be viewed at:

<http://www.gov.pe.ca/royalgazette>

**CANADA  
PROVINCE OF PRINCE EDWARD ISLAND  
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Estate of: Date of the Advertisement	Personal Representative: Executor/Executrix (Ex) Administrator/Administratrix (Ad)	Place of Payment
Queens Co., PE December 23rd, 2006 (51-12)* MacCAULL, Patterson Clark Eastern Passage Nova Scotia December 23rd, 2006 (51-12)*	Kathleen MacCaull (EX.)	Charlottetown, PE Ramsay & Clark PO Box 96 Summerside, PE
MacLEOD, Allan Daniel Charlottetown Queens Co., PE December 23rd, 2006 (51-12)*	Margaret Grace MacLeod (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
McCARTHY, Margaret Mary Seacow Pond Prince Co., PE December 23rd, 2006 (51-12)*	Robert McCarthy (EX.)	J. Allan Shaw Law Corporation PO Box 40 Alberton, PE
McINNIS, Louis Gerald Tignish Prince Co., PE December 23rd, 2006 (51-12)*	Marjorie McInnis (EX.)	Key McKnight & Maynard PO Box 1570 Summerside, PE
O'BRIEN, Raymond Kitchener Charlottetown Queens Co., PE December 23rd, 2006 (51-12)*	Leonard O'Brien (EX.)	Campbell Lea PO Box 429 Charlottetown, PE
FORD, Olga Ruby Ellerslie Prince Co., PE December 23rd, 2006 (51-12)*	Sandra Inman (AD.)	Patterson Palmer 82 Summer Street Summerside, PE
GALLANT, Brandon Lee Robert Summerside Prince Co., PE December 23rd, 2006 (51-12)*	Patricia Coles (AD.)	McLellan Brennan PO Box 35 Summerside, PE
HARVIE, Ernest Brae, Coleman RR#1 Prince Co., PE December 16th, 2006 (50-11)	Dianna Zwicker Dwayne Harvie (EX.)	Lyle & McCabe PO Box 300 Summerside, PE
CAMPBELL, Agnes Myrtle Maple Plains Prince Co., PE	Joseph Francis Campbell (EX.)	Patterson Palmer 82 Summer Street Summerside, PE

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Estate of: Date of the Advertisement	Personal Representative: Executor/Executrix (Ex) Administrator/Administratrix (Ad)	Place of Payment
December 9th, 2006 (49-10)		
HOGAN, Ada Mabel Halifax Halifax Co., NS December 9th, 2006 (49-10)	Mary Anne Bohaker (EX.)	Law Office of Alfred K. Fraser, QC PO Box 516 Montague, PE
JOHNSTON, Margaret Jean Summerside Prince Co., PE December 9th, 2006 (49-10)	Sally Jean Rankin (EX.)	Donald Schurman 155A Arcona Street Summerside, PE
MacMILLAN, Lloyd William Bradford West Gwillimbury Simcoe Co., ON December 9th, 2006 (49-10)	Whilma Dianne Guyett Franklyn William MacMillan (EX.)	Paul J. D. Mullin, QC 14 Great George Street Charlottetown, PE
McCARTHY, Jon Paul Woburn, Middlesex County Massachusetts, USA December 9th, 2006 (49-10)	Jane M. McCarthy (EX.)	Patterson Palmer PO Box 486 Charlottetown, PE
PENNOCK, John C. Brewster Massachusetts, USA December 9th, 2006 (49-10)	Laurie Tierney Vatcher William B. Pennock (EX.)	Campbell Lea PO Box 429 Charlottetown, PE
REDMOND, Lorn Edward Charlottetown Queens Co., PE December 9th, 2006 (49-10)	Daniel Redmond (EX.)	Philip Mullally Law Office PO Box 2560 Charlottetown, PE
AHLERING, Erich Friedrich Otto Bremen Germany December 9th, 2006 (49-10)	Frank Ahlering (AD.)	T. Daniel Tweel 105 Kent Street Charlottetown, PE
MARTENS, Irma Alice Charlottetown Queens Co., PE December 9th, 2006 (49-10)	Angela Ross (AD.)	Catherine M. Parkman Law Office PO Box 1056 Charlottetown, PE
DesROCHES, James Edward Summerside Prince Co., PE	Rachel Parise (EX.)	Patterson Palmer 82 Summer Street Summerside, PE

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Estate of: Date of the Advertisement	Personal Representative: Executor/Executrix (Ex) Administrator/Administratrix (Ad)	Place of Payment
December 2nd, 2006 (48-09)		
GALLANT, Virginia Elvira Charlottetown Queens Co., PE December 2nd, 2006 (48-09)	Frances Williams (EX.)	)Philip Mullally Law Office PO Box 2560 Charlottetown, PE
MILLER, Elaine Edna June (also known as Elaine E. J. Miller-Gibson) Cavendish Queens Co., PE December 2nd, 2006 (48-09)	Melanie M. E. Gibson-Smith (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
RIOUX, Thomas Raymond Summerside Prince Co., PE December 2nd, 2006 (48-09)	Carl Rioux (EX.)	McInnes Cooper BDC Place Suite 620, 119 Kent Street Charlottetown, PE
MICHAEL, Helen J. Charlottetown Queens Co., PE December 2nd, 2006 (48-09)	Paul D. Michael Philip J. Michael (AD.)	Campbell Lea PO Box 429 Charlottetown, PE
DYMENT, Milton Gerald Summerside Prince Co., PE November 25th, 2006 (47-08)	John Milton Dymont Margaret Ann Dymont Gary L. Cook (EX.)	Key McKnight & Maynard PO Box 1570 Summerside, PE
HUGHES, John Walter Norboro Prince Co., PE November 25th, 2006 (47-08)	Sheila Inez Noonan (AD.)	Ramsay & Clark PO Box 96 Summerside, PE
CAMPBELL, Mary Theresa Souris (Formerly of Annandale) Kings Co., PE November 18th, 2006 (46-07)	Helen Miller MacKenzie (EX.)	Allen J. MacPhee Law Corporation PO Box 238 Souris, PE
CARMICHAEL, Mabel Patricia Albany Prince Co., PE November 18th, 2006 (46-07)	Ronald Carmichael Michael Carmichael (EX.)	The Law Office of Kathleen Loo Craig PO Box 11 Summerside, PE

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Estate of: Date of the Advertisement	Personal Representative: Executor/Executrix (Ex) Administrator/Administratrix (Ad)	Place of Payment
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McCABE, Eugene Clifford Charlottetown Queens Co., PE November 18th, 2006 (46-07)	Joan Elizabeth McClintick (AD.)	Robert R. MacArthur PO Box 127 Cornwall, PE
WALSH, Douglas Hope Summerside Prince Co., PE November 18th, 2006 (46-07)	John Walsh (AD.)	Campbell Stewart PO Box 485 Charlottetown, PE
BELL, Clyde Daniel Charlottetown Queens Co., PE November 11th, 2006 (45-06)	Michael O'Brien (EX.)	McInnes Cooper BDC Place Suite 620, 119 Kent Street Charlottetown, PE
CARRUTHERS, Elizabeth R. Summerside Prince Co., PE November 11th, 2006 (45-06)	Ralph S. Carruthers Isabel R. Smith (EX.)	Ralph S. Carruthers 112 Highview Road North Bedeque, PE
DENHAM, Laura Mae Kilmuir, Montague RR#1 Kings Co., PE November 11th, 2006 (45-06)	Debbie Denham (EX.)	Debbie Denham 24 Thorndale Ave. Charlottetown, PE
GALLANT, Joseph Wallace Oyster Bed Bridge Queens Co., PE November 11th, 2006 (45-06)	Joseph Brian Gallant (EX.)	Philip Mullally Law Office PO Box 2560 Charlottetown, PE
MacPHEE, Leo K. Charlottetown Queens Co., PE & Chepstow, Kings Co., PE November 11th, 2006 (45-06)	James MacPhee (EX.)	Law Office of Alfred K. Fraser, QC PO Box 516 Montague, PE
MacKINNON, John Murdock Forest Hill Kings Co., PE November 11th, 2006 (45-06)	Eldon MacKinnon (AD.)	Campbell Lea PO Box 429 Charlottetown, PE
RIPLEY, Christopher Scott Charlottetown Queens Co., PE November 11th, 2006 (45-06)	Jan M. Ripley (AD.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE

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GIGGEY, Ethel Teresa Pearl Charlottetown Queens Co., PE November 4th, 2006 (44-05)	William Giggey Edward McQuaid (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
HEWITT, Sarah Margaret Adele Whitby Ontario November 4th, 2006 (44-05)	Lawrence Arthur Hewitt (EX.)	Stewart McKelvey Stirling Scales PO Box 2140 Charlottetown, PE
MacKAY, John Wellington Charlottetown Queens Co., PE November 4th, 2006 (44-05)	G. Barry Beers (EX.)	Stewart McKelvey Stirling Scales PO Box 2140 Charlottetown, PE
NAVES, Alice Mary (Keith) (also known as Alice Mary Callbeck) Stratford Queens Co., PE November 4th, 2006 (44-05)	Robert L. Naves (EX.)	Stewart McKelvey Stirling Scales PO Box 2140 Charlottetown, PE
POIRIER, Marie Margaret Irene Summerside Prince Co., PE November 4th, 2006 (44-05)	Joanne Mullins (EX.)	Robert McNeill 251 Water Street Summerside, PE
ROSS, Donald B. Pinette/Belfast Queens Co., PE November 4th, 2006 (44-05)	Brenton Ross (EX.)	Crane & Hornby 20 Water Street Parkway Charlottetown, PE
STANLEY, Carole Marie Patricia Summerside Prince Co., PE November 4th, 2006 (44-05)	David A. Stanley (EX.)	Campbell Stewart PO Box 485 Charlottetown, PE
SUTHERLAND, John P. Goose River Kings Co., PE November 4th, 2006 (44-05)	Angela Johnston (AD.)	Birt & McNeill 138 St. Peters Road Charlottetown, PE
WEDGE, Linus Everett Ebbsfleet Prince Co., PE November 4th, 2006 (44-05)	Donna Gaudet (AD.)	J. Allan Shaw Law Corporation PO Box 40 Alberton, PE

