

# Appendix 1

## Attached to and forming part of the Canadian Fuels Qualification Form

### Background:

The Government of Canada has enacted *The Personal Information Protection and Electronic Documents Act* (the "Act"), "to support and promote electronic commerce by protecting personal information that is collected, used or disclosed in certain circumstances, by providing for the use of electronic means to communicate or record information or transactions and by amending the Canada Evidence Act, the Statutory Instruments Act and the Statute Revision Act." (Second Session, Thirty-sixth Parliament, 48-49 Elizabeth II, 1999-2000)

The Canadian Fuels Association ("Canadian Fuels") maintains a database of information (the "Database") with regard to drivers employed by Common Carriers<sup>1</sup>. The Database allows Canadian Fuels to respond to the requests of Common Carriers, third party contractors acting on behalf of Common Carriers, and Canadian Fuels member companies for confirmation of the validity of a driver's Canadian Fuels Driver Certification and/or, in the case of Western Division, the number of, and points awarded in connection with employment related driving incidents such as product spills and mixes, vehicle accidents, injuries, and near misses.

The Database contains the following driver information: (i) driver license number, (ii) driver's first and last name and middle initial, (iii) Canadian Fuels Driver's Certification Card number, (iv) Certification Card's expiry date, (v) name of employer at time of last Canadian Fuels certification, (vi) name and location of where driver was tested, and, in the case of Western Division, (vii) incident dates, type, location, points assessed, total points accrued and comments.

A driver's information is updated every time a new Canadian Fuels Qualification Form is submitted or, in the case of Western Division, an incident is reported. All information is retained in the Database for a minimum period of 5 years and a maximum period of 10 years beyond the last Canadian Fuels Certification date, or the date of last reported incident, whichever comes last. In the case of Western Division, while accrued incident points are maintained for the minimum 5 years and a maximum of 10 years or the date of last reported incident, whichever comes last, the number of points that are actually charged against a driver's record are only those that were accrued during the immediately preceding thirty-six month period. (e.g. a driver may have accrued 18 incident points during the past five years but if none were accrued in the past 36 month period the number of points that would be reported in response to a query would be zero.)

All or part of the information in the Database is available upon request at no charge to Canadian Fuels member companies, bulk fuel carriers that transport fuels on behalf of Canadian Fuels member companies, and third party contractors acting on behalf of Common Carriers (e.g. Professional Drivers Bureau {PDB}).

### Consent to release information

I hereby acknowledge and agree that Canadian Fuels may, (i) upon the request of Common Carriers, third parties acting on behalf of Common Carriers or Canadian Fuels member companies, disclose my name, driver's license number, Canadian Fuels Driver's Certification Card Number, Certification Card expiry date, name of my employer at the time of submission of my most recent Canadian Fuels Qualification Form, the name and location of where I was tested, and, in the case of Western Division, the number of driving incident accrued points and details relating thereto, and (ii) collect and maintain such information in the Database as described above.

\_\_\_\_\_  
(Signature of driver)

\_\_\_\_\_  
(Signature of witness)

\_\_\_\_\_  
(Print name of driver)

\_\_\_\_\_  
(Print name of witness)

\_\_\_\_\_  
(Date [yyyy-mm-dd])

<sup>1</sup> Defined as companies that transport refined or unrefined petroleum products in tank trucks, and contract with Canadian Fuels member companies to deliver those products to the member companies' customers.