

# Canada Regulatory Compliance Guide

An Essential Resource for Producing  
Commercial Vehicles for the Canadian Market

## **This guide covers**

- Motor Vehicle Safety Act
- National Safety Mark
- Canadian Environmental Protection Act
- National Emissions Mark
- Transport Canada's Appendix G Pre-Clearance Program

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## Disclaimer

The information in this guide does not constitute legal advice and is meant for general information purposes only. It is not a substitute for knowledge and understanding of the requirements of the Canada Motor Vehicle Safety Act (MVSA), Canada Motor Vehicle Safety Regulations (CMVSR), or applicable Canada Motor Vehicle Safety Standards (CMVSS) and/or Federal Motor Vehicle Safety Standards (FMVSS). Intermediate, final and altered stage manufacturers should be familiar with the Regulations and Standards referred to above as they relate to the final destination and sale of each vehicle.

Where there are deviations in this guide that do not coincide with the original text of the Legislations or Regulations referenced herein, the original texts of said Legislations or Regulations maintained by Justice Canada will take precedent over all other printed representations published by NTEA – The Work Truck Association™.

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## Introduction

The vocational truck industry operates a single, unified market between Canada and the United States. Every day trucks, truck equipment, and people move across the border, not always seamlessly, supporting the \$175 billion USD value of commercial vehicle industry shipments that comprise the North American work truck industry.

The Canadian market is a vital component of the broader North American industry. There are numerous ways in which the industry is connected between Canada and the United States. Examples include an American company selling a completed vehicle to a customer in Canada; a Canadian company importing a chassis built in the United States to be upfitted in Canada; U.S. companies with operations in Canada, and vice versa; and many more.

Understanding how to do business in Canada is mission critical for a wide range of work truck companies on both sides of the border. The rules and requirements your company must meet may differ depending on where it is headquartered. Ultimately, what matters most is that your company understands the complex world of vehicle certification and standards to ensure your products are meeting all requirements of the Government of Canada. That is what this guide is all about.

This guide is designed to complement, and in some areas enhance, NTEA's 2024 Commercial Vehicle Certification Guide (CVCG) (see 'Key resources' at the bottom of this section for a link to the CVCG). The CVCG covers the Canadian Federal Government Certification process of the Motor Vehicle Safety Act (S.C. 1993, c. 16), or MVSA, managed by Transport Canada (TC). It is highly recommended that this guide is used in tandem with the latest edition of the CVCG to gain a more complete picture of regulatory requirements. There are references in this text to specific sections in the CVCG to provide a more in depth understanding of Canada's motor vehicle safety standards.

NTEA also offers additional resources for work truck industry companies. NTEA's [Truck Equipment Handbook](#), is the work truck industry's most comprehensive pocket guide for commercial vehicle components and equipment. The latest version includes updates to U.S. and Canadian regulations, along with an expanded set of industry definitions. This edition also covers the vehicle certification process and regulatory standards applicable in Canada. NTEA's [U.S./Canada Federal Lighting Guide](#) provides illustrations indicating specific lighting requirements for commercial vehicles. Two full-color copies are included in the [Commercial Vehicle Certification Guide](#). Laminated 19-inch by 25-inch lighting guide posters are available for purchase separately. NTEA's [Rear Visibility F/CMVSS 111 Field of View Conformity Manual/Kit](#) captures regulatory information in the U.S. and Canada, including conformance mandates that took effect in Canada in 2019, providing a more complete representation of field of view requirements for light commercial vehicles in North America. The manual can be purchased separately or as part of a kit.

The focus of the Canada Regulatory Compliance Guide: An Essential Resource for Producing Commercial Vehicles for the Canadian Market is to help work truck companies, both Canadian and U.S., navigate the key regulatory elements for selling into the Canadian market. According to the Government of Canada, the MVSA was enacted to "regulate the manufacture and importation of motor vehicles and motor vehicle equipment to reduce the risk of death, injury and damage to property and the environment." In addition to covering the MVSA, this guide introduces the Canadian Environmental Protection Act, 1999 (CEPA) and its certification protocols managed by Environment and Climate Change Canada (ECCC). The vehicle, engines and equipment component of CEPA regulates environmental impact (in the form of emissions standards) to ensure compliance with the standards prescribed for vehicles, engines or equipment at the time the main assembly of the vehicle was completed, or the equipment was manufactured. Taken together, these two pieces of legislation (and the associated regulations) cover the two central areas of regulatory compliance: motor vehicle safety and emissions.

Stemming from the MVSA and CEPA, this guide covers two key federal trademarks, namely the National Safety Mark (NSM) and National Emissions Mark (NEM), as well as TC's Appendix G- Pre-Clearance Program for Qualified Foreign Vehicle Manufacturers (QFVM).

The NSM and NEM are topics of interest to both Canadian and foreign companies. Whether you already have an NSM or NEM, are considering starting the process, or have no familiarity with these federal trademarks, the sections of this guide covering the NSM and NEM will demystify the process with the aim of helping companies understand the process for affixing these trademarks.

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Since the MVSA and CEPA are national in scope and have no jurisdiction outside of Canada, it is the Canadian importers and manufacturers that are responsible for assuring conformity of the prescribed classes of vehicles and engines they offer for sale and use in the Canadian market. This guide is applicable to new vehicles or engines that are manufactured in Canada or manufactured in the United States and exported to the Canadian market and have yet to be registered to a first owner. The vehicles or engines have not yet been sold at retail, owned, titled, or licensed.

Both the MVSA and CEPA have provisions for issuing a Notice of Defect to correct defects in the design, construction or functioning of the vehicle, engine or equipment that affects or is likely to affect the safety of an individual or compliance with a prescribed safety standard. Understanding responsibilities associated with defects and recalls is an important part of the overall compliance picture for manufacturers at all stages. To learn more, see 'Key resources' at the end of this section for links to the relevant TC and ECCC webpages with information on defects and recalls.

## Multi-stage manufacturing and vehicle altering

Although they are often termed truck equipment distributors (a.k.a. upfitters), many companies in the work truck industry operate as multi-stage manufacturers, meaning they perform manufacturing work on vehicles in various stages of completion prior to their first retail sale for other than resale. The type of work they perform determines if they are incomplete, intermediate, or final-stage manufacturers or vehicle alterers of completed vehicles. Each type of manufacturing requires conformity with specific Canada Motor Vehicle Safety Regulations (CMVSR) and national emission standards, including vehicle labeling requirements. The information below comes from NTEA's CVCG.

If you receive from a dealer or purchaser an incomplete motor vehicle that has not received its final-stage vehicle certification by another manufacturer(s) and you perform any manufacturing function to that vehicle, you must certify the vehicle as either an intermediate manufacturer (if you do not complete the vehicle) or as a final-stage manufacturer (if you complete the vehicle). Vehicle alterers have additional responsibilities to ensure continued conformity of all applicable standards, as well. The following provides an overview of these various stages of manufacturing.

## Incomplete vehicle manufacturers

While some users of this guide will not be considered original incomplete vehicle manufacturers (a.k.a. OEMs), it is still important to be aware of what legal obligations these original chassis manufacturers have toward the intermediate or final vehicles produced by your company. The work you put into completing a finished vehicle must be compliant with any or all of the CMVSS associated with your work. That is why both U.S. and Canadian regulations require that the OEM provide with the incomplete vehicle an incomplete vehicle document (IVD).

