

## SPIF Grandfathering – Guidance for OSSGA Members

On December 31, 2020, the grandfathering period for Phase 4 vehicles established on July 1, 2011 under the Safe, Productive, Infrastructure-Friendly (SPIF) regulations came to an end.

The Ministry of Transportation announced that:

Non-SPIF Vehicles that are less than 15 years old may apply for a one-time permit to extend the grandfathering. Vehicles that are older than 15 years may operate as a non-SPIF vehicle – subject to lower weights. Vehicles may also be upgraded to become SPIF compliant. Fleet or individual truck owners are encouraged to visit [MTO](#) for more information.

The MTO Vehicle Weights and Dimensions public guidebook can be found [here](#).

OSSGA has received a number of questions from members who hire trucks about this issue and how they are to know if a truck is in compliance or not. Some white sheets have SPIF compliance indicated on the sheet – but others do not.

The OSSGA Transportation Committee has gathered examples of practices members are putting in place at the scale house to help confirm that trucks are SPIF compliant, have a permit, or are loaded to the lower, appropriate weight.

The following samples have been ordered beginning with the Ministry of Transportation's guidance, followed by sample member guidance from the least, to the most complex.

### MTO Guidance

*Provided by the Carrier Program Development Office of the Ministry of Transportation*

When loading trucks at a quarry or pit, the shipper or consignor has always had a responsibility under the Highway Traffic Act (HTA) to ensure the vehicle they are loading is done so properly and legally before it leaves your site. This applies to all weights, including gross weight (see HTA section 126 copied below flowchart).

With the recent ending of grandfathering for SPIF Phase 4 vehicles (dump trucks) some non-SPIF vehicles will be able to continue to operate at their previous weights until the vehicle reaches 15 years of age (under MTO extended grandfathering permit) whereas some vehicles will have already crossed the 15 year threshold and no longer be eligible to carry what they once did. While it is not the responsibility of a pit or quarry (shipper) to ensure all vehicles have a permit, it remains the responsibility of the shipper to understand each vehicles capabilities and limitations to ensure they are being loaded in accordance with the law.

MTO has for some time now, provided “Measure Up Sheets” to commercial vehicle operators as a way to assist quarries and pits in determining what a vehicle can carry. That said, the sheet is only a tool to assist the shipper of goods, not a replacement for a shipper’s due diligence. Please note, the “Measure Up Sheets” are not a requirement by MTO, nor are these sheets a legal requirement, it is simply a tool to assist industry. Also note that a “Measure Up Sheet” previously created may no longer accurately reflect post-grandfathering weights (as they are based on the regulatory regime in place at the time of completion of the sheet).

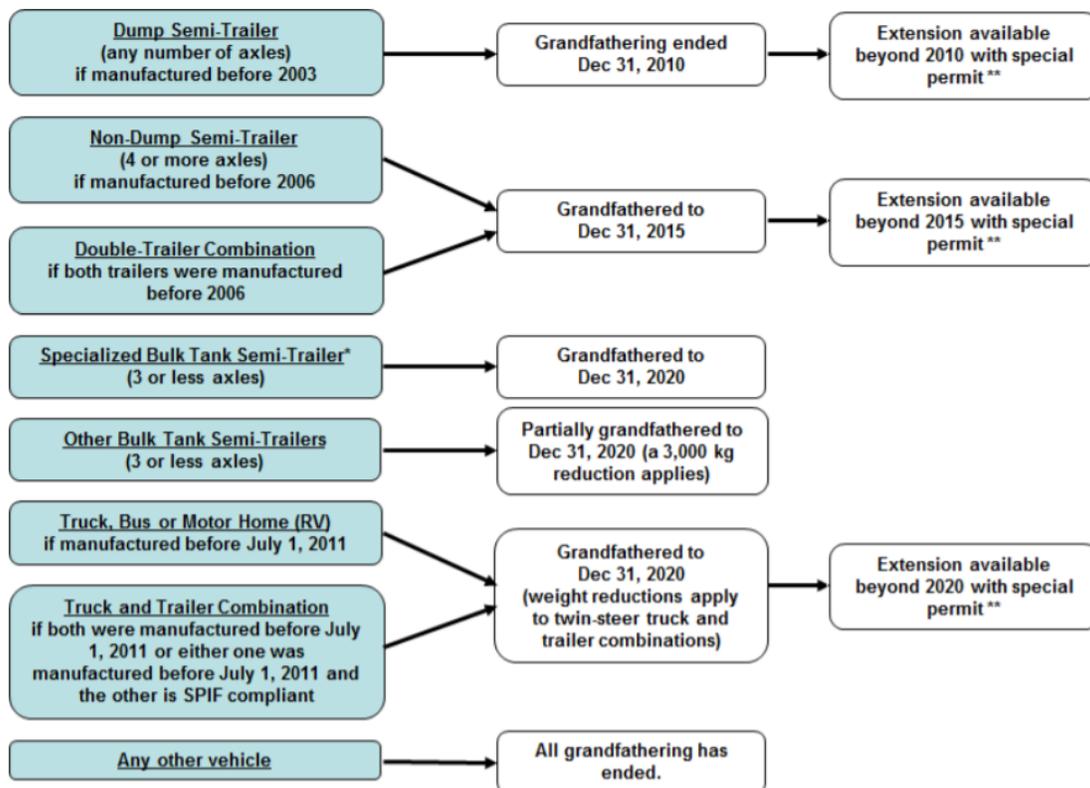
Each site should continue to monitor all vehicles and adjust the policies and procedures in place as necessary to verify a vehicles capability before loading (e.g. SPIF vs Non-SPIF). For older vehicles this may require a few extra steps such as checking the age of the vehicle (VIN Plate) to determine if gross weights should be reduced or if they can stay the same as they were prior to Dec 31<sup>st</sup> and checking for extended grandfathering permits.