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YUILL, Donald Peter O'Leary Prince Co., PE November 4th, 2006 (44-05)	Isabel Yuill (AD.)	Key McKnight & Maynard PO Box 177 O'Leary, PE
MacKAY, Ida Margaret Mount Stewart Queens Co., PE October 28th, 2006 (43-04)	Margaret McLennan Marion Clark (EX.)	Cox Hanson O'Reilly Matheson PO Box 875 Charlottetown, PE
PAGE, Norma I. Summerside Prince Co., PE October 28th, 2006 (43-04)	Michael Sullivan (EX.)	McLellan Brennan PO Box 35 Summerside, PE
TOWNSHEND, Donald Michael Little York Queens Co., PE October 28th, 2006 (43-04)	Rosemary Dianne Townshend Mark Townshend (EX.)	Cox Hanson O'Reilly Matheson PO Box 875 Charlottetown, PE
WHITE, Norah Elizabeth Vankleek Hill Ontario October 28th, 2006 (43-04)	Ralph Stanley White (EX.)	Patterson Palmer PO Box 486 Charlottetown, PE
BRENNAN, Raymond Elmsdale Prince Co., PE October 21st, 2006 (42-03)	Jean Rennie Lulu McAssey (EX.)	J. Allan Shaw Law Corporation PO Box 40 Alberton, PE
GALLANT, Irene M. Tignish Prince Co., PE October 21st, 2006 (42-03)	Percy Fennessey (EX.)	J. Allan Shaw Law Corporation PO Box 40 Alberton, PE
HICKEY, J. Ira Moncton County of Westmorland, NB October 21st, 2006 (42-03)	Helen Catharine MacDonald Mary Irene Anderson (EX.)	McInnes Cooper BDC Place Suite 620, 119 Kent Street Charlottetown, PE
KIRCHNER, Gloria L. Point Pleasant Beach Ocean County New Jersey, USA	Ronald B. Doran (EX.)	Law Office of Alfred K. Fraser, QC PO Box 516 Montague, PE



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October 21st, 2006 (42-03) MacLEAN, Miller Charlottetown Queens Co., PE October 21st, 2006 (42-03)	Lillian MacLean Sharon McGuigan (EX.)	McInnes Cooper BDC Place Suite 620, 119 Kent Street Charlottetown, PE
MURPHY, Elmer Martin Millvale Queens Co., PE October 21st, 2006 (42-03)	Addie Marion Murphy (EX.)	McInnes Cooper BDC Place Suite 620, 119 Kent Street Charlottetown, PE
YKELENSTAM, Priscilla Irene Bailey Charlottetown Queens Co., PE October 21st, 2006 (42-03)	Barry Stephen Ykelenstam (EX.)	Reagh & Reagh 17 West Street Charlottetown, PE
DOUGLAS, Bertha Eleanor Crapaud Prince Co., PE October 14th, 2006 (41-02)	Alfreda Debra Ann Ramsay (EX.)	Ramsay & Clark PO Box 96 Summerside, PE
GAITE, Alice Carlene Charlottetown Queens Co., PE October 14th, 2006 (41-02)	David Gaité (EX.)	Birt & McNeill 138 St. Peters Road Charlottetown, PE
GALLANT, Mary Irene Bedeque Prince Co., PE October 7th, 2006 (40-01)	Anna May Gallant (EX.)	The Law Office of Kathleen Loo Craig PO Box 11 Summerside, PE
MacDONALD, Bertha Charlottetown Queens Co., PE October 7th, 2006 (40-01)	Gordon MacDonald (EX.)	Philip Mullally Law Office PO Box 2560 Charlottetown, PE
MacDONALD, Carmen Loretta Murray Harbour Kings Co., PE October 7th, 2006 (40-01)	Leroy Murray MacDonald (EX.)	Law Office of Alfred K. Fraser, QC PO Box 516 Montague, PE
MacDONALD, M. Isabel Charlottetown Queens Co., PE	Frank MacDonald (EX.)	Campbell Stewart PO Box 485 Charlottetown, PE

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October 7th, 2006 (40-01) MacKAY, Ruby Milo Prince Co., PE October 7th, 2006 (40-01)	Kenneth MacKay (EX.)	Key McKnight & Maynard PO Box 177 O'Leary, PE
MacLEAN, Edith A. (also known as Annie Edith MacLean) Charlottetown Queens Co., PE October 7th, 2006 (40-01)	David G. MacLean (EX.)	Stewart McKelvey Stirling Scales PO Box 2140 Charlottetown, PE
SCALES, John Henry Stratford Queens Co., PE October 7th, 2006 (40-01)	Austin Scales Alan K. Scales, QC (EX.)	Stewart McKelvey Stirling Scales PO Box 2140 Charlottetown, PE
FAY, Alfred Nicholas Abney Kings Co., PE October 7th, 2006 (40-01)	Judy Fay (AD.)	Law Office of Alfred K. Fraser, QC PO Box 516 Montague, PE
BISHOP, Lillian D Waite Sherbrooke Prince Co., PE September 30th, 2006 (39-52)	Grant Bernard Barbara Waite (EX.)	Ramsay & Clark PO Box 96 Summerside, PE
MURRAY, Joseph Eric Borden-Carleton Prince Co., PE September 30th, 2006 (39-52)	Dale Murray (EX.)	Patterson Palmer 82 Summer Street Summerside, PE
SMITH, Carl John Henry Kelvin Grove Prince Co., PE September 30th, 2006 (39-52)	Gordon Merton Smith Blair Maltby (EX.)	Ramsay & Clark PO Box 96 Summerside, PE
BOUCHER, Heather Rolla Linkletter Road Prince Co., PE September 30th, 2006 (39-52)	David Joseph Boucher (AD.)	Key McKnight & Maynard PO Box 1570 Summerside, PE
CARLETON, Kenneth Ross Charlottetown Queens Co., PE	Elizabeth Fast (AD.)	Birt & McNeill 138 St. Peters Road Sherwood, PE

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September 30th, 2006 (39-52)		
CRAWFORD, Beatrice E. Cherry Hill Kings Co., PE September 23rd, 2006 (38-51)	L. Wayne Cameron Joan M. Cameron (EX.)	Campbell Lea PO Box 429 Charlottetown, PE
LESLIE, Alexander Francis Stratford Queens Co., PE September 23rd, 2006 (38-51)	Norman Christopher Gerard MacDonald (EX.)	Cox Hanson O'Reilly Matheson PO Box 875 Charlottetown, PE
MURRAY, Edith Alberta North Carleton Prince Co., PE September 23rd, 2006 (38-51)	George Earl Murray (EX.)	Ramsay & Clark PO Box 96 Summerside, PE
JACKSON, Charles Leslie Halifax Nova Scotia September 16th, 2006 (37-50)	Lesley Ann Charlton (EX.)	Patterson Palmer PO Box 486 Summerside, PE
KENNEDY, Georgie Glenn Kensington Prince Co., PE September 16th, 2006 (37-50)	Shirley Veinot (EX.)	Ramsay & Clark PO Box 96 Summerside, PE
MacDONALD, Alfred A. Souris Kings Co., PE September 16th, 2006 (37-50)	James MacDonald (EX.)	Allen J. MacPhee Law Corporation PO Box 238 Souris, PE
MacRAE, Alexander Ross Mount Buchanan Queens Co., PE September 16th, 2006 (37-50)	Doris I. MacRae (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
McINNIS, Teresa Anastasia Beverly, Essex County Massachusetts, USA September 16th, 2006 (37-50)	Joan Ryan (EX.)	Birt & McNeill 138 St. Peters Road Charlottetown, PE
McISAAC, Dr. Clifford Joseph Guelph Ontario	Marie Theodora McIsaac (EX.)	Stewart McKelvey Stirling Scales PO Box 2140 Charlottetown, PE

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September 16th, 2006 (37-50)		
TROWSDALE, Joan Anita Charlottetown Queens Co., PE September 16th, 2006 (37-50)	Heather Isabelle MacDonald Keir Douglas MacLeod (EX.)	Reagh & Reagh 17 West Street Charlottetown, PE
ARSENAULT, Olive Ellen Summerside Prince Co., PE September 16th, 2006 (37-50)	Robin Roberta Lee Arsenault (AD.)	Ramsay & Clark PO Box 96 Summerside, PE
BLANCHARD, Patricia Anne Charlottetown Queens Co., PE September 16th, 2006 (37-50)	Owen G. Aylward (AD.)	Paul J. D. Mullin, QC 14 Great George Street Charlottetown, PE
KELLY, John David Kensington Prince Co., PE September 16th, 2006 (37-50)	John David Kelly (AD.)	Ramsay & Clark PO Box 96 Summerside, PE
YOUNKER, Douglas Lyle North Wiltshire Queens Co., PE September 16th, 2006 (37-50)	Mary Elvira Younker (AD.)	Birt & McNeill 138 St. Peters Road Sherwood, PE

The following order was approved by Her Honour the Lieutenant Governor in Council dated 12 December 2006.

**EC2006-716****POWER ENGINEERS ACT  
BOARD OF EXAMINERS  
APPOINTMENTS**

Pursuant to section 4 of the *Power Engineers Act* R.S.P.E.I. 1988, Cap. P-15, Council made the following appointments:

<b>NAME</b>	<b>TERM OF APPOINTMENT</b>
as chairperson and examiner via subsections 4(2) and 5(1)	
Kenneth Hynes Stratford (reappointed)	23 October 2006 to 23 October 2011
as members (first class license)	
Miller West Stratford (reappointed)	23 October 2006 to 23 October 2011
David Wonnacott Charlottetown (reappointed)	23 October 2006 to 23 October 2011
as members (second class license)	
Lorne Cannon Charlottetown (vice Brian Peardon, term expired)	12 December 2006 to 23 October 2011
Douglas Watts Charlottetown (reappointed)	23 October 2006 to 23 October 2011

Signed,

W. Alexander (Sandy) Stewart  
Clerk of the Executive Council

**NOTICE OF CHANGE  
OF CORPORATE NAME**

Companies Act  
R.S.P.E.I. 1988, CAP. C-14, S. 81.1

Public Notice is hereby given that under the Companies Act the following corporation has changed its corporate name:

Former Name  
D & M RICHARDSON INC.  
New Name  
D. RICHARDSON INC.  
Effective Date: December 12, 2006  
51

**NOTICE OF DISSOLUTION**

Partnership Act  
R.S.P.E.I. 1988, Cap. P-1

Public Notice is hereby given that a Notice of Dissolution has been filed under the Partnership Act for each of the following:

Name: COMFORT INN BY JOURNEY'S  
END - CHARLOTTETOWN  
Owner: InnVest Properties Corp.  
Registration Date: December 15, 2006

Name: FIRST CUP  
Owner: BMA HOLDINGS INC.  
Registration Date: December 15, 2006

Name: MIKE'S REBUILDERS  
Owner: Michael Wilson  
Registration Date: December 15, 2006

Name: MOM'S DINER  
Owner: Florence MacPherson  
Natalie Whiteway  
Registration Date: December 15, 2006

Name: WEEKS' QUALITY FARM  
SUPPLIES  
Owner: Evelyn Marion Weeks  
Registration Date: December 11, 2006  
51