The IVD contains statements identifying what safety standards the OEM confirms will be compliant based on the instructions contained in the IVD when followed by upfitters. This process continues and each upfitter is required to contribute to the IVD with information about the work performed and compliance with safety standards affected by their work. It is only when the vehicle is completed that the final stage manufacturer can certify the vehicle's conformity based on all the information provided in the IVD by the OEM and the subsequent Intermediate upfitters.

The final-stage upfitter is required to remove and maintain the completed IVD as evidence of the continued CMVSS compliance by all parties. The IVD is a critical piece of documentation in the case of an audit by TC that will examine whether all involved parties established CMVSS compliance for the work carried out to complete the vehicle.

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## Intermediate-stage manufacturers

The intermediate manufacturer of a vehicle manufactured in two or more stages assumes legal responsibility for all certification-related duties and liabilities under the MVSA with respect to:

1. Components and systems it installs or supplies for installation on the incomplete vehicle, unless changed by a subsequent manufacturer.
2. The vehicle as further manufactured or completed by an intermediate or final-stage manufacturer, to the extent that the vehicle is completed in accordance with the addendum to the intermediate vehicle document furnished by the intermediate manufacturer.
3. Any work done by the intermediate manufacturer on the incomplete vehicle that was not performed in accordance with the incomplete vehicle document (IVD) or an addendum of a prior intermediate manufacturer.
4. The accuracy of the information in any addendum to the IVD furnished by the intermediate manufacturer (consult Chapter 5 of the CVCG for more information on intermediate manufacturer certification and labeling requirements)

## Final-stage manufacturer

The final-stage manufacturer of a vehicle manufactured in two or more stages assumes legal responsibility for all certification-related duties and liabilities under the MVSA, except to the extent the incomplete vehicle manufacturer or an intermediate manufacturer has provided equipment subject to a CMVSS or expressly assumed responsibility for safety standards related to systems and components it supplied, and except to the extent that the final-stage manufacturer completed the vehicle in accordance with the prior manufacturers' IVD or any addendum furnished pursuant to CMVSR as to the safety standards fully addressed in the IVD or amended IVD.

If you receive a complete motor vehicle that has received its complete vehicle certification from one or more manufacturers and you perform a manufacturing function that alters the vehicle prior to its first sale other than resale, you must:

1. Allow the original certification label to remain on the vehicle.
2. Ascertain that the vehicle as altered conforms to the safety standards affected by the alterations carried out by your company.
3. Affix to the vehicle a final stage altered vehicle certification label.

## Vehicle alterations

An alteration includes anything that affects a vehicle's compliance with a safety standard or that invalidates the vehicle's stated weight ratings and is considered manufacturing. Minor changes, like the addition, substitution, or removal of readily attachable components, such as mirrors or tire and rim assemblies — unless the tire and rim change affect the gross axle weight ratings (GAWRs) or gross vehicle weight rating (GVWR) — or minor finishing operations, such as painting, do not require altered vehicle certification.

Alterations affecting safety standards made prior to the vehicle's sale to the first retail purchaser in good faith for purposes other than resale will invoke certification requirements. Therefore, you must certify a vehicle when you make alterations at the request of a dealer or distributor before the vehicle has been sold and delivered to an actual user. However, you need not certify a vehicle when you make changes at the request of a purchaser who has bought and taken delivery of the vehicle and is not intending it for resale.

If you receive a complete and certified motor vehicle as an upfitter and do not alter it or make only minor alterations, you have no obligation to certify unless your work changes the vehicle's stated weight ratings or affects the vehicle's conformance to a safety standard, as stated previously. However, installation of equipment, such as winch bumpers, snowplow mounts or partitions and shelving are common forms of vehicle alterations requiring analyses of safety standard conformance and certification. All prior manufacturers' certification labels must remain affixed to the vehicle (see Chapter 6 of the CVCG for more information on altered vehicle certification and labeling requirements).

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## Who is this guide for?

This guide is designed to assist multi-stage manufacturers who manufacture within Canada as well as U.S. companies (or any other foreign company) that export to Canada in understanding the landscape of regulatory compliance requirements.

The internal protocols of TC for companies achieving recognition as a qualified foreign or domestic vehicle manufacturer requires a different process depending on the vehicle's origin, (i.e. whether it originates from the United States or Canada). This is due to the variation in the Canadian Federal jurisdictional powers applicable to foreign companies exporting/importing prescribed classes of vehicles into Canada to sell versus those companies manufacturing prescribed classes of vehicles inside Canada to sell. The pathways for greenhouse gas (GHG) emissions compliance also differ depending on whether the vehicle is manufactured within or outside of Canada. For this reason, this guide is divided into two main parts:

1. Part I: Vehicles and Engines manufactured outside of Canada that cross Federal boundaries (i.e. borders), that are imported into Canada for the purpose of sale in Canada; and
2. Part II: Vehicles and Engines manufactured within Canada that cross Provincial boundaries for the purpose of sale in Canada (i.e. interprovincial trade).

The information and examples provided throughout this document are intended to briefly summarize several common circumstances under which multi-stage manufacturers must affix a certification label to a motor vehicle. Appendix 1 of this guide provides contact information for the relevant Canadian Federal Government Departments, and we encourage companies to contact these regulatory agencies directly should have any questions that are not addressed in this guide.

## Key resources

- [Canada Motor Vehicle Safety Regulations](#) (TC)
- [Canadian Environmental Protection Act](#) (ECCC)
- [Commercial Vehicle Certification Guide](#) (NTEA – The Work Truck Association™)
- [Defects and recalls of vehicles, tires and child car seats](#) (TC)
- [Motor Vehicle Safety Act](#) (TC)
- [Notices of Defect](#) (ECCC)

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## Part I: Vehicles and engines manufactured outside of Canada

### Motor Vehicle Safety Act (MVSA) – vehicle safety standards

The MVSA mandates that vehicles are to be manufactured and certified compliant with all safety standards applicable to a prescribed class, which includes incomplete vehicles, before the vehicle is imported (i.e., at the time of manufacture, before entering Canada). This requires that the importer has evidence to prove compliance if requested by a government authority. TC officers have the authority to recommend penalties and restrict entry into Canada for non-compliances.

For both MVSA and CEPA programs, the imported vehicles must be new, fully compliant with Canadian specifications, and bought directly from foreign manufacturers registered with the programs described later in this guide. The vehicles have not yet been sold at retail, owned, titled, or licenced.

It is Canada Border Services Agency (CBSA) officers who are tasked with the verification that all legislative and regulatory requirements are adhered to, at the time the product is presented at the border. With respect to the MVSA, there is an established protocol with TC that requires CBSA Border Officers to inspect every vehicle to determine its CMVSS compliance declaration. See the example in Box 1 below for a description of this scenario.

#### **Box 1: Appendix G and the importance of having the right paperwork in order at the border**

In this example, a U.S. based commercial truck manufacturer has completed a vehicle and identified a customer in Canada. Thus, the new vehicle is being imported into Canada directly from the foreign manufacturer in the United States.

