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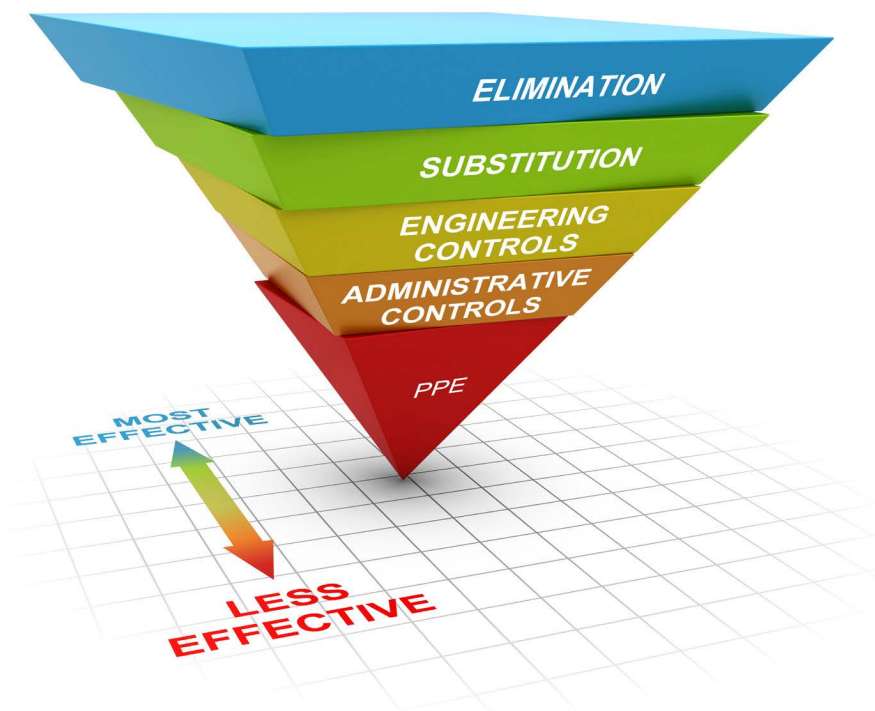
FALL 2025



HOW DO YOUR HAZARD CONTROLS STACK UP?



Safety is about protecting employees and others from physical hazards that can cause harm. A key question for a motor carrier's leadership team: How effective are your efforts to control hazards? Below is a graphic created by the National Institute of Occupational Health (NIOSH), depicting its hierarchy of hazard controls from least to most effective. Understanding this hierarchy can help you evaluate your current hazard control efforts and give insight into how you can control hazards more effectively.



PERSONAL PROTECTIVE EQUIPMENT

Personal protective equipment (PPE), including gloves, proper footwear, protective eyewear, and reflective vests, is often the most visible aspect of hazard control efforts, but PPE can also be the least effective. Why? Because PPE may not eliminate or reduce the hazard, it offers protection only after exposure. Consider a driver who wears a safety vest while loading and unloading. The vest alone cannot prevent an accident, but it can help increase the driver's visibility and possibly reduce the risk of injury.

ADMINISTRATIVE CONTROLS

Administrative controls involve changing behaviour through work practices. Conducting safety training, implementing standard operating procedures, enforcing mandatory pre-trip inspections, and limiting driving hours to reduce fatigue are administrative strategies designed to control hazards. These measures can be cost-effective and easy to implement, but they can often fall short due to human error or non-compliance. A well-trained driver may still forget a step or ignore a policy under stress or time pressure. Therefore, while valuable, the effectiveness of administrative controls can depend on consistent monitoring and reinforcement.

ENGINEERING CONTROLS

Engineering controls can be an effective hazard control tool because they involve modifying the equipment or environment to reduce the risk of injury at the source. Engineering controls can include automatic braking systems, lane-departure warnings, fender-mounted mirrors, and dash cameras. For example, equipping a fleet with inward-facing cameras can help detect when a driver is fatigued or distracted and alert both the driver and dispatcher. Engineering controls are intended to be proactive and might have a long-term return on investment in reduced injury rates and liability exposure.

SUBSTITUTION

Substitution involves replacing hazardous practices, substances, or tools with safer alternatives. In motor carrier operations, this could mean transitioning from diesel-powered forklifts to electric ones to reduce exhaust exposure in indoor loading docks. Another example includes replacing traditional hazardous cleaning agents with less toxic solutions. The goal is to reduce the level of hazard while maintaining operational effectiveness. Successful substitution often results in fewer health risks, better environmental outcomes, and improved worker morale. While substitution sometimes requires up-front investment or operational changes, the long-term benefits could be significant.