**NOTICE OF GRANTING  
LETTERS PATENT**

Companies Act  
R.S.P.E.I. 1988, Cap. C-14, s.11

Public Notice is hereby given that under the Companies Act Letters Patent have been issued by the Minister to the following:

Name: 100828 P.E.I. INC.  
7 Westwood Crescent  
Charlottetown, PE C1A 8X4  
Incorporation Date: December 14, 2006

Name: BUREAU FOR INTERNATIONAL  
DEVELOPMENT OF CANADA  
INC.  
Suite 204  
75 Fitzroy Street  
Charlottetown, PE C1A 1R6  
Incorporation Date: December 15, 2006

Name: CASSIALANE HOLSTEINS LTD.  
Freetown, PE C0B 1L0  
Incorporation Date: December 15, 2006

Name: CHILD AND YOUTH CARE  
ASSOCIATION OF PRINCE  
EDWARD ISLAND INC.  
65 Grafton Street  
Charlottetown, PE C1A 1K8  
Incorporation Date: December 11, 2006

Name: MACINTOSH HOLDINGS INC.  
98 Water Street  
Summerside, PE C1N 4N6  
Incorporation Date: December 18, 2006

Name: MIDDLETON FARMS LTD.  
Middleton  
RR 1  
Kinkora, PE C0B 1N0  
Incorporation Date: December 13, 2006

Name: MIKES REBUILDERS LTD.  
381 McNeills Mills  
Ellerslie RR, PE C0B 1J0  
Incorporation Date: December 15, 2006

Name: MURPHY'S PHARMACIES  
(COMPOUNDING) INC.  
24 St. Peters's Road  
Charlottetown, PE C1A 5N4  
Incorporation Date: December 14, 2006

Name: P.B. HOLDINGS INC.  
692 Aldous Road  
Bayside, R R # 1  
Richmond, PE C0B 1Y0  
Incorporation Date: December 11, 2006

Name: P.E.I. CONTROL CABINETS LTD.  
Box 19205  
39 Milton Poole Crt.  
Cardigan RR 6, PE C0A 1G0  
Incorporation Date: December 15, 2006

Name: PETE'S HEARTH & STOVE  
CENTRE INC.  
250 Water Street  
Summerside, PE C1N 1B6  
Incorporation Date: December 11, 2006

Name: PLEASANT VALLEY HOLDINGS  
COMPANY LTD.  
116 Junction Road  
Elliot  
Hunter River RR 4, PE C0A 1N0  
Incorporation Date: December 11, 2006

Name: SKYLANE FARM LTD.  
Long River  
R R # 2  
Kensington, PE C0B 1M0  
Incorporation Date: December 12, 2006

Name: WEEKS' QUALITY FARM  
SUPPLIES INC.  
116 Junction Road  
Elliot  
Hunter River RR 4, PE C0A 1N0  
Incorporation Date: December 11, 2006  
51

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**NOTICE OF GRANTING  
SUPPLEMENTARY LETTERS PATENT**

Companies Act  
R.S.P.E.I. 1988, Cap. C-14, s.18, s.3

Public Notice is hereby given that under the Companies Act supplementary letters patent have been issued by the Minister to the following:

Name: P.E.I. - H.K. INVESTMENTS INC.  
Purpose To increase the authorized capital.  
Effective Date: December 15, 2006

Name: PETER MALLARD CARPENTRY  
LTD.  
Purpose To increase and vary the capital stock.  
Effective Date: December 05, 2006  
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**NOTICE OF REGISTRATION**

Partnership Act  
R.S.P.E.I. 1988, Cap. P-1, s.52 and s.54(1)

Public Notice is hereby given that the following Declarations have been filed under the Partnership Act:

Name: NATURA MEDICA  
Owner: FORTIUS CANADA INC.  
45 Maple Hills Avenue  
Charlottetown, PE C1C 1P5  
Registration Date: December 11, 2006

Name: MAISON DOMAINE D'OR  
Owner: ANDREW PELLER  
LIMITED/ANDREW PELLER  
LIMITÉE  
297 South Service Road  
Grimsby, ON L3M 4E8  
Registration Date: November 29, 2006

Name: BEAU CHATEL WINES  
Owner: ANDREW PELLER  
LIMITED/ANDREW PELLER  
LIMITÉE  
297 South Service Road  
Grimsby, ON L3M 4E8  
Registration Date: November 29, 2006

Name: ATLANTIC MOBILITY  
PRODUCTS  
Owner: ATLANTIC MOBILITY  
PRODUCTS, LIMITED  
PARTNERSHIP  
1505 Barrington Street  
11 North Maritime Centre  
Halifax, NS B3J 2W3  
Registration Date: December 08, 2006

Name: FAMILIES FIRST  
Owner: VOICES FOR CHILDREN  
COALITION, INC.  
Box 133  
Montague, PE C0A 1R0  
Registration Date: December 08, 2006

Name: VOLVO CAR FINANCIAL  
SERVICES LEASING  
Owner: CANADIAN ROAD LEASING  
COMPANY/COMPAGNIE DE  
LOCATION CANADIAN ROAD  
1959 Upper Water Street  
Suite 900  
Halifax, NS B3J 3N2  
Registration Date: December 15, 2006

Name: VOLVO CAR FINANCIAL  
SERVICES CANADA LEASING  
Owner: CANADIAN ROAD LEASING  
COMPANY/COMPAGNIE DE  
LOCATION CANADIAN ROAD  
1959 Upper Water Street  
Suite 900  
Halifax, NS B3J 3N2  
Registration Date: December 15, 2006

Name: MAZDA CANADA CREDIT  
LEASING  
Owner: CANADIAN ROAD LEASING  
COMPANY/COMPAGNIE DE  
LOCATION CANADIAN ROAD  
1959 Upper Water Street  
Suite 900  
Halifax, NS B3J 3N2  
Registration Date: December 15, 2006

Name: LAND ROVER FINANCIAL  
SERVICES LEASING  
Owner: CANADIAN ROAD LEASING  
COMPANY/COMPAGNIE DE  
LOCATION CANADIAN ROAD  
1959 Upper Water Street  
Suite 900  
Halifax, NS B3J 3N2  
Registration Date: December 15, 2006

Name: JAGUAR CREDIT CANADA  
LEASING  
Owner: CANADIAN ROAD LEASING  
COMPANY/COMPAGNIE DE  
LOCATION CANADIAN ROAD  
1959 Upper Water Street  
Suite 304  
Halifax, NS B3J 3N2  
Registration Date: December 15, 2006

Name: FORD CREDIT CANADA  
LEASING  
Owner: CANADIAN ROAD LEASING  
COMPANY/COMPAGNIE DE  
LOCATION CANADIAN ROAD  
1959 Upper Water Street  
Suite 900  
Halifax, NS B3J 3N2  
Registration Date: December 15, 2006

Name: ROUNDPETAL WINES  
Owner: ANDREW PELLER  
LIMITED/ANDREW PELLER  
LIMITÉE  
297 South Service Road  
Grimsby, ON L3M 4E8  
Registration Date: December 15, 2006

Name: ANDRÉS WINES  
Owner: ANDREW PELLER  
LIMITED/ANDREW PELLER  
LIMITÉE  
297 South Service Road  
Grimsby, ON L3M 4E8  
Registration Date: December 15, 2006

Name: EXTREME ROAD TRIPS  
Owner: Ashley-Jean Crabbe  
348 Queen Street  
Charlottetown, PE C1A 4C6  
Registration Date: December 13, 2006

Name: FIRST CUP  
Owner: Cheryl Richard  
13 Shamrock Crescent  
Box 64  
Kinkora, PE C0B 1N0  
Owner: Fay O'Brien  
513 Mill Road  
Kensington, PE C0B 1M0  
Registration Date: December 15, 2006

Name: MONTGOMERY HOLDINGS  
Owner: Floyd Gray  
247 Royalty Road  
Charlottetown, PE C1E 1Z4  
Owner: Anita Gray  
247 Royalty Road  
Charlottetown, PE C1E 1Z4  
Registration Date: December 18, 2006



Name: OCEAN DREAM LUXURY BEACH  
HOUSE  
Owner: Dennis Heller  
426 Cablehead Road  
St. Peter's, PE C0A 2A0  
Owner: Edward Heller  
426 Cablehead Road  
St. Peter's, PE C0A 2A0  
Registration Date: December 14, 2006

Name: PANDA DIRECT CANADA  
Owner: James Wood  
45 Celtic Lane  
Stratford, PE C1B 1L2  
Registration Date: December 15, 2006

Name: THE BUSHWHACKER  
LANDSCAPING  
Owner: Jon Cantelo  
59 Glencove Drive  
Stratford, PE C1B 1Y2  
Registration Date: December 14, 2006

Name: THE EMPLOYMENT JOURNEY  
Owner: Gloria Welton  
Box 8816  
Yorkdale Estates  
York, PE C0A 1P0  
Registration Date: December 12, 2006

Name: WOLF PROPERTY  
MANAGEMENT SERVICES  
Owner: Peter R. McAleer  
154 Malpeque Road  
Rte. 20  
Kensington, PE C0B 1M0  
Registration Date: December 12, 2006  
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**NOTICE OF APPLICATION FOR  
LEAVE TO SURRENDER CHARTER**

**ASSOCIATED VENTURES LTD.**, a body corporate, duly incorporated under the laws of the Province of Prince Edward Island, hereby gives notice pursuant to Part II of the Companies Act of the Province of Prince Edward Island, R.S.P.E.I. 1988, Cap. C-14, that it intends to make application to the Director of Corporations, Office of the Attorney General, for leave to surrender the Charter of the said Company.

DATED at Charlottetown, in Queens County, in the Province of Prince Edward Island, this 30<sup>th</sup> day of November, 2006.

**Scott E. Campbell**  
**Solicitor for the Applicant**  
**CAMPBELL, STEWART**  
**Barristers and Solicitors**

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**NOTICE OF APPLICATION FOR  
LEAVE TO SURRENDER CHARTER**

**TAKE NOTICE** that Milligan's Apple Stand Ltd., a body corporate, duly incorporated under the Companies Act of the Province of Prince Edward Island and having its head office at Miscouche, Prince Edward Island, intends to apply to the Director of Corporations, Office of the Attorney General, under section 74 of the Companies Act, R.S.P.E.I. 1988, Cap. C-14 for leave to surrender its Charter, as and from a date to be fixed.