The U.S. based manufacturer has completed all paperwork required by CBSA. All seems in order until the vehicle and paperwork are presented to the CBSA Border Officer. The Border Officer is required to verify whether the U.S. Company is listed on Appendix G – List of Qualified Foreign Vehicle Manufacturers. If the company is not listed, the CBSA Border Officer will contact a TC Enforcement Officer to verify that the vehicle conforms to all CMVSR and CMVSS.

The vehicle will not be released by CBSA until a final decision is taken by TC. This process requires the U.S. manufacturer to submit certification test reports for all CMVSS applicable for the class of vehicle to TC for review. This can take anywhere from a few days to several weeks depending on the quality of the tests performed. In some cases, the vehicle may be refused entry into Canada. To avoid such a scenario, consult the section on Appendix G and Qualified Foreign Vehicle Manufacturer in this guide.

To learn more about how CBSA works with TC to manage the importation of vehicles into Canada, please consult Memorandum CBSA D19-12-1 – Importation of Vehicles (available in the Key resources at the end of this section of the guide).

### Appendix G – Qualified Foreign Vehicle Manufacturer (QFVM)

The CMVSR requires that all importers of a prescribed class of vehicle produce evidence that the vehicle conforms to the standards set out in these regulations by reporting required evidence to the Minister before the vehicle is imported. To streamline the reporting process, the CMVSR provided a Pre-Clearance Appendix F exception for high volume importers who import over 2,500 vehicles per year to report only when requested by the Minister. Normally the vehicles imported by these importers are produced by major manufacturers and the risk of non-compliance is lessened. See 'Key resources' at the end of this section for a list of Canadian commercial importers registered in the Appendix F Pre-Clearance Program.

To further streamline the border reporting process for Canadian commercial importers that import fewer than 2500 eligible vehicles annually, TC developed the Appendix G Pre-Clearance Program that lists those foreign vehicle manufacturers that are recognized by the Minister as having provided evidence during an earlier conformity audit that their vehicle will conform to the standards before import. (a.k.a. Qualified Foreign Vehicle Manufacturers or QFVMs). See the link below in Key resources to search for any of the QFVMs in the TC database. Had the U.S. Company in Box 1 been listed as a QFVM, the Border Officer would have confirmed the company was on the Appendix G list, indicating the company met TC's conditions of being a trusted QFVM, and the vehicle would have been released without any involvement from TC.

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## The process to become a Qualified Foreign Vehicle Manufacturer

To initiate the QFVM process with TC, it is preferable that the original vehicle manufacturer (rather than the Canadian importer) contact the Compliance Audit and Importation Division of TC (see Appendix 1 of this guide for the contact information for TC) to express their desire to participate in the Appendix G program as a QFVM. The Audit division then sends out an application package explaining how the process works and what testing to CMVSS is required to demonstrate the company's ability to produce certified CMVSS vehicles and maintain that certification for subsequent production.

TC then conducts a "desk audit" which means the TC Inspector does not actually visit the manufacturer's facilities outside Canada, but rather works through an established process to review the requested test reports. This typically takes around four to six weeks to complete. The time can vary for several reasons and a common cause of delay is poor quality tests or incomplete documented reports lacking photos and equipment calibration data.

To avoid delays, it is recommended that the manufacturers engage test labs that have experience dealing with TC. You also may find it advantageous to engage a compliance certification consultant that is familiar with the Canadian Government protocols. It is worth noting that the U.S. Department of Transportation (DOT) National Highway Traffic Safety Administration (NHTSA) has a webpage that lists test procedures, however, the procedures listed are for use by their contracted labs for research purposes and may not follow the test procedures and performance requirements exactly as required by TC. TC will refuse reports using these test procedures should they find that any deviations have occurred to the performance requirements of the safety standard.

If the audit of the applicant's compliance tests is satisfactorily completed, their company name and prescribed class of vehicle will be listed in the Pre-Clearance List of Recognized Vehicle Importers. TC administers a searchable database of foreign manufacturers registered in the Appendix G program. See Key resources at the end of this section of the guide for the link to the database.

The company will be notified by letter that they have been added to the list and the company can expect to remain on the list for a period of five years at which time a new review of the company's compliance capability will occur. The company may be subject to a compliance audit at any time during this five-year term to ensure continued compliance. Failure of the foreign manufacturer to demonstrate a continued program of compliance certification will result in their company name to be removed from the Appendix G list. See Figure 1 (page 9) for an overview of the key steps in the application process.

A key takeaway is that successfully using the Appendix G Pre-Clearance Program requires not only becoming a QFVM, but also maintaining that qualification. It is an important mindset to cultivate: the hard work and diligence required to prove conformity with standards doesn't stop once a company is listed on the program.

Both the Canadian and U.S. Motor Vehicle Safety Acts are based on the premise of self-certification, however the approach in the application is different. In Canada, self-certification means that the manufacturer is to perform the certification tests by themselves or by reputable laboratories, strictly in accordance with the test procedures identified in the safety standard demonstrating the minimum performance criteria are met.

To verify conformity, the MVSA provides TC Audit capabilities whereby a designated inspector can request records of testing from the manufacturer via the importer that will demonstrate certification to applicable safety standards. This is one of the major criteria to be able to manufacture or import a vehicle for sale Canada. TC Inspectors also carry out field audits within Canada at the various dealers and distribution centers to confirm the continued conformity of the Canadian manufactured vehicles and those imported from QFVM.

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Figure 1: Overview of Appendix G Application Process

**Step 1:** Vehicle manufacturer decides to apply to Transport Canada for QFVM Status

**Step 2:** Vehicle manufacturer contacts TC by email ([mvs-sa@tc.gc.ca](mailto:mvs-sa@tc.gc.ca)) indicating the desire to apply for QFVM status as a multi-stage manufacturer

**Step 3:** TC will respond and send electronically a package that lists all required test records and other documentation including:

- Business or Incorporation Documents
- Registration with NHTSA 49CFR Part 566
- Application Form from the Vehicle Manufacturer with name of a contact person in Canada
- SAE assignment of a WMI for incomplete vehicle manufacturer
- Photos of the vehicle, front, rear and both sides
- List of lighting on the vehicle indicating function and SAE lighting codes
- Photos of tires and rims showing clearly the DOT Rim and Tire marking
- List of applicable test documents for the class of vehicle being certified
- Copy of the Incomplete Vehicle Document from incomplete vehicle manufacturers

**Step 4:** The vehicle manufacturer will compile and submit all required documentation to TC. Transport Canada estimates their turn-around time to be 4 to 6 weeks and there is no cost associated with the process. The time delay will depend on the on the quality of the submission and the completeness of the test reports. During this time there may be several requests to the applicant for additional information.

**Step 5:** On completion of the audit and review by the Transport Canada, the vehicle manufacturer making the application will receive an electronic notice advising of their success in becoming a QFVM and is listed on Appendix G, (if that ends up being the case).

