The trucking and transportation sector in Canada has many unique complexities and challenges, making a specialized, multidisciplinary legal team a necessity. Trucking is an essential component of our economy and comes with important legal considerations and inevitable disputes. With a deep understanding of the challenges unique to this industry, our preeminent transportation team provides successful, comprehensive legal services to trucking companies, drivers and stakeholders across the country. Whether you operate a large fleet, are an independent driver, or are involved in logistics, load brokering, freight forwarding or warehousing, our experienced team is here to provide strategic legal counsel and representation tailored to your needs, perspective and experience.

We are knowledgeable of the many regulations and can help you stay compliant with laws related to vehicle safety, driver qualifications, hours of service, environmental standards, competition policy, labour relations, and insurance law. Whether you operate within a single province or across the country, we have the legal expertise to guide you through every regulatory landscape.

We have experience in dispute, regulatory and transactional aspects of trucking. Our experience includes:

- Successful representation of numerous regional and national motor carriers and their insurers in catastrophic injury and wrongful death cases as well as cargo damage claims, commercial disputes, and regulatory proceedings relating to, among others, carrier fitness, safety and compliance issues.
- Defence and prosecution of claims on behalf of members of the industry and their insurers.
- Representation in respect of Notices of Cancellation and Seizure of Commercial Plates; CVOR/National Carrier Fitness Safety Certificate aspects; IRP and IFTA registrations; transport regulatory compliance and registration in the context of mergers, acquisitions, amalgamations, and restructurings involving commercial motor vehicles; cabotage aspects for foreign carriers carrying on business in Canada; emissions and environmental issues.

We also advise trucking and logistics clients on issues related to waybills, bills of lading and contracts of carriage; distribution and warehousing agreements and disputes, including liens on inventory and general security and forbearance agreements; recovery of property and debt disputes; corporate and business law issues, as well as environmental issues and the transportation of dangerous goods.

Regulatory

We advise on provincial and territorial regulations that govern the operation of the commercial bus and truck industry. We are engaged regularly with the Canadian Transportation Agency and the Transportation Safety Board. Our team has experience on all trucking industry regulatory matters including cross-border and environmental issues, safety inspections and employment regulations.

Litigation

BLG has worked on litigation matters related to many trucking industry disputes including those related to accidents, spills, injuries and cargo damage.

With offices across Canada, we advise clients on regulatory regimes to assist them with compliance issues, including:

- Hours of service
- Dangerous goods
- Security registrations and clearances
- Driver qualifications
- Vehicle weight and size
- Safety inspections
- Environmental regulations
- Cargo securement
- Insurance and carrier registration
- Labour regulations
- Cross-border rules (Canada-U.S.)
- Traffic regulations
- Compliance with industry-specific regulation
- Employment services for both federally and provincially regulated providers
- Transportation safety and environmental disputes such as derailments, hazardous materials leaks and spills
- Contract disputes
- Commercial disputes
- Personal injury
- Cargo damage
- Environmental incidents and emergency response

We also advise on

- Development and financing of projects and operations
- Protection and exploitation of proprietary intellectual property and technology
- Import and export of controlled goods
- Border security matters
- Employment law
- Immigration
- Commercial transactions
- Real estate
- Mergers and acquisitions
- Insolvency and restructuring matters
- Stakeholder relations and engagement

Experience

- Acting for commercial transportation companies in multi-jurisdictional proceedings involving cargo, casualty and recovery claims.
- Successfully defended a Canadian shipowner in an action regarding property damage and personal injury related to a vessel's wake.
- Assisted a Canadian mining company in establishing a freight forwarding subsidiary to allow it to diversify and strengthen its business.

Key Contacts

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