**DATED** at Summerside, Prince Edward Island, this 11<sup>th</sup> day of December, 2006.

**JOHN L. RAMSAY, Q.C.**  
Solicitor for Milligan's Apple Stand Ltd.

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**NOTICE OF APPLICATION FOR  
LEAVE TO SURRENDER CHARTER**

RRH HOLDINGS INC., a body corporate, duly incorporated under the laws of the Province of Prince Edward Island, hereby gives notice pursuant to the Companies Act of the Province of Prince Edward Island, R.S.P.E.I. 1988, Cap. C-14, that it intends to make application to the Director of Consumer, Corporate and Insurance Services, Office of the Attorney General, for leave to surrender the Charter of the said Company.  
DATED at Charlottetown in Queens County, this 13<sup>th</sup> day of December, 2006.

Paul M. Kiley  
Solicitor for the Applicant  
Stewart McKelvey  
Barristers and Solicitors

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**NOTICE OF INTENTION TO  
DISCONTINUE**

PUBLIC NOTICE is hereby given that Hayes Developments Ltd., a body corporate, duly incorporated under the laws of Prince Edward Island, intends to make application to continue as a corporation under the laws of Nova Scotia as if it had been incorporated under the laws of that jurisdiction and to discontinue as a company pursuant to the provisions of the *Companies Act* of Prince Edward Island.

Dated this 20<sup>th</sup> day of December A.D., 2006.

**Robert I. S. MacGregor  
McInnes Cooper  
Solicitor for the Applicant**

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**NOTICE  
CHANGE OF NAME**

Be advised that a name change under the *Change of Name Act* S.P.E.I. 1997, C-59 was granted as follows:

Former Name: **Shannon Delilah Moore**

Address: 1570 Kilmuir Rd.  
Kilmuir, PE C0A 1R0

Present Name: **Shannon Delilah Bourgeois**  
December 7, 2006

T.A. Johnston  
Director of Vital Statistics

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**NOTICE  
CHANGE OF NAME**

Be advised that a name change under the *Change of Name Act* S.P.E.I. 1997, C-59 was granted as follows:

Former Name: **Joshua Eli Simmons**

Address: 72 West Dr.  
Summerside, PE C1N 4E6

Present Name: **Joshua Eli Waite**  
December 11, 2006

T.A. Johnston  
Director of Vital Statistics

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The ROYAL GAZETTE is issued every Saturday from the office of Michael Fagan, Queen's Printer, PO Box 2000, Charlottetown, PEI C1A 7N8. All copy must be received by the Tuesday preceding day of publication. The subscription rate is \$55.00 per annum, postpaid; single copies are \$2.00 each, postpaid or \$1.00 each, over the counter.

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**PART II**  
**REGULATIONS**

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**EC2006-713**

**HIGHWAY TRAFFIC ACT**  
**COMMERCIAL VEHICLE DRIVERS HOURS OF SERVICE**  
**REGULATIONS**

(Approved by Her Honour the Lieutenant Governor in Council dated 12 December 2006.)

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

- |                                                                                                                                                                                                                                                                                                                                                                                            |                                    |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|
| <b>1.</b> In these regulations                                                                                                                                                                                                                                                                                                                                                             | Definitions                        |
| (a) “Act” means the <i>Highway Traffic Act</i> R.S.P.E.I. 1988, Cap. H-5;                                                                                                                                                                                                                                                                                                                  | Act                                |
| (b) “ <i>Emergencies Act</i> ” means the <i>Emergencies Act</i> (Canada);                                                                                                                                                                                                                                                                                                                  | <i>Emergencies Act</i>             |
| (c) “Federal Act” means the <i>Motor Vehicle Transport Act</i> (Canada);                                                                                                                                                                                                                                                                                                                   | Federal Act                        |
| (d) “Federal Regulations” means the Commercial Vehicle Drivers Hours of Service Regulations, as set out in the Schedule to these regulations;                                                                                                                                                                                                                                              | Federal Regulations                |
| (e) “Minister” means the Minister of Transport for Canada but in any provision of the Federal Regulations that applies for the purposes of these regulations, a reference to the Minister shall be read and construed as a reference to the Minister of Transportation and Public Works.                                                                                                   | Minister                           |
| <br><b>2.</b> (1) Subject to subsection (2), the English component of the Federal Regulations, as made under the Federal Act and as amended from time to time, is hereby adopted for the purposes of the Act, with the necessary changes, in respect of the hours of service therein prescribed for drivers of commercial vehicles employed or engaged in extra-provincial transportation. | Application of Federal Regulations |
| (2) The definition of “commercial vehicle” in clause 1(c) of the Federal Regulations is not adopted for the purposes of the Act.                                                                                                                                                                                                                                                           | Definition not adopted             |
| <br><b>3.</b> For the purposes of these regulations, the provisions of the Federal Regulations shall be construed as if each reference to                                                                                                                                                                                                                                                  | Interpretation                     |
| (a) “commercial vehicle” has the meaning defined in the Act;                                                                                                                                                                                                                                                                                                                               | commercial vehicle                 |
| (b) “director” or “provincial director” includes the “Director” as defined in clause 1(d.3) of the Act;                                                                                                                                                                                                                                                                                    | director or provincial director    |
| (c) “driver” includes a “driver” as defined in clause 1(e) of the Act;                                                                                                                                                                                                                                                                                                                     | driver                             |

<i>Emergencies Act</i>	(d) “ <i>Emergencies Act</i> ” includes the <i>Emergency Measures Act</i> R.S.P.E.I. 1988, Cap. E-6.1;
emergency vehicle	(e) “emergency vehicle” includes an “emergency vehicle” as defined in clause 1(e.2) of the Act;
inspector	(f) “inspector” includes an “inspector” as defined in clause 1(h.3) of the Act;
motor-carrier	(g) “motor-carrier” includes a “carrier” as defined in clause 142(a) of the Act.
Application	<b>4.</b> (1) No carrier shall permit a driver to operate a commercial vehicle on a highway for the carrier unless the driver does so in accordance with the Federal Regulations, as outlined in the Schedule to these regulations.
Exception	(2) Notwithstanding subsection (1), the Minister may, in writing, exempt a carrier or a driver of a commercial vehicle, a specified group of carriers or drivers of commercial vehicles, or specified services from all or a part of these regulations.
Revocation	<b>5.</b> The Commercial Vehicle Drivers (Hours of Work) Regulations (EC226/89) are revoked.
Commencement	<b>6.</b> These regulations come into force on January 1, 2007.

## SCHEDULE

### COMMERCIAL VEHICLE DRIVERS HOURS OF SERVICE REGULATIONS

#### INTERPRETATION

Definitions	<b>1.</b> In these regulations
adverse driving conditions	(a) “adverse driving conditions” means snow, sleet, fog or other adverse weather or road conditions that were not known to a driver or a motor carrier dispatching a driver immediately before the driver began driving or could not reasonably have been known to them;
co-driver	(b) “co-driver” means a person who is present in a commercial vehicle because of having been, or being about to be, its driver;
	(c) [not adopted]
cycle	(d) “cycle” means <ul style="list-style-type: none"> <li>(i) cycle 1, under which on-duty time is accumulated over a period of 7 days, and</li> <li>(ii) cycle 2, under which on-duty time is accumulated over a period of 14 days;</li> </ul>

- (e) “daily log” means a record in the form set out in Schedule 2 containing the information required by section 82; daily log
- (f) “day”, in respect of a driver, means a 24-hour period that begins at the hour designated by the motor carrier for the duration of the driver’s cycle; day
- (g) “director” means a federal director or a provincial director; director
- (h) “driver” driver
- (i) means a person who operates a commercial vehicle,  
(ii) means, in respect of a motor carrier, a person employed or otherwise engaged by the motor carrier to operate a commercial vehicle, including a self-employed driver, and  
(iii) for the purposes of section 98, includes a co-driver;
- (i) “duty status” means any of the following periods: duty status
- (i) off-duty time, other than time spent in a sleeper berth,  
(ii) off-duty time spent in a sleeper berth,  
(iii) driving time, or  
(iv) on-duty time, other than driving time;
- (j) “electronic recording device” means an electric, electronic or telematic device that is installed in a commercial vehicle and is capable of accurately recording, in accordance with section 83, each period of duty status, in whole or in part; electronic recording device
- (k) “emergency vehicle” means a fire-fighting vehicle, ambulance, police vehicle or other vehicle that is used for emergency purposes; emergency vehicle
- (l) “federal director” means an official of the Road Safety and Motor Vehicle Regulation Directorate of the federal Department of Transport; federal director
- (m) “home terminal” means the place of business of a motor carrier at which a driver ordinarily reports for work and, for the purposes of sections 80 to 82 and Schedule 2, includes a temporary work site designated by the motor carrier; home terminal
- (n) “inspector” means inspector
- (i) a person designated under subsection 3(2), or  
(ii) a peace officer within the meaning of section 2 of the *Criminal Code*;
- (o) “motor-carrier” means a person who is engaged in the operation of an extra-provincial bus undertaking or an extra-provincial truck undertaking; motor-carrier
- (p) “off-duty time” means any period other than on-duty time; off-duty time
- (q) “oil well service vehicle” means a commercial vehicle that is oil well service vehicle
- (i) specially constructed, altered or equipped to accommodate a specific service requirement associated with the oil or natural gas industry, and

	(ii) used exclusively in the oil or natural gas industry for transporting equipment or materials to and from oil or natural gas facilities or for servicing and repairing oil or natural gas facilities;
on-duty time	(r) “on-duty time” means the period that begins when a driver begins work or is required by the motor carrier to be available to work, except where the driver is waiting to be assigned to work, and ends when the driver stops work or is relieved of responsibility by the motor carrier, and includes driving time and time spent by the driver <ul style="list-style-type: none"> <li>(i) inspecting, servicing, repairing, conditioning or starting a commercial vehicle,</li> <li>(ii) travelling in a commercial vehicle as a co-driver, when the time is not spent in the sleeper berth,</li> <li>(iii) participating in the loading or unloading of a commercial vehicle,</li> <li>(iv) inspecting or checking the load of a commercial vehicle,</li> <li>(v) waiting for a commercial vehicle to be serviced, loaded, unloaded or dispatched,</li> <li>(vi) waiting for a commercial vehicle or its load to be inspected,</li> <li>(vii) waiting at an en-route point because of an accident or other unplanned occurrence or situation,</li> <li>(viii) resting in or occupying a commercial vehicle for any other purpose, except             <ul style="list-style-type: none"> <li>(A) time counted as off-duty time in accordance with section 10,</li> <li>(B) time spent in a sleeper berth,</li> <li>(C) time spent in a stationary commercial vehicle to satisfy the requirements of sections 13 and 14,</li> <li>(D) time spent in a stationary commercial vehicle that is in addition to the off-duty requirements of section 14, and</li> <li>(E) performing any work for any motor carrier;</li> </ul> </li> </ul>
out-of service declaration	(s) “out-of-service declaration” means a declaration issued by a director or inspector under section 91;
principal place of business	(t) “principal place of business” means the place or places designated by the motor carrier where daily logs, supporting documents and other relevant records required by these Regulations are kept;
sleeper berth	(u) “sleeper berth” means an area of a commercial vehicle that meets the requirements of Schedule 1;
supporting document	(v) “supporting document” means a document or information recorded or stored by any means required by a director or inspector to assess compliance with these Regulations.