## Key resources

- [Canadian Commercial Importers Registered in the Appendix F Pre-Clearance Program](#) (TC)
- [Foreign Manufacturers of New Canadian Specification Vehicles](#) [Search Tool] (Transport Canada)
- [Frequently Asked Questions about the Appendix G Program](#) (TC)
- [Importing a vehicle into Canada \[Video\]](#) (CBSA)
- [Memorandum D19-12-1 – Importation of Vehicles](#) (CBSA)

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## The Canadian Environmental Protection Act (CEPA) and GHG Emissions Standards Compliance

Beyond motor vehicle safety standards, it is imperative for manufacturers outside of Canada to understand GHG emissions compliance for vehicles and engines, which is governed by CEPA and administered by ECCC. CEPA is an important part of Canada's federal environmental legislation aimed at preventing pollution and protecting the environment and human health. It covers a range of emissions sources, including those associated with the transportation sector.

It is CEPA Section 153 'Vehicle, Engine and Equipment Standards' that mandates that vehicles and engines are to be manufactured and certified compliant with all emission standards applicable to a prescribed class before the vehicle or engine is imported. A link to this section of CEPA is provided in the Key resources at the end of this section.

The Heavy-duty Vehicle and Engine Greenhouse Gas Emission Regulations (HDVEGGER or the regulations) made under CEPA were published in the Canada Gazette, Part II, on March 13, 2013. The objective of the HDVEGGER is to reduce GHG emissions by establishing performance-based emission standards for heavy-duty vehicles and engines while minimizing the overall regulatory burden for companies operating in the Canada-U.S. market. The regulations apply to companies that manufacture or import new on-road heavy-duty vehicles and engines for sale in Canada. The GHG emission standards in the HDVEGGER apply to vehicles and engines of the 2014 model year and subsequent model years, and reach full stringency with model year 2018. The regulations apply to the entire range of on-road heavy-duty vehicles, from full-size pick-up trucks and vans to transport tractors manufactured primarily for hauling trailers, including a wide variety of specialized vocational vehicles, such as school, transit and intercity buses, and freight, delivery, service, cement, garbage and dump trucks.

In October 2016, the U.S. EPA released a final rule concerning a second phase of GHG emissions for heavy-duty vehicles and engines (the Phase 2 standards). The Government of Canada amended the regulations in 2018 to establish stricter limits on GHG emissions from heavy-duty pick-up trucks and vans, vocational vehicles, transport tractors, and heavy-duty engines of the 2021 model year and subsequent model years, in alignment with the final U.S. Phase 2 standards and subsequent technical amendments while taking Canadian-specific considerations into account.

Most recently, on March 29, 2024, the U.S. EPA announced a final rule "Greenhouse Gas Emission Standards for Heavy-duty Vehicles – Phase 3" which set stronger standards to reduce GHG emissions from heavy-duty vehicles starting with model year 2027. At the time of writing, the Government of Canada has not amended the regulations to align with the Phase 3 standard published by the EPA.

While the goals of ECCC and the EPA are similar, the laws of Canada and the United States can differ and as a result, there are important differences in how environmental regulations are developed and enforced between the two countries.

The regulations were developed to align Canadian emission standards and test procedures with those of the EPA. The provisions are as similar as possible, while respecting the different regulatory authorities in the CEPA in Canada and those in the Clean Air Act in the United States.

Reflecting the high degree of integration between Canada and the United States on motor vehicle standards, CEPA 153(3) contains a provision that will accept certification by a foreign agency that can be presented to the ECCC Minister as demonstration of conformity for a regulated vehicle or engine. In this case, the Compliance Certificate issued by the EPA is acceptable provided the same vehicle or engine is sold concurrently in the United States and Canada, with the majority being sold in the United States.

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It is worth noting that for the NEM, a key trademark that is covered in Part II of this guide, and obligations for vehicles and engines manufactured outside of Canada, subsections 5(4) and 5(5) of the regulations state that an NEM must be affixed only to engines manufactured in Canada and to vehicles for which the main assembly is completed in Canada. These subsections also state that the NEM is not required if:

- the vehicle or engine will be used in Canada solely for purposes of exhibition, demonstration, evaluation or testing.
- the engine is to be installed in a heavy-duty vehicle before sale to the vehicle's first retail purchaser - as per subsections 26(9) and 27(10), the vehicle must be equipped with an engine that is in compliance with the regulations - of note, despite paragraph 5(5)(b), it is not forbidden that an engine installed in a vehicle bears a NEM.
- the engine is to be installed as a replacement engine in a heavy-duty vehicle that has a national emissions mark applied to it, if the replacement engine is of the same model year as the original engine and is identical to or better than the original engine with respect to emissions.

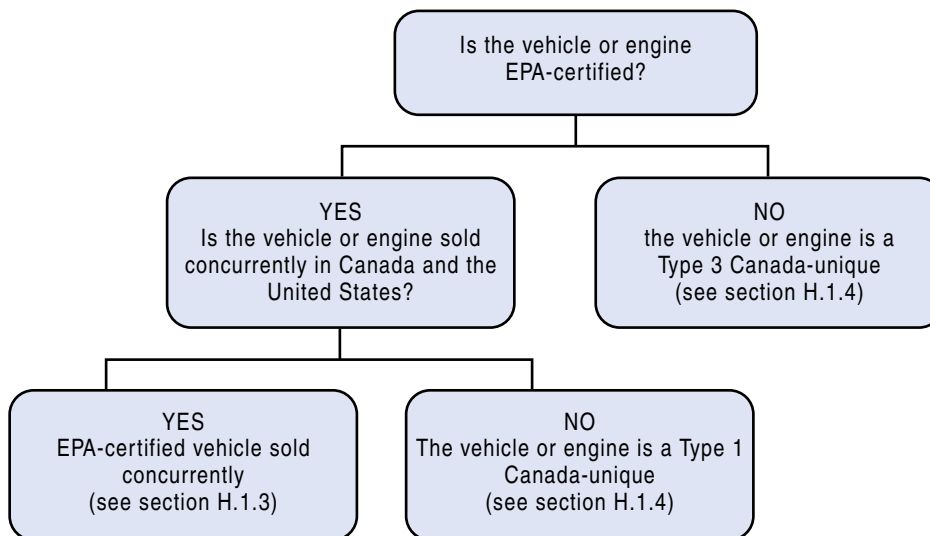
The NEM is covered in Part II of this guide which covers compliance information for vehicles and engines manufactured within Canada.

## Foreign vehicle or engine manufacturers subject to CEPA and associated regulations

Vehicles or engines produced by foreign manufacturers (i.e. produced in the United States or any other country except Canada) and imported into Canada must conform to CEPA and the associated regulations. Importers may require the assistance of the foreign vehicle or engine manufacturer to demonstrate compliance with the regulations to ensure that vehicles or engines imported into Canada meet the prescribed standards and to provide evidence of conformity to that effect.

Figure 2 (below) illustrates the different 'types' of engines and vehicles and identifies which section of the HDVEGGER addresses the appropriate evidence of conformity requirements.

**Figure 2: Determination of evidence of conformity to the Heavy-duty Vehicle and Engine Greenhouse Gas Emission Regulations**



Source: [ECCC. Guidance Document for Heavy-duty Vehicle GHG Emission Regulations: Chapters G to K.](#)

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ECCC published a Guidance Document for the HDVEGGER which is an excellent resource for any company looking to better understand compliance responsibilities and requirements associated with the regulations. We recommend consulting chapters H and I of the ECCC Guidance Document (see link in Key resources below) for complete information regarding evidence of conformity requirements, records, and reports, as well as importing an engine or vehicle, respectively.