ELIMINATION

Elimination, meaning completely removing a hazard from the workplace, can be an effective strategy to control hazards, though it is often the most challenging to implement. For example, if drivers are exposed to a fall hazard while securing loads, redesigning trailers with automated tarping systems can help eliminate the need for workers to climb onto cargo. Another idea is to re-reroute drivers away from known hazards, like turning right out of the terminal instead of left across heavy traffic lanes. Elimination often requires redesigning work processes, but it can provide the most significant long-term safety benefit by removing the risk entirely.

FINAL THOUGHTS

From a risk management perspective, motor carriers should determine if their current hazard control measures are effective and evaluate whether they rely too heavily on one method over another. Periodic hazard assessments, near-miss reporting, and data analytics can help identify gaps in current hazard control strategies. Additionally, solicit employees to review work procedures and identify hazards. They can help identify opportunities for improvement that might otherwise go unnoticed.

Furthermore, financial considerations should not overshadow safety investments. Engineering controls and substitution may require higher up-front costs, but they can help reduce workers compensation claims and improve performance and compliance scores during audits. By understanding and implementing the whole hierarchy of hazard controls—from PPE to elimination—leaders can make informed decisions that can help reduce risk. Effectiveness lies not only in good intentions but also in proactive, evidence-based action.



CALL TO ACTION

- Consider replacing lower-tier hazard controls with engineering solutions, substitutions, or eliminating the hazard where feasible.



WHAT IS THE FMCSA'S ENGLISH LANGUAGE PROFICIENCY (ELP) REQUIREMENT?

To ensure safe and effective communication on the road, the FMCSA announced that beginning on June 25, 2025, ELP violations will once again be included in the out-of-service criteria—ensuring consistent, nationwide enforcement and reaffirming the Department of Transportation's unwavering commitment to roadway safety.¹

According to 49 CFR Part 391.11(b)(2), drivers must be able to “read and speak the English language sufficiently to converse with the general public, to understand highway traffic signs and signals in the English language, to respond to official inquiries, and to make entries on reports and records.” This regulation is a key component of the FMCSA's broader safety framework. Communication is essential for daily interactions and during emergencies, inspections, and roadside encounters with law enforcement or safety officials. A driver's inability to understand signage or communicate effectively can increase risk on the road—for themselves and others.

FMCSA recommends conducting a driver interview and highway traffic sign assessment to determine each driver's English proficiency. Motor carriers may conduct this assessment using various methods, but FMCSA recommends that the motor carrier's assessor conduct the interview and traffic sign assessment in English with the driver responding in English without the use of an interpreter or other translation device.

For more information about the types of questions to ask in both the driver interview and traffic sign assessment, refer to the FMCSA's guidance: <https://www.fmcsa.dot.gov/regulations/what-should-motor-carrier-do-assess-cmv-drivers-english-language-proficiency-elp-during>. Furthermore, consider consulting legal counsel before implementing changes to your driver qualification processes.

¹ Source: <https://www.fmcsa.dot.gov/newsroom/us-transportation-secretary-sean-p-duffy-signs-order-announcing-new-guidance-enforce>

Note: These lists are not intended to be all-inclusive.

MAKING A CASE FOR TELEMATICS AND CAMERAS IN YOUR FLEET

As the demands on motor carriers continue to grow—more freight, tighter schedules, and heightened legal scrutiny—leveraging modern technology is no longer a luxury; it's a strategic necessity. Among the most effective tools available today are telematics systems paired with inward- and outward-facing cameras. These technologies can offer significant benefits for fleet safety, efficiency, and legal protection. Here are five reasons to consider implementing them in your fleet—and how to address potential driver resistance.

CRASH EXONERATION AND CLAIMS SUPPORT

One of the most powerful advantages of cameras is their ability to protect the driver and the company after a crash. Outward-facing cameras can provide irrefutable evidence in the event of an incident, often proving that your driver was not at fault. This information could be the difference between a costly lawsuit and a quick dismissal. In cases where the driver is at fault, having immediate access to footage can help jumpstart the claim process. It's better to know the facts sooner rather than later.

IMPROVED DRIVER SAFETY AND BEHAVIOUR

Telematics combined with camera systems can allow real-time insight into driver behaviors, including speeding, harsh braking, distracted driving, and fatigue. This data enables targeted coaching and rewards safe habits. Over time, these interventions may help decrease accidents and improve safety performance.

OPERATIONAL EFFICIENCY AND COST CONTROL

These technologies offer more than just safety benefits. Telematics can help optimize routes, reduce idle time, and monitor fuel usage. Cameras can also help verify delivery issues, cargo claims, and maintenance concerns. The result? Potentially reduced operating costs and increased uptime.

ENHANCED LEGAL AND REGULATORY COMPLIANCE

Compliance with hours of service, vehicle inspections, and safety mandates can be streamlined with digital telematics records and visual evidence. In the event of any enforcement audit or dispute, you can use video and other data to help prove adherence to the regulations.