#### APPLICATION

Exception **2.** (1) These regulations apply to all commercial vehicles other than the following:

- (a) a two or three-axle commercial vehicle being used for
  - (i) transporting the primary products of a farm, forest, sea or lake, if the driver or the motor carrier is the producer of the products, or
  - (ii) a return trip after transporting the primary products of a farm, forest, sea or lake, if the vehicle is empty or is transporting products used in the principal operation of a farm, forest, sea or lake;
- (b) an emergency vehicle;
- (c) a vehicle engaged in providing relief in the case of a public welfare emergency, as that expression is defined in section 5 of the *Emergencies Act*;
- (d) a bus that is part of the public transit service that is provided in a municipality, in contiguous municipalities or within 25 km of the boundary of the municipality or contiguous municipalities in which the public transit service is provided; and
- (e) a commercial vehicle when driven for personal use, if
  - (i) the vehicle has been unloaded,
  - (ii) any trailers have been unhitched,
  - (iii) the distance travelled does not exceed 75 km in a day,
  - (iv) the driver has recorded in the logbook the odometer reading at the beginning and end of the personal use, and
  - (v) the driver is not the subject of an out-of-service declaration under section 91.

(2) In this section, the expression “commercial vehicle when driven for personal use” excludes use, by the driver, of the vehicle in the course of business as a motor carrier. Exclusion

#### DIRECTORS

3. (1) The minister responsible for highway safety in a province may designate a person to exercise in the province the duties and functions of a director for the purposes of these regulations. Designation of director

(2) A director may designate inspectors for the purposes of these regulations. Designation of inspectors

#### RESPONSIBILITIES OF MOTOR CARRIERS, SHIPPERS, CONSIGNEES AND DRIVERS

4. No motor carrier, shipper, consignee or other person shall request, require or allow a driver to drive and no driver shall drive if Prohibitions

- (a) the driver’s faculties are impaired to the point where it is unsafe for the driver to drive;
- (b) driving would jeopardize or be likely to jeopardize the safety or health of the public, the driver or the employees of the motor carrier;
- (c) the driver is the subject of an out-of-service declaration; or
- (d) the driver, in doing so, would not be in compliance with these regulations.

[5 to 9 reserved]



## TRAVELLING AS A PASSENGER — OFF-DUTY TIME

Off-duty time **10.** If a driver who has, at the request of the motor carrier by whom the driver is employed or otherwise engaged, spent time travelling as a passenger in a commercial vehicle to the destination at which the driver will begin driving takes 8 consecutive hours of off-duty time before beginning to drive, the time spent as a passenger shall be counted as off-duty time.

## SCHEDULING — DRIVING SOUTH OF LATITUDE 60°N

*Application*

Driving south of latitude **11.** Sections 12 to 29 apply in respect of driving south of latitude 60°N.

*Daily Driving and On-duty Time*

Maximum daily driving **12.** (1) No motor carrier shall request, require or allow a driver to drive and no driver shall drive after the driver has accumulated 13 hours of driving time in a day.

Maximum daily on-duty time (2) No motor carrier shall request, require or allow a driver to drive and no driver shall drive after the driver has accumulated 14 hours of on-duty time in a day.

*Mandatory Off-duty Time*

Minimum mandatory off-duty time **13.** (1) No motor carrier shall request, require or allow a driver to drive and no driver shall drive after the driver has accumulated 13 hours of driving time unless the driver takes at least 8 consecutive hours of off-duty time before driving again.

*Idem* (2) No motor carrier shall request, require or allow a driver to drive and no driver shall drive after the driver has accumulated 14 hours of on-duty time unless the driver takes at least 8 consecutive hours of off-duty time before driving again.

*Idem* (3) No motor carrier shall request, require or allow a driver to drive and no driver shall drive after 16 hours of time have elapsed between the conclusion of the most recent period of 8 or more consecutive hours of off-duty time and the beginning of the next period of 8 or more consecutive hours of off-duty time.

*Daily Off-duty Time*

Minimum daily off-duty time **14.** (1) A motor carrier shall ensure that a driver takes and the driver shall take at least 10 hours of off-duty time in a day.

Blocks of off-duty time (2) Off-duty time other than the mandatory 8 consecutive hours may be distributed throughout the day in blocks of no less than 30 minutes each.

(3) The total amount of off-duty time taken by a driver in a day shall include at least 2 hours of off-duty time that does not form part of a period of 8 consecutive hours of off-duty time required by section 13. [15 reserved]

Total amount of off-duty time

#### *Deferral of Daily Off-duty Time*

**16.** Despite sections 12 and 14, a driver who is not splitting off-duty time in accordance with section 18 or 19 may defer a maximum of 2 hours of the daily off-duty time to the following day if

Maximum deferral of off-duty time

- (a) the off-duty time deferred is not part of the mandatory 8 consecutive hours of off-duty time;
- (b) the total off-duty time taken in the 2 days is at least 20 hours;
- (c) the off-duty time deferred is added to the 8 consecutive hours of off-duty time taken in the second day;
- (d) the total driving time in the 2 days does not exceed 26 hours; and
- (e) there is a declaration in the “Remarks” section of the daily log that states that the driver is deferring off-duty time under this section and that clearly indicates whether the driver is driving under day one or day two of that time.

#### *Ferries*

**17.** Despite sections 13 and 14, a driver travelling by a ferry crossing that takes more than 5 hours is not required to take the mandatory 8 consecutive hours of off-duty time if

Exception

- (a) the time spent resting in a sleeper berth while waiting at the terminal to board the ferry, in rest accommodations on the ferry and at a rest stop that is no more than 25 km from the point of disembarkation from the ferry combine to total a minimum of 8 hours;
- (b) the hours are recorded in the daily log as off-duty time spent in a sleeper berth;
- (c) the driver retains, as a supporting document, the receipt for the crossing and rest accommodation fees; and
- (d) the supporting document coincides with the daily log entries.

#### *Splitting of Daily Off-duty Time — Single Driver*

**18.** (1) A driver who is driving a commercial vehicle fitted with a sleeper berth may meet the mandatory off-duty time and daily off-duty time requirements of sections 13 and 14 by accumulating off-duty time in no more than 2 periods if

Splitting of daily off-duty time - single driver

- (a) neither period of off-duty time is shorter than 2 hours;
- (b) the total of the 2 periods of off-duty time is at least 10 hours;
- (c) the off-duty time is spent resting in the sleeper berth;
- (d) the total of the driving time in the periods immediately before and after each of the periods of off-duty time does not exceed 13 hours;

- (e) the elapsed time in the periods immediately before and after each of the periods of off-duty time does not include any driving time after the 16<sup>th</sup> hour after the driver comes on-duty;
- (f) none of the daily off-duty time is deferred to the next day; and
- (g) the total of the on-duty time in the periods immediately before and after each of the periods of off-duty time referred to in clause (b) does not include any driving time after the 14<sup>th</sup> hour.

Calculation of 16<sup>th</sup>  
hour

- (2) The 16<sup>th</sup> hour is calculated by
  - (a) excluding any period spent in the sleeper berth that is 2 hours or more in duration and that, when added to a subsequent period in the sleeper berth, totals at least 10 hours; and
  - (b) including
    - (i) all on-duty time,
    - (ii) all off-duty time not spent in the sleeper berth,
    - (iii) all periods of less than 2 hours spent in the sleeper berth, and
    - (iv) any other period spent in the sleeper berth that does not qualify as counting towards meeting the requirements of this section.

8 hour off-duty  
requirement

- (3) No motor carrier shall request, require or allow a driver to begin to drive again and no driver shall begin to drive again in accordance with the requirements of sections 13 and 14 without first taking at least 8 consecutive hours of off-duty time.

*Splitting of Daily Off-duty Time — Team of Drivers*

Splitting of daily  
off-duty time –  
team of drivers

- 19.** (1) A team of drivers driving a commercial vehicle fitted with a sleeper berth may meet the mandatory off-duty time and daily off-duty time requirements of sections 13 and 14 by accumulating off-duty time in no more than 2 periods if
- (a) neither period of off-duty time is shorter than 4 hours;
  - (b) the total of the 2 periods of off-duty time is at least 8 hours;
  - (c) the off-duty time is spent resting in the sleeper berth;
  - (d) the total of the driving time in the periods immediately before and after each of the periods of off-duty time does not exceed 13 hours;
  - (e) the elapsed time in the periods immediately before and after each of the periods of off-duty time does not include any driving time after the 16<sup>th</sup> hour after the driver comes on duty;
  - (f) none of the daily off-duty time is deferred to the next day; and
  - (g) the total of the on-duty time in the periods immediately before and after each of the periods of off-duty time referred to in clause (b) does not include any driving time after the 14<sup>th</sup> hour.

Calculation of 16<sup>th</sup>  
hour

- (2) The 16<sup>th</sup> hour is calculated by
  - (a) excluding any period spent in the sleeper berth that is 4 hours or more in duration and that, when added to a subsequent period in the sleeper berth, totals at least 8 hours; and
  - (b) including

- (i) all on-duty time,
- (ii) all off-duty time not spent in the sleeper berth,
- (iii) all periods of less than 4 hours spent in the sleeper berth, and
- (iv) any other period spent in the sleeper berth that does not qualify as counting towards meeting the requirements of this section.

(3) No motor carrier shall request, require or allow a driver to begin to drive again and no driver shall begin to drive again in accordance with the requirements of sections 13 and 14 without first taking at least 8 consecutive hours of off-duty time. 8 hour off-duty requirement  
 [20 to 23 reserved]

#### *Cycles*

**24.** A motor carrier shall require that a driver follows and the driver shall follow either cycle 1 or cycle 2. Cycles

**25.** Subject to section 28, no motor carrier shall request, require or allow a driver to drive and no driver shall drive unless the driver has taken at least 24 consecutive hours of off-duty time in the preceding 14 days. Off-duty time

**26.** Subject to section 28, no motor carrier shall request, require or allow a driver who is following cycle 1 to drive and no driver who is following cycle 1 shall drive after the driver has accumulated 70 hours of on-duty time during any period of 7 days or, if the driver has reset the cycle in accordance with section 28, during the period of the cycle that was ended. Cycle 1 accumulation of on-duty time

**27.** Subject to section 28, no motor carrier shall request, require or allow a driver who is following cycle 2 to drive and no driver who is following cycle 2 shall drive after the driver has accumulated Cycle 2 accumulation of on-duty time

- (a) 120 hours of on-duty time during any period of 14 days or, if the driver has reset the cycle in accordance with section 28, during the period of the cycle that was ended; or
- (b) 70 hours of on-duty time without having taken at least 24 consecutive hours of off-duty time.