A foreign entity (which is at a location outside of Canada) is not considered to be a company under CEPA unless it engages, in Canada, in one of the activities under the definition of company outlined in section D.2 of the ECCC GHG Guidelines. In the case of engines or vehicles manufactured outside of Canada, the responsibility for complying with the applicable provisions of the regulations and CEPA is with the person or company who imports the engine or vehicle. In the event of a violation of a provision of the Act or the regulations in respect of an imported engine or vehicle, the person or company who imports the engine would be subject to the enforcement provisions of CEPA.

## Engines and vehicles covered by an Environmental Protection Agency (EPA) certificate and sold concurrently in Canada and in the United States (Section 53)

Section 53 of the regulations identifies the evidence of conformity that is required for a vehicle or an engine that is covered by a valid EPA certificate and sold concurrently in Canada and in the United States. See 'Appendix I: Example of an EPA certificate' in the Key resources at the end of this section to view a sample certificate provided by ECCC.

For the purpose of the regulations, a vehicle or engine is considered to be covered by an EPA certificate if:

- for class 2B and class 3 heavy-duty vehicles, its test group is specifically listed on a valid EPA certificate.
- for vocational vehicles and tractors, its vehicle family is specifically listed on a valid EPA certificate.
- for engines, its engine family is specifically listed on a valid EPA certificate.

If one of these conditions is met, then the evidence of conformity information listed in section 53 is to be submitted only upon written request from EC.

Be sure to review Section 53 'Records' and Section 59 'Maintenance and Submission of Records' of the regulations to understand what records are required and best practices for maintenance and submission.

## Engines and vehicles sold concurrently

An engine sold in Canada is considered to be sold concurrently if any of the following applies within one year (365 days) preceding the engine's importation into Canada, the application of the NEM or, in the case of subsection 153(2) of CEPA, before the engine leaves possession or control of the company:

- an engine of the same engine family and model year is sold to the first retail purchaser or leaser in the United States; this must be substantiated with any of a, b, or c below:
  - a. copy of dated invoice to the first U.S. retail purchaser/leaser
  - b. copy of dated invoice to a U.S. party who sells or leases at the U.S. retail level (for example, dealer)
  - c. copy of dated purchase order between a U.S. party and the first U.S. retail purchaser/leaser
- dated advertisement of the same engine family of the same model year targeted at U.S. consumers (this could include sales brochure, printed ad, magazine, price list etc.) demonstrating that the product was actively marketed and available for delivery in the U.S.
- dated U.S. manufacturer/importer/dealer list for the same engine family of the same model year demonstrating that the product was actively marketed and available for delivery in the U.S.

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Before the import of an engine, before applying the NEM, or, in the case of subsection 153(2) of the Act, before the engine leaves the possession or control of the company, a company must ensure that it has the complete evidence of conformity available (including EPA certification) and at least one of the above-listed concurrent sale documents that is appropriately dated. The evidence of conformity must be available prior to any of the above actions taking place.

A vehicle sold in Canada is considered to be sold concurrently if any of the following applies within one year (365 days) preceding the vehicle's importation into Canada, the application of the NEM or, in the case of subsection 153(2) of the act, before the vehicle leaves possession or control of the company:

- a vehicle of the same test group or vehicle family, as the case may be, and model year is sold to the first retail purchaser or leaser in the United States; this must be substantiated with any of a, b, or c below:
  - a. copy of dated invoice to the first U.S. retail purchaser/leaser
  - b. copy of dated invoice to a U.S. party who sells or leases at the U.S. retail level (for example, dealer)
  - c. copy of dated purchase order between a U.S. party and the first U.S. retail purchaser/leaser
- a dated advertisement of the same test group or vehicle family, as the case may be, and model year targeted at U.S. consumers (this could include sales brochure, printed ad, magazine, price list etc.) demonstrating that the product was actively marketed and available for delivery in the U.S.
- a dated U.S. manufacturer/importer/dealer list for the same test group or vehicle family, as the case may be, and model year demonstrating that the product was actively marketed and available for delivery in the U.S.
- a copy of dated invoice from the same test group or vehicle family, as the case may be, and model year from the factory to a U.S. distributor showing that the products have been wholesaled in the U.S.; this demonstrates sale of products at the wholesale level which will inevitably convert to retail sales over time

Before the import of a vehicle, before applying the NEM, or, in the case of subsection 153(2) of the act, before the vehicle leaves possession or control of the company, a company must ensure that it has the complete evidence of conformity available (including EPA certification), and at least one of the above listed concurrent sale documents that is appropriately dated. The evidence of conformity must be available prior to any of the above actions taking place.