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**Chapter 4 – Allowable Weights (SPIF and non-SPIF)**

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**TO DETERMINE WHEN GROSS WEIGHTS ON NON-SPIF VEHICLES ARE GRANDFATHERED**



\* Specialized tankers include a carbon dioxide tank semi-trailer, cryogenic tank semi-trailer or tag-axle tank semi-trailer.

\*\* Grandfather extensions are available by special permit for vehicles less than 15 years of age (20 years for hopper dump semi-trailers, non-dump semi-trailer with 4 or more axles and double trailers, tank full or pony trailers, and concrete mixer trucks. 25 years for tank semi-trailers with 4 or more axles and tank double trailers), Reg 431/05 s. 34.

### **Highway Traffic Act – Overloading by consignor**

126. Every consignor of goods, or the consignor's agent or employee, who causes a vehicle or combination of vehicles not owned by the consignor to be loaded so that when operated on a highway,

- (a) the weight on any millimetre in the width of the tire exceeds a limit set out in subsection 115 (1) or in the regulations;
- (b) the axle unit weight on an axle unit exceeds a limit set out in section 116 or 119 or in the regulations;
- (c) an axle group weight exceeds a limit set out in section 117 or 119 or in the regulations;
- (d) the gross vehicle weight exceeds a limit set out in section 118 or 119 or in the regulations; or
- (e) the gross vehicle weight exceeds the gross vehicle weight specified in a permit referred to in section 121,

is guilty of an offence and on conviction is liable to a fine as if the consignor had been convicted under section 125. 1994, c. 29, s. 1; 2015, c. 27, Sched. 7, s. 23.

## Sample Communication to Truckers

*Provided by several member companies who are using a version of this message*

To: Hauler

From 2000 to 2011, Ontario introduced a four-phased overhaul of the vehicle weights and dimensions regulations. The reforms resulted in Highway Traffic Act Regulation 413/05, Vehicle Weights and Dimensions (VWD) for Safe, Productive, and Infrastructure-Friendly (SPIF) vehicles.

Initial grandfathering for Phase 4 impacted vehicles, the last phase of the regulatory reforms, will be coming to an end on **December 31st, 2020**.

Any non-compliant vehicle older than 15 years of age will be deemed non-SPIF. The vehicle can either be upfitted to become SPIF compliant or continue to be operated at non-compliant weights as set-out in O.Reg. 413/05, Table 32.

If the vehicle is less than 15 years of age, extended grandfathering permits may be issued by the MTO upon request to continue operating in the pre-regulatory reforms regime as set out in the *Highway Traffic Act* until the vehicle reaches 15 years of age.

As of **January 1, 2021** all sites will require a copy of current MTO Gross Axle Weight Rating (GAWR) papers showing SPIF compliance or a grandfathering permit issued by the MTO. If our scale is not provided with this required paperwork we will be forced to follow the MTO's non-compliant weights as set-out in O.Reg. 413/05, Table 32.