#### *Cycle Reset — Off-duty Time*

**28.** (1) A driver may end the current cycle and begin a new cycle if the driver first takes the following off-duty time: Cycle reset

- (a) for cycle 1, at least 36 consecutive hours; or
- (b) for cycle 2, at least 72 consecutive hours.

(2) After taking the off-duty time, the driver begins a new cycle, the accumulated hours are set back to zero and the driver's hours begin to accumulate again. Accumulation of hours

*Cycle Switching — Off-duty Time*

- Cycle switching **29.** (1) No motor carrier shall request, require or allow a driver to switch and no driver shall switch from one cycle to the other without first taking the following off-duty time before beginning to drive again:
- (a) to switch from cycle 1 to cycle 2, at least 36 consecutive hours;
  - or
  - (b) to switch from cycle 2 to cycle 1, at least 72 consecutive hours.
- Accumulation of hours (2) After taking the off-duty time, the driver begins the other cycle, the accumulated hours are set back to zero and the driver's hours begin to accumulate again.  
[**30** to **36** reserved]

## SCHEDULING — DRIVING NORTH OF LATITUDE 60°N

*Application*

- Driving north of latitude **37.** Sections 38 to 54 apply in respect of driving north of latitude 60°N.

*Driving and On-duty Time*

- Maximum driving time **38.** (1) No motor carrier shall request, require or allow a driver to drive and no driver shall drive after the driver has accumulated 15 hours of driving time.
- Maximum on-duty time (2) No motor carrier shall request, require or allow a driver to drive and no driver shall drive after the driver has accumulated 18 hours of on-duty time.

*Mandatory Off-duty Time*

- Minimum mandatory off-duty time **39.** (1) No motor carrier shall request, require or allow a driver to drive and no driver shall drive after the driver has accumulated more than 15 hours of driving time or 18 hours of on-duty time unless they take at least 8 consecutive hours of off-duty time before driving again.
- Idem* (2) No motor carrier shall request, require or allow a driver to drive and no driver shall drive if more than 20 hours of time has elapsed between the conclusion of the most recent period of 8 or more consecutive hours of off-duty time and the beginning of the next period of 8 or more consecutive hours of off-duty time.

*Daily Off-duty Time*

- Minimum off-duty time **40.** A motor carrier shall ensure that a driver takes and the driver shall take at least 8 hours of off-duty time.

*Splitting of Daily Off-duty Time — Single Driver*

**41.** (1) A driver who is driving a commercial vehicle fitted with a sleeper berth may meet the mandatory off-duty time and daily off-duty time requirements of sections 39 and 40 by accumulating off-duty time in no more than 2 periods if

Splitting of daily  
off-duty time –  
single driver

- (a) neither period of off-duty time is shorter than 2 hours;
- (b) the total of the 2 periods of off-duty time is at least 8 hours;
- (c) the off-duty time is spent resting in the sleeper berth;
- (d) the total of the driving time in the periods immediately before and after each of the periods of off-duty time does not exceed 15 hours;
- (e) the on-duty time in the periods immediately before and after each of the periods of off-duty time does not include any driving time after the 18<sup>th</sup> hour after the driver comes on duty, calculated in accordance with subsection (2); and
- (f) none of the daily off-duty time is deferred to the next day.

(2) The 18<sup>th</sup> hour is calculated by

Calculation of 18<sup>th</sup>  
hour

- (a) excluding any period spent in the sleeper berth that is 2 hours or more in duration and that, when added to a subsequent period in the sleeper berth, totals at least 8 hours; and
- (b) including
  - (i) all on-duty time,
  - (ii) all off-duty time not spent in the sleeper berth,
  - (iii) all periods of less than 2 hours spent in the sleeper berth, and
  - (iv) any other period spent in the sleeper berth that does not qualify as counting towards meeting the requirements of this section.

(3) No motor carrier shall request, require or allow the driver to begin to drive again in accordance with the requirements of sections 39 and 40 and no driver shall begin to drive again without first taking at least 8 consecutive hours of off-duty time.

8 hour off-duty  
requirement

*Splitting of Daily Off-duty Time — Team of Drivers*

**42.** (1) A team of drivers driving a commercial vehicle fitted with a sleeper berth may meet the mandatory off-duty time and daily off-duty time requirements of sections 39 and 40 by accumulating off-duty time in no more than 2 periods if

Splitting of daily  
off-duty time –  
team of drivers

- (a) neither period of off-duty time is shorter than 4 hours;
- (b) the total of the 2 periods of off-duty time is at least 8 hours;
- (c) the off-duty time is spent resting in the sleeper berth;
- (d) the total of the driving time in the periods immediately before and after each of the periods of off-duty time does not exceed 15 hours;
- (e) the on-duty time in the periods immediately before and after each of the periods of off-duty time does not include any driving time

after the 18<sup>th</sup> hour after the driver comes on duty, calculated in accordance with subsection (2); and  
 (f) none of the off-duty time is deferred to the next day.

Calculation of 18<sup>th</sup>  
hour

- (2) The 18<sup>th</sup> hour is calculated by
- (a) excluding any period spent in the sleeper berth that is 4 hours or more in duration and that, when added to a subsequent period in the sleeper berth, totals at least 8 hours; and
  - (b) including
    - (i) all on-duty time,
    - (ii) all off-duty time not spent in the sleeper berth,
    - (iii) all periods of less than 4 hours spent in the sleeper berth, and
    - (iv) any other period spent in the sleeper berth that does not qualify as counting towards meeting the requirements of this section.

8 hour off-duty  
requirement

- (3) No motor carrier shall request, require or allow the driver to begin to drive again in accordance with the requirements of sections 39 and 40 and no driver shall begin to drive again without first taking at least 8 consecutive hours of off-duty time.  
 [43 to 48 reserved]

#### *Cycles*

Cycles

**49.** A motor carrier shall require that a driver follows and the driver shall follow either cycle 1 or cycle 2.

Off-duty time

**50.** Subject to section 53, no motor carrier shall request, require or allow a driver to drive and no driver shall drive unless the driver has taken at least 24 consecutive hours of off-duty time in the preceding 14 days.

Cycle 1  
accumulation of on-  
duty time

**51.** Subject to section 53, no motor carrier shall request, require or allow a driver who is following cycle 1 to drive and no driver who is following cycle 1 shall drive after the driver has accumulated 80 hours of on-duty time during any period of 7 days.

Cycle 2  
accumulation of on-  
duty time

**52.** Subject to section 53, no motor carrier shall request, require or allow a driver who is following cycle 2 to drive and no driver who is following cycle 2 shall drive after the driver has accumulated

- (a) 120 hours of on-duty time in any period of 14 days; or
- (b) 80 hours of on-duty time, without having taken at least 24 consecutive hours of off-duty time.

#### *Cycle Reset — Off-duty Time*

Cycle reset

- 53.** (1) A driver may end the current cycle and begin a new cycle if they first take the following off-duty time:
- (a) for cycle 1, at least 36 consecutive hours;
  - (b) for cycle 2, at least 72 consecutive hours.

(2) After taking the off-duty time, the driver begins a new cycle, the accumulated hours are set back to zero and the driver's hours begin to accumulate again. Accumulation of hours

*Cycle Switching — Off-duty Time*

**54.** (1) No motor carrier shall request, require or allow a driver to switch and no driver shall switch from one cycle to the other without first taking the following off-duty time before beginning to drive again: Cycle switching

- (a) to switch from cycle 1 to cycle 2, at least 36 consecutive hours;
- (b) to switch from cycle 2 to cycle 1, at least 72 consecutive hours.

(2) After taking the off-duty time, the driver begins the other cycle, the accumulated hours are set back to zero and the driver's hours begin to accumulate again. Accumulation of hours

[55 to 60 reserved]

PERMITS

*Special Permits*

**61.** (1) A federal director may issue a special permit to a motor carrier for the purpose of a research or pilot project if the safety and health of the public, the driver or the employees of the motor carrier are not or are unlikely to be jeopardized. Special permit of federal director

(2) Sections 12 to 54 and 76 to 99 do not apply in respect of special permits, but sections 64 to 68 apply with such modifications as the circumstances require. Application

(3) The applicant shall provide to the federal director a detailed work plan that includes at least the following information: Work plan

- (a) the nature of the proposed research or pilot project;
- (b) the objectives of the proposed research or pilot project;
- (c) the competence of the applicant to participate in the proposed research or pilot project;
- (d) the criteria and method for measuring results;
- (e) the safety implications and the approach to addressing any possible risks identified;
- (f) the duration of the proposed research or pilot project; and
- (g) the manner of and timing for reporting results.

*Permits for Commercial Vehicles Other than Oil Well Service Vehicles*

**62.** (1) A provincial director may issue a permit to a motor carrier in respect of a commercial vehicle other than an oil well service vehicle if Permit of provincial director

- (a) the safety and health of the public, the driver or the employees of the motor carrier are not or are unlikely to be jeopardized; and
- (b) a reduction of off-duty time or an increase in driving time is required



- (i) to allow a driver following a regular itinerary to reach their home terminal or destination,
- (ii) to allow the delivery of perishable goods, or
- (iii) to accommodate a significant temporary increase in the transportation of passengers or goods by the motor carrier.

- Deviations (2) The only deviations from the requirements of these Regulations that may be authorised in the permit are
- (a) a reduction of the 2 hours of daily off-duty time required by subsection 14(3) if the commercial vehicle is operated south of latitude 60°N; and
  - (b) an increase in driving time and on-duty time of up to a total of 2 hours.

*Oil Well Service Vehicle Permits*

- Permit of provincial director **63.** (1) A provincial director may issue a permit to a motor carrier in respect of an oil well service vehicle if
- (a) the driver has successfully completed training directly related to safety requirements associated with operating within the field services sector of the oil or natural gas industry; and
  - (b) the safety and health of the public, the driver or the employees of the motor carrier are not or are unlikely to be jeopardized.
- Application and requirements (2) Sections 24 to 29 and 49 to 54 do not apply in respect of an oil well service vehicle permit, but instead the permit shall require that the driver take
- (a) at least 3 periods of off-duty time, each at least 24 hours long, in any period of 24 days, the periods being taken consecutively or separated by on-duty time; and
  - (b) at least 72 consecutive hours of off-duty time after ending driving under the provisions of the permit and beginning driving under those sections.
- Accumulation of cycle hours (3) When the driver begins to drive again under sections 24 to 29 or 49 to 54, they begin to accumulate hours in the cycle.
- Exclusion - on-duty time (4) Waiting time and standby time at an oil or natural gas well site or ancillary facility shall not be included as on-duty time if
- (a) the driver performs no work during the time;
  - (b) the time is fully and accurately recorded in the daily log as off-duty time and denoted as waiting or standby time in the "Remarks" section; and
  - (c) the time is not included in the mandatory minimum of 8 consecutive hours of off-duty time.
- Prohibition on deferral (5) None of the daily off-duty time shall be deferred to the next day.