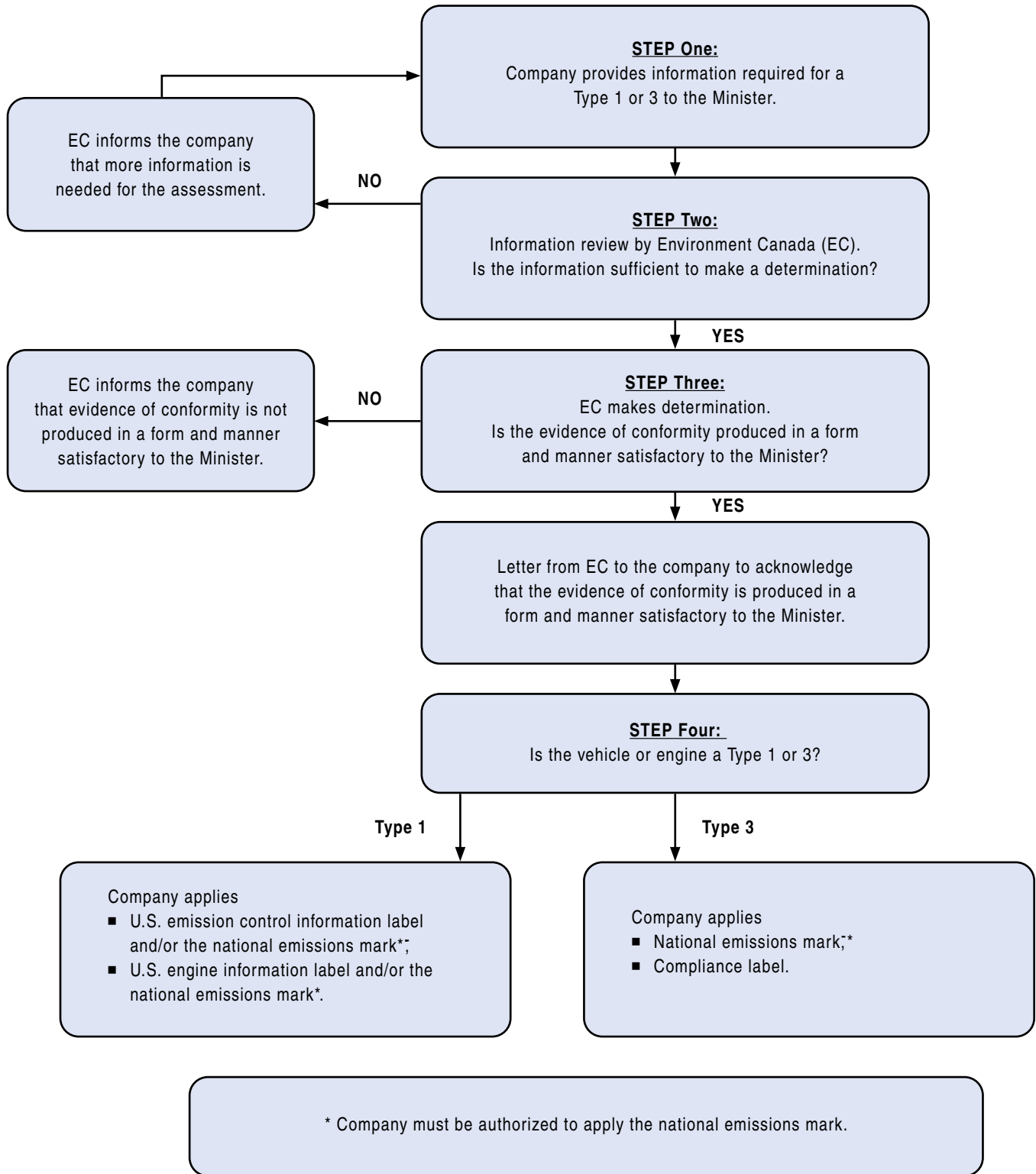
## Canada-unique engines and vehicles

Evidence of conformity must be submitted to ECCC as per Section 54 of the HDVEGGER when the vehicle or engine is Canada-unique, which requires that the evidence of conformity be produced "in a form and manner satisfactory to the minister". A submission of evidence of conformity to the regulations for Canada-unique engines and vehicles must contain an original signed letter from an authorized representative of the company in Canada that offers for sale in Canada, or intends to import into Canada, the subject engines, or vehicles. Examples of statement of compliance letters are provided in Appendix III of ECCC's Guidance Document (See Key resources at the end of this section).

There are several steps involved in the submission of evidence of conformity and the process does not always move in a linear fashion. Figure 3 (page 14) illustrates this process.

# Canada Regulatory Compliance Guide

Figure 3: Procedure for the Submission of Evidence of Conformity under Section 54 of the Heavy-duty Vehicle and Engine Greenhouse Gas Regulations



Note: 'EC' is equivalent to 'ECCC'. Environment and Climate Change Canada (ECCC) was formerly called Environment Canada (EC).

Source: ECCC. Available [here](#).

# Canada Regulatory Compliance Guide

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It is worthwhile emphasizing that CEPA is national in scope and has no jurisdiction outside of Canada, so the onus to assure the legislated conformity of the prescribed classes of vehicles and engines to be imported rests with the Canadian importer. This requires the Canadian importer to be a designate of the foreign manufacturer and recorded as such with ECCC prior to importing any product.

ECCC has a continuous compliance verification program by sourcing vehicles for on-road and lab testing at their Environmental Test Lab in Ottawa. At any time, the Enforcement Officers of ECCC have the authority to audit a manufacturer's conformity documents and to recommend penalties and restrict entry into Canada for emissions non-compliance.

The Regulatory responsibility for use on public highways and roads transfers to Provincial and Territorial authorities once the vehicle or engine is sold and registered with licensing authorities. However, ECCC under the authority of CEPA, will continue to administer the Sections of the Act for safety defects and non-compliance recalls in conjunction with the Provincial and Territorial Licensing Registrars.

## Key resources

- [CEPA – Vehicle, Engine and Equipment Standards](#) (ECCC)
- [Heavy-duty Vehicle and Engine Greenhouse Gas Emission Regulations](#) (ECCC)
- [Guidance Document for the Heavy-duty Vehicle and Engine Greenhouse Gas Emission Regulations](#) (ECCC)
  - [Appendix I: Example of an EPA Certificate](#)
  - [Appendix II: Procedure for the submission of evidence of conformity under section 54 of the regulations](#)
  - [Appendix III: Examples of statement of compliance letters](#)
- [Guidance Document for Heavy-duty Vehicle GHG Emissions: Chapters G to K](#)

# Canada Regulatory Compliance Guide

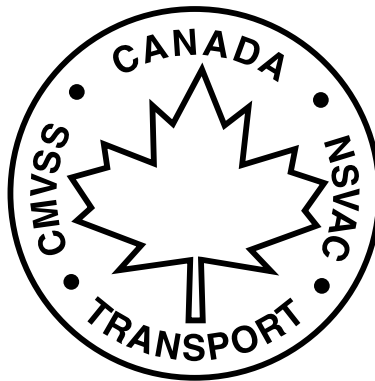
## Part II: Vehicles and engines manufactured within Canada

Similar to Part I, Part II of this guide covers two critical areas of regulatory compliance: motor vehicle safety and emissions compliance. Since the focus is now on vehicles and engines manufactured within Canada, TC's NSM and the NEM administered by ECCC are the two key topics covered in the remainder of this guide.

### National Safety Mark (NSM)

TC administers the MVSA for the purpose of regulating the manufacture and importation of vehicles, tires, and equipment. Under the authority of the MVSA, the NSM is a national trademark (see Figure 4 below) that is the property of the Government of Canada, and its use is authorized by the Minister of Transport to manufacturers of new vehicles offered for sale in Canada.

Figure 4: Sample image of National Safety Mark



**Note:** The unique number assigned to a company appears in the center of the NSM maple leaf shaped logo.

**Source:** Move Mobility. 'What is the National Safety Mark on Wheelchair Vans?'. [Available here](#).

TC requires that manufacturers who are authorized to affix the NSM have the capability to certify their vehicle production complies with regulations under the MVSA. Put simply, the NSM is proof that a given vehicle complies with all applicable standards in effect at the time of manufacture, and the company applying the NSM maintains such records and can provide proof of compliance. In addition to this section of the guide, NTEAs CVCG Chapter 2 'National Safety Mark' contains helpful information.

The Minister of Transport may authorize a company to apply the NSM to a vehicle or equipment, after the applicant company has provided certification test documents that demonstrates that the company can maintain continued certification of its products as provided for in the regulations. There is no cost associated with the application and authorization of the NSM.

The NSM is to be maintained in a location where they are not accessible to the public. Also, facsimiles of the NSM are not to be produced in such a manner that it is likely to be mistaken for a national safety mark. Misuse or misapplication of the NSM is a violation of the MVSA and associated regulations, for which the Canada's Transportation Minister could revoke one's authority to use the NSM. Revoking authority to use the NSM is not a common occurrence and TC strives to work cooperatively with companies before resorting to such an action.

The major prohibitions related to the use of NSM are:

- No person shall use a NSM except as authorized by the Act; and
- No company shall apply a national safety mark to any vehicle, sell any vehicle or equipment to which a national safety mark has been applied, or import into Canada any vehicle or equipment of a prescribed class unless the vehicle or equipment conforms to the standards prescribed for vehicles or equipment of its class at the time the main assembly of the vehicle was completed, or the equipment was manufactured.