CUSTOMER SATISFACTION AND BUSINESS REPUTATION

On-time delivery, verified delivery events, and professional driver behavior can contribute to stronger customer relationships. In an industry where reputation matters, proving your commitment to safety and service can help set you apart.

ADDRESSING DRIVER CONCERNS DIRECTLY

Some drivers worry that cameras, especially inward-facing ones, can be invasive. These concerns are valid and should be treated with respect. The key is communication. You can make it clear that the goal is not to micromanage; it is to protect drivers. Emphasize how cameras have cleared drivers from blame in past incidents. Establish clear privacy policies, restrict footage access, and include drivers in training and rollout plans. When drivers see the benefits for themselves, buy-in can increase.

Note: These lists are not intended to be all-inclusive.

CALL TO ACTION

- Analyze the operational advantages of installing inward- and outward-facing cameras in every truck.



TIME TO DISCUSS FALL DRIVING HAZARDS

As the season changes, so do the hazards drivers may face on the road. Fall brings a unique set of challenges that every member of a motor carrier's operations team, including driver managers and dispatchers, should actively discuss with drivers. From increased traffic patterns to unpredictable weather, staying ahead of these seasonal hazards is critical for safety and performance.

BACK TO SCHOOL

One of the most noticeable changes in the fall is the return of school buses and students. Drivers should be reminded to exercise increased caution in school zones and residential neighborhoods. Be aware of frequent stops, children crossing the road unexpectedly, and changes in speed limits during school hours.

FARM VEHICLES

Another common hazard during fall is the presence of farm vehicles on rural roads and highways. Harvest season is in full swing, meaning large, slow-moving agricultural equipment will be more prevalent. These vehicles often lack proper lighting or signage and may make wide turns or stop abruptly. Drivers must be patient and avoid risky maneuvers when sharing the road with farm equipment.

ANIMAL STRIKES

Animal strikes, particularly with deer, also become more common during the fall. October and November are peak months for deer activity, especially at dawn and dusk. Operations teams should encourage drivers to scan the shoulders of the road and use high beams when safe to increase visibility and reaction time.

ADVERSE WEATHER

In addition, fall brings changing weather conditions that can impact road safety. Morning frost, wet leaves, fog, and early season snowfall can reduce traction and visibility. Drivers should be reminded to adjust their speed and increase following distance in poor conditions. Reduced daylight hours also mean more driving in low-light or dark conditions, making it even more important to check that headlights, taillights, and reflectors are clean and functioning properly.

Effective safety communication begins with the operations team. Driver managers and dispatchers play a key role in reinforcing safety messages and creating a culture of awareness. Whether during pre-trip check-ins, daily dispatch calls, or routine safety huddles, now is the time to prioritize fall hazard reminders.

By proactively discussing these risks, motor carriers can help their drivers stay alert, avoid accidents, and keep freight moving safely through the season.

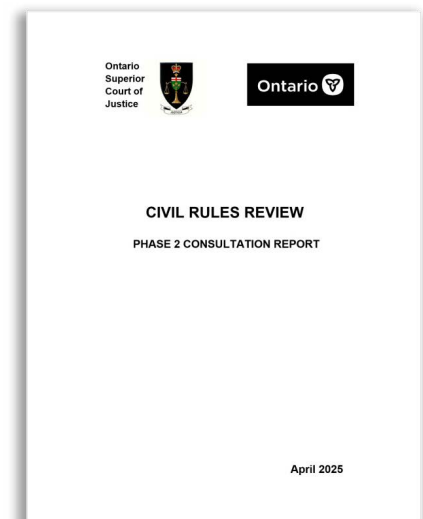
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ONTARIO CIVIL PROCEDURE REFORMS

Ontario's civil litigation landscape may soon undergo a transformative shift. On April 1, 2025, the Civil Rules Review Working Group (CRR) - a task force established by Ontario's Attorney General and the Chief Justice of the Ontario Superior Court of Justice – released its [Phase 2 Consultation Paper](#). This document outlines a bold new procedural model aimed at overhauling the Ontario Rules of Civil Procedure. These reforms, if implemented, would mark the most significant shift in Ontario's litigation landscape in decades.

The proposed reforms are designed to streamline civil and commercial litigation, making it more efficient, affordable, and accessible by reducing procedural complexity, litigation delays, and overall costs. If adopted, the new rules would apply to all civil matters before the Ontario Superior Court of Justice (excluding Small Claims Court cases) and with modifications for specific types of proceedings such as class actions, insolvencies, non-contentious estate matters, and Indigenous claims.



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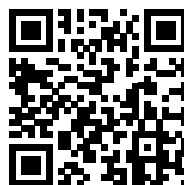
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