*Applications for Permits*

**64.** (1) A motor carrier may apply to a director for a permit by providing the following information and documents: Application for permit

- (a) the name of the motor carrier;
- (b) the names of the drivers who will operate a commercial vehicle under the permit;
- (c) the driver licence numbers of the drivers and the provinces of issuance;
- (d) a list of the commercial vehicles operated by the motor carrier;
- (e) a list of all accidents involving the motor carrier or any driver of the motor carrier that occurred during the 6 months before the date of the application if they are required by the laws of the province, state or country in which the accident occurred to be reported to the police;
- (f) the requested duration of the permit;
- (g) in the case of an extra-provincial truck undertaking, a detailed description of the load and the provinces in respect of which the permit is to apply;
- (h) in the case of an extra-provincial bus undertaking, a detailed description of the routes in respect of which the permit is to apply;
- (i) the requested schedule;
- (j) the reasons for the application, with supporting evidence;
- (k) a copy of every permit issued to the motor carrier under these Regulations in the previous 5 years;
- (l) a signed declaration that discloses any other application for a permit under these Regulations made by the motor carrier to any director within the 6 months before the date of the application; and
- (m) any other information required by the director to evaluate whether the granting of a permit would or would be likely to jeopardize the safety or health of the public, the driver or the employees of the motor carrier.

(2) If requested by the director to do so, the motor carrier shall make available to the director the daily logs, supporting documents or records of on-duty times, for the 6 months before the date of the application, of every driver who will operate a commercial vehicle of the motor carrier under the permit. Production of records

*Approval of Other Directors*

**65.** (1) Before issuing a permit, a director shall obtain the written approval of the provincial directors of the provinces in which the commercial vehicle will be driven under the permit. Approval of provincial directors

- (2) A provincial director from whom approval is sought shall *Idem*
- (a) respond to the request for approval within 30 days after receiving it; and
  - (b) give their approval if they have no reason to believe that the safety or health of the public, the driver or the employees of the

motor carrier would be or would be likely to be jeopardized by the granting of the permit.

*Issuance of Permits*

- Permit **66.** A director who issues a permit shall specify in the permit
- (a) the reasons for issuing it;
  - (b) its duration, which shall not exceed one year; and
  - (c) any terms or conditions required for the protection of the safety or health of the public, the driver or the employees of the motor carrier.

*Obligations of Permit Holders*

- Obligations of permit holder **67.** (1) A motor carrier to whom a permit is issued shall
- (a) require that a copy of the permit is placed in each commercial vehicle in respect of which it applies;
  - (b) provide the director with a list of the commercial vehicles in respect of which the permit applies and keep the director informed of any changes so that the director may accurately and quickly identify the vehicles;
  - (c) make available for inspection by the director, immediately on request, the daily log and the supporting documents of the drivers of the commercial vehicles in respect of which the permit applies; and
  - (d) notify the director without delay of any accident involving any of the commercial vehicles to which the permit applies if it is required by the laws of the province, state or country in which the accident occurred to be reported to the police.
- Obligation on driver and motor carrier (2) Every driver who is driving under a permit shall drive and the motor carrier shall ensure that they drive in accordance with the terms and conditions of the permit.

*Amendment, Cancellation and Suspension of Permits*

- Amendment, cancellation, suspension of permit **68.** (1) A director who issues a permit may amend, cancel or suspend it, and a director who approves a permit issued by another director may withdraw the approval, on written notification to the motor carrier, if
- (a) the motor carrier or the driver contravenes these Regulations or any condition of the permit; or
  - (b) the director determines that the safety and health of the public, the driver or the employees of the motor carrier are or are likely to be jeopardized.
- Idem* (2) The director shall choose among amendment, cancellation and suspension of the permit
- (a) if the director is a provincial director, in accordance with the laws of the province; and
  - (b) if the director is the federal director, in accordance with the laws of the province in which the vehicle is base-plated.

(3) When a director withdraws approval for a permit issued by another director, the director who issued the permit shall amend it to remove the authority for a commercial vehicle to be operated under the permit in the province in respect of which approval is withdrawn. *Idem*  
 [69 to 75 reserved]

#### EMERGENCIES AND ADVERSE DRIVING CONDITIONS

**76.** (1) The requirements of these regulations in respect of driving time, on-duty time and off-duty time do not apply to a driver who, in an emergency, requires more driving time to reach a destination that provides safety for the occupants of the commercial vehicle and for other users of the road or the security of the commercial vehicle and its load. *Emergency*

(2) A driver who encounters adverse driving conditions while operating the vehicle during a trip south of latitude 60°N may extend the permitted 13 hours of driving time specified in sections 12 and 13 and reduce the 2 hours of daily off-duty time required by subsection 14(3) by the amount of time needed to complete the trip if *Adverse driving conditions*

- (a) the driving, on-duty and elapsed time in the elected cycle is not extended more than 2 hours;
- (b) the driver still takes the required 8 consecutive hours of off-duty time; and
- (c) the trip could have been completed under normal driving conditions without the reduction.

(3) A driver who encounters adverse driving conditions while operating the vehicle during a trip north of latitude 60°N may extend the permitted 15 hours of driving time specified in section 38 by the amount of time needed to complete the trip if *Idem*

- (a) the extension of the driving time is no more than 2 hours;
- (b) the driver still takes the required 8 consecutive hours of off-duty time; and
- (c) the trip could have been completed under normal driving conditions without the extension.

(4) A driver who extends their driving, on-duty or elapsed time because of an emergency or adverse driving conditions shall record the reason for doing so in the “Remarks” section of the daily log. *Record reasons*  
 [77 to 79 reserved]

#### DAILY LOGS

##### *Interpretation*

**80.** A requirement that a driver record time in a daily log is a requirement to record the time using the local time at the driver’s home terminal. *Daily log*

*Requirement to Fill Out a Daily Log*

- Requirement **81.** (1) A motor carrier shall require every driver to fill out and every driver shall fill out a daily log each day that accounts for all of the driver's on-duty time and off-duty time for that day.
- Exception (2) This section does not apply if
- (a) the driver operates or is instructed by the motor carrier to operate a commercial vehicle within a radius of 160 km of the home terminal;
  - (b) the driver returns to the home terminal each day to begin a minimum of 8 consecutive hours of off-duty time;
  - (c) the motor carrier maintains accurate and legible records showing, for each day, the driver's duty status and elected cycle, the hour at which each duty status begins and ends and the total number of hours spent in each status and keeps those records for a minimum period of 6 months after the day on which they were recorded; and
  - (d) the driver is not driving under a permit issued under these Regulations.

*Content of Daily Logs*

- Required entries **82.** (1) At the beginning of each day, a motor carrier shall require that a driver enters legibly and the driver shall enter legibly the following information in the daily log:
- (a) the date, the start time if different than midnight, the name of the driver and, if the driver is a member of a team of drivers, the names of the co-drivers;
  - (b) in the case of a driver who is not driving under the provisions of an oil well service permit, the cycle that the driver is following;
  - (c) the commercial vehicle licence plates or unit numbers;
  - (d) the odometer reading of each of the commercial vehicles operated by the driver;
  - (e) the names and the addresses of the home terminal and the principal place of business of every motor carrier by whom the driver was employed or otherwise engaged during that day;
  - (f) in the "Remarks" section of the daily log, if the motor carrier or driver was not required to keep a daily log immediately before the beginning of the day, the number of hours of off-duty time and on-duty time that were accumulated by the driver each day during the 14 days immediately before the beginning of the day; and
  - (g) if applicable, a declaration in the "Remarks" section of the daily log that states that the driver is deferring off-duty time under section 16 and that clearly indicates whether the driver is driving under day one or day two of that time.
- Idem* (2) The motor carrier shall require that the driver records and the driver shall record in the daily log the hours in each duty status during the day covered by the daily log, in accordance with Schedule 2, and the location

of the driver each time their duty status changes, as that information becomes known.

(3) At the end of each day, the motor carrier shall require that the driver records and the driver shall record the total hours for each duty status and the total distance driven by the driver that day, excluding the distance driven in respect of the driver's personal use of the vehicle, as well as the odometer reading at the end of the day and sign the daily log attesting to the accuracy of the information recorded in it. *Idem*

#### *Use of Electronic Recording Devices*

**83.** A driver may use an electronic recording device for recording their duty status if Electronic recording device

- (a) the information contained in the electronic recording device is the same as the information that would have been provided if it had been submitted as a daily log in paper format;
- (b) when requested to do so by a director or an inspector, the driver can immediately provide the information for the previous 14 days by producing it on a digital display screen of the electronic recording device or in handwritten form or on a print-out or any other intelligible output, or any combination of these;
- (c) the device is capable of displaying
  - (i) the driving time and other on-duty time for each day on which the device is used,
  - (ii) the total on-duty time remaining and the total on-duty time accumulated in the cycle being followed by the driver, and
  - (iii) the sequential changes in duty status and the time at which each change occurred for each day on which the device is used;
- (d) the driver is capable, if so requested by an inspector, of preparing a handwritten daily log from the information stored in the device for each day on which the device is used;
- (e) the device automatically records when it is disconnected and reconnected and keeps a record of the time and date of these occurrences;
- (f) the device records the time spent in each duty status of the driver;
- (g) any hard copy of the daily log that is generated from the information that is stored in the device is signed on each page by the driver attesting to its accuracy; and
- (h) the motor carrier provides blank daily log forms in the commercial vehicle for the driver's use.

#### *Possession of Daily Logs and Supporting Documents by Drivers*

**84.** No driver who is required to fill out a daily log shall drive and no motor carrier shall request, require or allow the driver to drive unless the driver has in their possession Possession of daily log and supporting documents

- (a) a copy of the daily logs for the preceding 14 days and, in the case of a driver driving under an oil well service permit, for each of the

- required 3 periods of 24 consecutive hours of off-duty time in any period of 24 days;
- (b) the daily log for the current day, completed up to the time at which the last change in the driver's duty status occurred; and
- (c) any supporting documents or other relevant records that the driver received in the course of the current trip.