# Canada Regulatory Compliance Guide

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## Interprovincial shipments

In Canada, the authority to regulate trade coming into Canada from outside its borders or trade crossing Provincial and Territorial boundaries falls to the Federal Government. Provincial and Territorial Governments assume the authority to manage trade within their borders. To ensure the level of conformity of product sold inter-provincially as legislated by the MVSA Section 4, a company is prohibited from shipping from one province to another or deliver to any person for the purpose of being so shipped, any vehicle or equipment of a prescribed class manufactured in Canada unless it has a NSM applied to it in accordance with MVSA Section 3.

To this end, the NSM authorized by the Minister of Transport will identify companies manufacturing certified safe vehicles and prevent nonconforming vehicles from being transported or shipped for the purpose of sale into neighboring Provinces or Territories.

## Provincial involvement

After the sale of the vehicle, it is the Provincial and Territorial Governments that regulate the operation and use of vehicles on roads under their individual Highway Traffic Acts. Provinces require that vehicles operating on their roadways must comply with applicable CMVSS at the time the vehicle is registered with Provincial licensing authorities. To assure that there is a standardized method of registering new vehicles across the country, TC in conjunction with the Canadian Council of Motor Transport Administrators (CCMTA), which represents all Provincial and Territorial licensing authorities in Canada, developed the New Vehicle Information System (NVIS) to be used by all Vehicle Licensing Registrars. Please consult CCMTA's 'New Vehicle Information Statement (NVIS) and Partial Electronic New Vehicle Information Statement (eNVIS) Policy Manual' for more detailed information on the NVIS and NVIS (a link to this report is in 'Key resources' at the end of this section).

This is important when new vehicles that are coming from one Province or Territory to be registered in another region for the first time. The NSM indicates to the authorities that the manufacturer is recognized by TC and the vehicle is certified to CMVSS.

The Federal Government however, under the authority of TC, will continue to administer the Sections of the MVSA for safety defects and non-compliance recalls in conjunction with the Provincial and Territorial Licensing Registrars.

## What is required for original incomplete, intermediate, and final stage manufacturers?

Legislation provided under the two Acts, MVSA and CEPA, discussed in this guide are for companies, as defined in both Acts, which deal in the manufacture, assembly, alteration, distribution and importation of heavy-duty class vehicles. The main purpose here is to explain policies "Covering Federal Trademarks (National Safety Mark and National Emissions Mark) plus TC's Appendix G- Pre-Clearance of Qualified Foreign Vehicle Manufacturers".

For those who require additional information explaining how the MVSA regulates the certification functions of companies that are classified as original incomplete, secondary and final stage manufacturers can go to NTEA's CVCG, which details the requirements of Sections 6 to 9 inclusive of the CMVSR for the requirements for manufacturer's documents and information labels as they apply to incomplete, intermediate, and final stage manufacturers.

## How do I apply for the NSM?

If your company has made the decision to move forward with an application to obtain permission to affix the NSM, then the first step in the process is to request an NSM application package from TC using the contact information for TC provided in Appendix 1 – Government of Canada Contact Information at the end of the guide. TC advises to read all the information carefully once the package is received, and then collect and submit all required information.

An NSM application can be a considerable undertaking. It is imperative that applicants identify an individual within the company that is specifically assigned to understand legal responsibilities associated with the manufacture of vehicles. This individual should be familiar with any applicable CMVSS, certification analysis and procedures, establishing and maintaining certification records, ensuring that required labels are affixed, and other tasks.

# Canada Regulatory Compliance Guide

The processing time for an NSM application varies depending on the quality of submission. Applicants can expect the entire review process to take between four to six weeks. TC states a preference for electronic applications and notes that incomplete applications will be returned.

## Do I need to apply an NSM if there is already a NSM on the vehicle?

Normally, this will occur if the vehicle is a fully certified completed vehicle that has a Statement of Compliance label affixed by the final stage manufacturer with a NSM as part of its information.

Under the MVSA, a company that alters a completed vehicle is considered a manufacturer and must maintain the conformity of all motor vehicle safety regulations for the prescribed vehicle class and type, with respect to the work carried out by the company to alter the vehicle. Section 9 of the CMVSR details what is required when altering a vehicle for the purpose of first retail sale and how the NSM is to be affixed with the alterer's label.

If a company alters a vehicle that was in conformity with MVSR in such a manner that its stated GVWR or GAWR are no longer accurate, or if the company alters the vehicle other than addition, substitution or removal of readily attachable components, the company must ensure that the existing compliance label and information labels, if applicable, remain on the vehicle and affix an alterer's label to the vehicle displaying information required by regulation in both English and French, and the NSM at least 13 millimeters in diameter and figures at least 2 millimeters in height.

### Box 2: Upfitting a pickup truck to make it a recovery vehicle

In this example, an upfitter in Canada gets an order to alter a one-tonne pickup truck to make it a recovery vehicle. The vehicle received is a fully certified one-tonne pickup truck with a long box. The upfitter is to remove the existing long box and replace it with a platform so that the vehicle can receive a tow recovery installation.

In doing so, the upfitter must consider which of the CMVSS are affected by this new installation. For example, what lights must be moved or replaced to meet CMVSS 108? How is the weight distribution affected (front to rear axle and side to side)? Has the load distribution affected the center of gravity? Will the existing GVWR and GAWR be sufficient to handle the operational load or does this have to be increased (which will require additional certification)? These are just some of the questions the upfitter may consider when determining what CMVSS may be impacted by the upfit work.

Once the upfitter has addressed all these certification issues to demonstrate that the modifications made to convert this fully certified vehicle to a recovery vehicle that meets all applicable CMVSS, the company must then obtain the authority from the Minister of Transport to affix the NSM to the altered vehicle with an additional label beside the OEM Statement of Compliance label, which must remain on the vehicle. This additional label will contain:

- (i) the words "THIS VEHICLE WAS ALTERED BY / CE VÉHICULE A ÉTÉ MODIFIÉ PAR" or "ALTERED BY / MODIFIÉ PAR" followed by the name of the company that altered the vehicle,
- (ii) month and year during which the alteration of the vehicle was completed,
- (iii) the NSM authorized by the Minister
- (iv) the new gross vehicle weight rating and gross axle weight ratings of the vehicle as altered, where they differ from those shown on the original compliance label,
- (v) the type of vehicle, where it differs from the type shown on the original compliance label.

For Foreign upfitters/alterers, the process is the same except the NSM is to be replaced by the bilingual declaration on the label:

"THIS VEHICLE CONFORMS TO ALL APPLICABLE STANDARDS PRESCRIBED UNDER THE CANADIAN MOTOR VEHICLE SAFETY REGULATIONS IN EFFECT ON THE DATE OF MANUFACTURE /CE VÉHICULE EST CONFORME À TOUTES LES NORMES QUI LUI SONT APPLICABLES EN VERTU DU RÈGLEMENT SUR LA SÉCURITÉ DES VÉHICULES AUTOMOBILES DU CANADA EN VIGUEUR À LA DATE DE SA FABRICATION."

# Canada Regulatory Compliance Guide

To learn more about Altered Vehicle Compliance refer to CVCG Chapter 6 and Chapter 2, pages 13–15 on how to obtain authorization to use the NSM.

