

FREQUENTLY ASKED QUESTIONS: NEW DEFINITION OF “HEAVY VEHICLE” SHORT VERSION

A new legal definition of “heavy vehicle” will take effect in spring 2010. This new definition has raised many questions. As the effective date approaches, here are answers to the most frequently asked questions.

I’ve heard there’s a new act regarding the gross vehicle weight rating (GVWR) for heavy vehicles. What is this act?

There is no new act, but the definition of “heavy vehicle” contained in the act has been changed. This definition helps determine which vehicles are subject to the act and regulations concerning heavy vehicles. Heavy vehicle owners, operators, and drivers must comply with a number of regulations. These regulations won’t change when the new definition of “heavy vehicle” takes effect, but the vehicles that are subject to these regulations will change.

What changes have been made to the definition of “heavy vehicle”?

Currently, vehicles with a net mass of over 3,000 kg are considered heavy vehicles. Net mass is the vehicle’s weight without a load. When the new definition of “heavy vehicle” takes effect starting in spring 2010, heavy vehicles will be considered as those whose GVWR is 4,500 kg or more. GVWR is the vehicle’s weight plus the maximum weight of the load it can carry, as determined by the vehicle manufacturer or by an engineer for modified or hand-crafted vehicles.

Why is this definition being changed?

The main goal is consistency with the rest of Canada. Québec is the only government in North America whose definition of “heavy vehicle” is based on net mass. Other provinces and states consider the weight of the vehicle with a full load. The Canadian standard defines the “heavy vehicle” threshold as 4,500 kg including the weight of the vehicle with its maximum load.

TRAILERS

If I have a pickup with a GVWR of 3,000 kg towing a trailer that also has a GVWR of 3,000 kg, that makes 6,000 kg. Does this mean I have a heavy vehicle?

No. For motorized vehicles towing a trailer, the two GVWR values should not be combined. In the example, neither vehicle has a GVWR of 4,500 kg or more; the combination is therefore not a heavy vehicle. For a combination of vehicles to be considered a heavy vehicle, the trailer or motorized vehicle must have a GVWR of 4,500 kg or more.

Currently, trailers over 10 m long are considered heavy vehicles, regardless of their net mass. Will the same hold true for the GVWR?

No. The reference to trailer length will be removed from the new definition of “heavy vehicle.” The trailer’s GVWR alone will determine whether or not it is a heavy vehicle.

Is it true that certain carriers will no longer be able to tow their trailers with their vehicles?

No. The regulatory changes do not apply to the towing of trailers. Section 471 of the Highway Safety Code (HSC) already states that no person may drive a vehicle carrying a load that compromises the stability or handling of the vehicle. As such, trailer users must respect the towing capacity of their motorized vehicles as determined by the manufacturer.

GVWR DECLARATION

Some people have received a letter from Société de l’assurance automobile du Québec (SAAQ) asking them to declare their GVWR. Why?

Until recently, the GVWR was not included in SAAQ’s registration information. Now this information will be required, as it is necessary to determine which vehicles are subject to the heavy vehicle regulations.

How can you tell your vehicle’s GVWR?

Normally, the GVWR is indicated on the vehicle’s compliance label. This label is usually affixed by the manufacturer to the motorized vehicle’s door frame on the driver’s side. In addition to the GVWR, the compliance label provides general information on the vehicle such as the make, model, year of manufacture, and manufacturer’s name. The compliance label on trailers is usually placed on the exterior on the driver’s side.

What do you do for vehicles without a compliance label?

For motorized vehicles, this information must be requested from the dealer or vehicle manufacturer. When the GVWR is not specified in any manufacturer's document or when the value provided by the manufacturer is outdated due to modifications to the vehicle, its GVWR must be determined by an engineer.

For hand-crafted trailers or semitrailers (fifth wheels) without a compliance label, the owner may determine the GVWR as follows:

- For a trailer, add up the capacity indicated on each tire (max load) and multiply the total by 1.1.
- For a semitrailer, add up the capacity indicated on each tire (max load) and multiply the total by 1.25.

To determine whether a trailer or semitrailer is hand crafted, see the registration certificate. If the serial number starts with 2SAAQ and REM ARTIS is indicated under MARQUE MODÈLE, it is a hand-crafted trailer.

REGISTRATION AND DRIVER'S LICENSE

What will happen with vehicle registration?

Registration will not change. All vehicles will keep the same plates, and registration costs will be the same. Registration will continue to be based on vehicles' net mass. After the new definition of "heavy vehicle" takes effect, vehicles defined as "heavy vehicles" and those in the "truck" registration category (whose plates start with the letter L) will be separate.

As regards registration categories, an exception will still be made for pickup trucks with a net mass between 3,000 kg and 4,000 kg that are used for personal purposes only. These trucks are considered passenger vehicles and are registered as such.

Is it true that a Class 3 license will be required to drive a heavy vehicle, as its GVWR is 4,500 kg or more?

No. The new definition of "heavy vehicle" does not concern driver's license classes. Everyone can continue to drive the same vehicles with the same driver's licenses. As with registration, driver's license classes will continue to be associated with the net mass of vehicles you are allowed to drive.

EFFECTIVE DATE OF THE NEW DEFINITION

When will the new definition of “heavy vehicle” take effect?

The new definition of “heavy vehicle” is scheduled to take effect in spring 2010, subject to required government approval. The official effective date will be posted on the Ministère des Transports du Québec and SAAQ websites. It will also be publicized through many road transport websites and publications.

The effective date of the new definition of “heavy vehicle” will also be indicated in the cover letter of the progress report that will be sent to all heavy vehicle owners before the effective date. In the spring of 2010, SAAQ will send heavy vehicle owners a list of their vehicles and the GVWR value of each vehicle appearing in the SAAQ registry so owners can validate this information.

How do I find out my obligations if my vehicle becomes a “heavy vehicle” when the new definition takes effect?

The best tool is definitely *Obligations of Heavy Vehicle Users*. This guide is available at all SAAQ service centers and online at www.saaq.gouv.qc.ca. An updated addition has just been released. This user-friendly tool covers all obligations and situations (transportation of passengers and goods, interprovincial travel, etc.). It also contains references to other documents that explore each regulation more in depth. In addition, a more detailed version of this newsletter and other relevant information is available on the Ministère des Transports website (www.mtq.gouv.qc.ca) in the *Companies* section, under *Trucking*.

Do I have to comply with all obligations for heavy vehicle owners and operators as soon as the new definition takes effect?

Anyone whose vehicle becomes a heavy vehicle when the new definition takes effect must comply with the obligations as of that date. However, these people will have a seven-month grace period to register with the Registre des propriétaires et des exploitants de véhicules lourds. They should receive written notice from CTQ informing them of this obligation.

A one-year grace period will be allowed for mechanical inspection by an SAAQ agent. About two months before this period ends, heavy vehicle owners and operators will receive a reminder of the deadline for mechanical inspection.