*Distribution and Keeping of Daily Logs*

- Distribution **85.** (1) A driver shall, within 20 days after completing a daily log, forward the original daily log and supporting documents to the home terminal and the motor carrier shall ensure that the driver does so.
- Idem* (2) A driver who is employed or otherwise engaged by more than one motor carrier in any day shall forward, within 20 days after completing a daily log, and the motor carriers shall ensure that the driver forwards
- (a) the original of the daily log to the home terminal of the first motor carrier for which the driver worked and a copy of it to the home terminal of each other carrier for which the driver worked; and
- (b) the original supporting documents to the home terminal of the applicable motor carrier.
- Idem* (3) The motor carrier shall
- (a) deposit the daily logs and supporting documents at its principal place of business within 30 days after receiving them; and
- (b) keep the daily logs and supporting documents in chronological order for each driver for a period of at least 6 months.

*Tampering*

- One daily log only **86.** (1) No motor carrier shall request, require or allow a driver to keep and no driver shall keep more than one daily log in respect of any day.
- Tampering with daily log (2) No motor carrier shall request, require or allow any person to enter and no person shall enter inaccurate information in a daily log, whether it is handwritten or produced using an electronic recording device, or falsify, mutilate or deface a daily log or supporting documents.

*Monitoring by Motor Carriers*

- Monitoring **87.** (1) A motor carrier shall monitor the compliance of each driver with these regulations.
- Non-compliance (2) A motor carrier that determines that there has been non-compliance with these Regulations shall take immediate remedial action and record the dates on which the non-compliance occurred, the date of issuance of a notice of non-compliance and the action taken.
- [88 to 90 reserved]

## OUT-OF-SERVICE DECLARATIONS

**91.** (1) A director or an inspector may issue an out-of-service declaration in respect of a driver if Out-of-service  
declaration

- (a) the driver contravenes clause 4(a) or (b);
- (b) the driver fails to comply with any of the driving time or off-duty time requirements of sections 12 to 29, sections 38 to 54 or a permit;
- (c) the driver is unable or refuses to produce their daily log book in accordance with section 98;
- (d) there is evidence that shows that the driver has completed more than one daily log, has entered inaccurate information in the daily log or has falsified information in the daily log; or
- (e) the driver has mutilated or defaced a daily log or a supporting document in such a way that the director or inspector cannot determine whether the driver has complied with the driving time and off-duty time requirements of sections 12 to 29, sections 38 to 54 or a permit.

(2) The director or inspector shall notify the driver and the motor carrier in writing of the reason that the driver has been made the subject of an out-of-service declaration and the period during which it applies. *Idem*

- (3) An out-of-service declaration applies *Idem*
- (a) for 10 consecutive hours, if the driver contravenes clause 4(a) or (b);
  - (b) for 10 consecutive hours, if the driver contravenes section 12 or 38;
  - (c) for the number of hours needed to correct the failure, if the driver fails to comply with the off-duty time requirements of any of sections 12 to 29 or 38 to 54; and
  - (d) for 72 consecutive hours, if the driver contravenes section 86 or 98.

(4) The out-of-service declaration in respect of a driver who contravenes section 86 or 98 continues to apply beyond the 72 hours until the driver rectifies the daily log, if applicable, and provides it to the director or inspector so that the director or inspector is able to determine whether the driver has complied with these Regulations. *Idem*

[92 to 95 reserved]

## INSPECTIONS

*Proof of Authority*

**96.** An inspector shall, at all times during the exercise of their functions, produce on request proof of their designation and title. Inspector

*Authority to Enter Premises for an Inspection*

**97.** (1) An inspector may, during business hours, enter a motor carrier's home terminal or principal place of business, other than living quarters, Authority of  
inspector



for the purpose of inspecting the daily logs, supporting documents and other relevant records.

*Idem* (2) An inspector may at any time stop and enter a commercial vehicle, except for its sleeper berth, for the purpose of inspecting the daily logs and supporting documents.

*Idem* (3) An inspector may, at any time, stop a commercial vehicle and enter its sleeper berth for the purpose of verifying that the sleeper berth meets the requirements of Schedule 1.

Offence (4) No person shall obstruct or hinder, or knowingly make any false or misleading statements either orally or in writing to, a director or an inspector engaged in carrying out their duties and functions under these regulations.

*Production of Daily Logs and Supporting Documents*

Requirement to produce **98.** (1) At the request of an inspector, a driver shall immediately produce for inspection daily logs, supporting documents and other relevant records for the current trip and the preceding 14 days as well as any permit the driver may be driving under.

Electronic recording device (2) If an electronic recording device is installed in the commercial vehicle, the driver shall retrieve the information stored by the device for each day that it was used.

Production of documents (3) The driver shall, at the request of an inspector, immediately give the inspector a copy of the daily logs, supporting documents and other relevant records for the preceding 14 days, or the originals if it is not possible in the circumstances to make copies, as well as any permit the driver may be driving under.

Receipt (4) The inspector shall provide a receipt in the form set out in Schedule 3 for the copy of the daily logs, supporting documents and other relevant records.

Make available for inspection **99.** (1) A motor carrier shall, during business hours, at the request of an inspector, immediately make available for inspection at a place specified by the inspector daily logs, supporting documents and other relevant records as well as any permit a driver may be driving under or have been driving under during the period for which the inspector makes the request for the documents.

Duties of inspector (2) The inspector shall  
 (a) immediately return the permit if it is still a current permit and provide a receipt in the form set out in Schedule 3 for any expired permit as well as for the daily logs, supporting documents and other relevant records; and  
 (b) return the expired permits, daily logs, supporting documents and other relevant records within 14 days after receiving them.

**SCHEDULE 1**  
*(Section 1 and subsection 97(3))*

SLEEPER BERTHS

1. An area of a commercial vehicle is a sleeper berth if
- (a) it is designed to be used as sleeping accommodation;
  - (b) it is located in the cab of the commercial vehicle or immediately adjacent to the cab and is securely fixed to it;
  - (c) it is not located in or on a semi-trailer or a full trailer;
  - (d) if it is located in the cargo space, it is securely compartmentalized from the remainder of the cargo space;
  - (e) in the case of a bus,
    - (i) it is located in the passenger compartment,
    - (ii) it is at least 1.9 m in length, 60 cm in width and 60 cm in height,
    - (iii) it is separated from the passenger area by a solid physical barrier that is equipped with a door that can be locked,
    - (iv) it provides privacy for the occupant, and
    - (v) it is equipped with a means to significantly limit the amount of light entering the area;
  - (f) in the case of a commercial vehicle other than a bus, it is rectangular in shape with at least the following dimensions:
    - (i) 1.9 m in length, measured on the centre line of the longitudinal axis,
    - (ii) 60 cm in width, measured on the centre line of the transverse axis, and
    - (iii) 60 cm in height, measured from the sleeping mattress to the highest point of the area;
  - (g) it is constructed so that there are no impediments to ready entrance to or exit from the area;
  - (h) there is a direct and readily accessible means of passing from it into the driver's seat or compartment;
  - (i) it is protected against leaks and overheating from the vehicle's exhaust system;
  - (j) it is equipped to provide adequate heating, cooling and ventilation;
  - (k) it is reasonably sealed against dust and rain;
  - (l) it is equipped with a mattress that is at least 10 cm thick and adequate sheets and blankets so that the occupant can get restful sleep; and
  - (m) it is equipped with a means of preventing ejection of the occupant during deceleration of the commercial vehicle, the means being designed, installed and maintained to withstand a total force of 2 700 kg applied toward the front of the vehicle and parallel to the longitudinal axis of the vehicle.

SCHEDULE 2 / ANNEXE 2  
 (Section 1 and subsection 82(2) / Article 1 et paragraphe 82(2))  
 DUTY STATUS — ACTIVITÉ

NAME / NOM \_\_\_\_\_ DATE \_\_\_\_\_

Cycle 1 (7 days — 7 jours)  OR / OU Cycle 2 (14 days — 14 jours)

(Hour at which day begins — Use local time at home terminal)  
 (Heure à laquelle la journée commence — Utiliser l'heure locale à la gare d'attache)

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours Total des heures
1. Off-duty time other than time spent in a sleeper berth / Heures de repos, à l'exclusion du temps passé dans une couchette																										
2. Off-duty time spent in a sleeper berth / Heures de repos passées dans une couchette																										
3. Driving time / Heures de conduite																										
4. On-duty time other than driving time / Heures de service, à l'exclusion des heures de conduite																										

Remarks / Observations \_\_\_\_\_

Total distance driven / Distance totale parcourue \_\_\_\_\_

Signature \_\_\_\_\_

INSTRUCTIONS

Fill out the grid as follows:

- (a) for each duty status,
  - (i) mark the beginning time and the end time, and
  - (ii) draw a continuous line between the time markers;
- (b) record the name of the municipality or give the location on a highway or in a legal sub-division and the name of the province or state where a change in duty status occurs;
- (c) if the driver is engaged in making deliveries in a municipality that result in a number of periods of driving time being interrupted by a number of short periods of other on-duty time, the periods of driving time may be combined and the periods of other on-duty time may be combined; and
- (d) enter on the right of the grid the total number of hours of each period of duty status, which total must equal 24 hours.

**SCHEDULE 3**  
*(Subsection 98(4) and clause 99(2)(a))*

RECEIPT

It is hereby acknowledged that, pursuant to subsection 98(4) or clause 99(2)(a) of the *Commercial Vehicle Drivers Hours of Service Regulations*, the following daily logs, supporting documents and other records were provided by

(Name of person)
at
(Number, street, municipality, location, province of motor carrier)
on
(Day, month, year)
namely
(Description of daily logs, supporting documents and records received)
Dated at
(Municipality, location)
on
(Day, month, year)

\_\_\_\_\_  
Inspector's signature

**EXPLANATORY NOTES**

The regulations adopt, by reference, the federal Commercial Vehicle Drivers Hours of Service Regulations that come into force on January 1, 2007. The regulations establish the limitations and minimum requirements that bus and truck drivers are required to follow when operating a commercial vehicle in Canada. The regulations are intended to address safety issues that pertain to the operational environment of the driver. A primary objective of the regulations is to reduce the risk of fatigue-related commercial vehicle collisions by providing drivers with the opportunity to obtain more rest. The regulations govern the maximum driving times and minimum off-duty times of commercial vehicle drivers employed or engaged in extra-provincial transportation. Drivers are required to keep a record of their daily driving and other work activities in a prescribed format. These records must be made available to designated law enforcement personnel on request.

Certified a true copy,

W. Alexander (Sandy) Stewart  
Clerk of the Executive Council

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**PART II**  
**REGULATIONS INDEX**

Chapter Number	Title	Original Order Reference	Amendment	Authorizing Order and Date	Page
H-5	<b>Highway Traffic Act</b> Commercial Vehicle Drivers Hours of Service Regulations		[new] [eff] Jan. 1/07	EC2006-713 (12.12.06)	261-286