Non-compliant vehicles will be loaded to the following maximum gross weights in accordance with Table 32:

Triaxle Dump Truck 27,000 kg  
 Triaxle with Tandem Pup 46,000 kg  
 Triaxle with Triple Pup 50,000 kg  
 Tractor with Three Axle Hopper 46,000 kg  
 Tractor with Four Axle Hopper 50,000 kg  
 Tractor with Five Axle Hopper 52,000 kg  
 Three Axle Slinger 27,000 kg

If you are not compliant, please let our shipping loader operator know how many tonnes to load so your truck is not overloaded. Our system cannot print tickets for trucks that are overloaded.

Please forward GAWR papers or grandfathering permits with “SPIF” in the subject line to [psmith@company.com](mailto:psmith@company.com) prior to your truck coming into the quarry so we can update our system accordingly and ensure your trucks are loaded with the correct weights. Alternatively, your papers can be presented on the inbound scale at the scalehouse and we will update your information there.

## Sample Communication to Staff to Confirm SPIF Compliance

*Provided by an OSSGA member*

This is an example from a member who keeps an in-house database of their truck suppliers:

As each truck arrives at the inbound scale, we are pulling their allowable gross weight form (this will also be the process when a new truck arrives at the scale). To ensure a legitimate SPIF sheet we will be checking the following:

- Is there a SPIF number?
- Are we seeing “S” or “SS” to indicate steering axles and/or arrows to indicate lift axles?
- Is there a maximum of 9550 kgs on each steering axle (9000 on single tire axles)?
- Does the actual axle configuration on the truck match what’s on the sheet?
- Does the total by axle add up to the total on the sheet and is it not greater than 63,500 kgs? (NB: if there is a deduction of 1500 kgs from the axle weights totalled, the truck is NOT SPIF!)
- Is there an MTO stamp – if the sheet is an original it should be in red?
- Check with the driver the license number on his truck matches what’s on the sheet?
- Has the sheet been altered (handwriting, white out, obvious changes)?

If all of these criteria are met, the truck will be entered into the database and/or the word “**SPIF**” will be added at the end of their license number so it can be seen to be SPIF compliant as soon as the truck number is pulled up in the database.

If the truck is Non-SPIF **and** a grandfathering permit (Special Vehicle Configuration Permit) is submitted, the gross allowable sheet will be checked to confirm it is legitimate except for the SPIF compliance. The

truck will be entered into the database and/or the word “**GFPermit**” will be added at the end of their license number so it can be seen as soon as the truck number is pulled up.

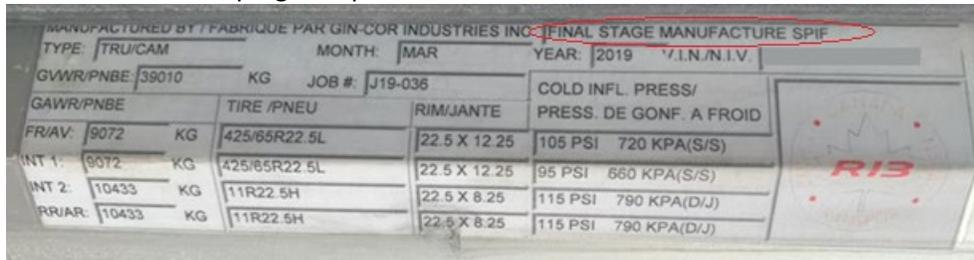
If the truck is clearly Non-SPIF, if the driver tells us or if we feel by the form the truck is Non-SPIF (if for example 1500 kgs is deducted from the total of the axle weights), the truck will be entered into the database and/or the word “**Non-SPIF**” will be added at the end of their license number so it can be seen when the truck is scaling in. The truck will then be loaded with a maximum allowable gross as per Table 32 of The MTO Guide to: Vehicle Weight and Dimension Limits in Ontario.

Where the driver informs us the truck is SPIF and we have reason to believe otherwise, if we can be presented with a copy of the VIN plate from the lead and trailers which confirms the equipment is SPIF (either by SPIF being noted on the plate or the notation Reg. 597), we will put a pop-up on the truck record to note “**SPIF Pending**” and there will be a grace period (yet to be determined) so the driver can get a proper sheet, before we would start reducing their load as per Table 32.

Where the gross allowable sheet doesn’t pass the criteria as listed above, but has enough of the points where it would appear the truck is SPIF and the document is simply missing information, and the driver confirms the truck is SPIF, it will be entered into database and/or the pop-up noting “**SPIF Pending**” will be added for the grace period as above.

## Example of VIN Plate

Note SPIF on the top right of plate:



OSSGA will continue to monitor and post additional information if appropriate.