## Key resources

- [Frequently Asked Questions – Manufacturers and the National Safety Mark](#) (TC)
- [Canadian Motor Vehicle Safety Regulations](#) (TC)
- [New Vehicle Information Statement \(NVIS\) and Partial Electronic New Vehicle Information Statement \(eNVIS\) - Policy Manual](#) (CCMTA)

## GHG emissions standards compliance

Part I of this guide introduced CEPA and its relevant authority for addressing pollution from vehicles and engines. The associated regulations, namely HDVEGGER, apply to companies manufacturing, importing or distributing on-road heavy-duty vehicles and engines of the 2014 and later model years for the purpose of sale in Canada. Under CEPA, a company is defined as a “person” who:

- a. is engaged in the business of manufacturing vehicles, engines or equipment in Canada. This involves the process of altering or modifying vehicles or engines during the manufacturing process to make them complete for the purpose of sale
- b. is engaged in the business of selling to other persons, for the purpose of resale by those persons, vehicles, engines or equipment obtained directly from a person described in paragraph (a) or the agent of such person; or
- c. imports any vehicle, engine or equipment into Canada for the purpose of sale (this includes importing vehicles to lease)

A person importing a vehicle or engine into Canada for other than the purpose of sale or lease is not a “company” as defined under the act and regulations. Nonetheless, it is important to note that such a person still needs to comply with CEPA.

### Box 3: Person versus Company

Let’s take a simple example of Smith Trucking Company Inc. of Woodbine, Ontario that purchases Class 7 tractors from a U.S. manufacturer and imports the vehicles directly into Canada for its Canadian trucking operations. Given the fact that CEPA has authority only in Canada and the John Smith Trucking Company Inc. is importing the vehicles for use in its operations and not for sale, they do not meet the definition of “company” as defined under the Act.

However, their actions are still covered by Section 6 of the Act “Compliance by all persons importing vehicles” requiring the vehicles conformance to the emission standards in effect at the time of their manufacture and bears a label to that effect.

## National Emissions Mark (NEM)

Similar to the NSM, the NEM (see Figure 5 below) a national trademark of the Government of Canada established by regulation for use in respect of emissions from vehicles, engines or equipment.

Figure 5: National Emissions Mark



Source: Government of Canada. ‘National Emissions Mark.’ [Available here](#).

# Canada Regulatory Compliance Guide

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Applying the NEM signifies compliance with national emissions standards in Canada. The NEM pertains to the domestic manufacture of vehicles and engines in Canada for the purpose of sale and CEPA 153 (1) requires that “No company shall apply a national emissions mark to any vehicle, engine or equipment, sell any vehicle, engine or equipment to which a national emissions mark has been applied or import any vehicle, engine or equipment unless the vehicle, engine or equipment conforms to the standards prescribed for vehicles, engines or equipment of its class at the time its main assembly or manufacture was completed.”

Subsections 5(4) and (5) of the HDVEGGER state that a NEM must be affixed to engines manufactured in Canada and to vehicles for which the main assembly is completed in Canada; these subsections also state that the NEM is not required if:

- the vehicle or engine will be used in Canada solely for purposes of exhibition, demonstration, evaluation or testing.
- the engine is to be installed in a heavy-duty vehicle before sale to the vehicle’s first retail purchaser - as per subsections 26(9) and 27(10), the vehicle must be equipped with an engine that is in compliance with the regulations (of note, despite paragraph 5(5)(b), it is not forbidden that an engine installed in a vehicle bears a NEM).
- the engine is to be installed as a replacement engine in a heavy-duty vehicle that has a national emissions mark applied to it, if the replacement engine is of the same model year as the original engine, and is identical to or better than the original engine with respect to emissions.

The Minister of ECCC may authorize a Canadian company to apply the NEM to a vehicle or equipment, after the applicant company has provided certification test documents that demonstrates that the company can maintain continued certification of its products as provided for in the regulations.

Section 7 of the On-Road Vehicle and Engine Emission Regulations (ORVEER) outlines the following requirements for applying for authorization to apply the NEM:

1. Any company that intends to apply a national emissions mark to a vehicle or engine shall apply to the Minister to obtain an authorization in the form set out in Schedule 1.
2. The application to apply a national emissions mark shall be signed by a person who is authorized to act on behalf of the company and shall include
  - a. the name and street address of the head office of the company and, if different, its mailing address;
  - b. the classes of vehicles or engines for which the authorization is requested;
  - c. the street address of the location at which the national emissions mark will be applied to the vehicles or engines;
  - d. the street address where records referred to in Section 38 will be maintained; and
  - e. information to show that the company is capable of verifying compliance with the standards set out in these Regulations.

Like the NSM trademark, the NEM is to be maintained in a location where it is not accessible to the public. This is to prevent the NEM authorized to your company from ending up on some other company’s vehicle. Facsimiles of the trademark are not to be produced in such a manner that it is likely to be mistaken for a National Emissions Mark. Misuse or misapplication of the NEM is a violation of the MVSA and associated regulations, for which the ECCC Minister could revoke one’s authority to use the NEM. Revoking one’s authority to use the NEM is not a common occurrence and ECCC strives to work cooperatively with companies before resorting to such an action.

Additionally, the ‘Vehicle, Engine and Equipment Emissions’ section of CEPA contains information on the NEM, including prohibitions, compliance by companies, certification by a foreign agency, and more. See Key resources at the end of this section for a links to the relevant sections of ORVEER and CEPA.

## Interprovincial shipments

As discussed in Part I of this guide in the section covering the NSM, the authority to regulate trade coming into Canada from outside its borders or trade crossing Provincial and Territorial boundaries falls to the Federal Government. The Provincial and Territorial Governments assume the authority to manage trade within their borders. To ensure the level of conformity of product sold inter-provincially as legislated by the CEPA, a company is prohibited from shipping from one province to another or delivering to any person for the purpose of being so shipped, any vehicle, engine or equipment of a prescribed class manufactured in Canada unless it has a NEM applied to it in accordance with Section 152.

# Canada Regulatory Compliance Guide

To this end the NEM authorized by the Minister of ECCC will identify companies manufacturing certified emission compliant vehicles or engines to prevent nonconforming vehicles from being transported or shipped for the purpose of sale or further manufacturing into neighboring Provinces or Territories.

## Provincial involvement

CEPA regulates new vehicles and engines that are imported to Canada or manufactured in Canada for the purpose of sale. After the sale of the vehicle, it is the Provincial and Territorial Governments that regulates the operation and use of vehicles on roads under their individual Highway Traffic Acts. Nonetheless, ECCC retains its authority to administer elements of the CEPA related to emission defects and non-compliance recalls in conjunction with the Provincial and Territorial Licensing Registrars.

### **Box 4: Importing vehicles into Canada originally manufactured for the U.S. market — the Registrar of Imported Vehicles (RIV)**

Did you know that the MVSA provides an exception to its mandate that permits the Canadian public and businesses to import FMVSS certified vehicles from the United States that are purchased at the retail level (e.g. dealers, individuals, etc.) and that do not fully conform to all applicable CMVSS?

This can be done provided the importer confirms that the vehicle can and will be modified to be made compliant with those safety standards specified by regulations and certified compliant by the Registrar of Imported Vehicles (RIV) a designated representative of TC, before the vehicle is presented for registration by Provincial/Territorial licencing authorities.

RIV was created to establish and maintain a system of registration, inspection and certification to Canadian standards of vehicles originally manufactured for distribution in the U.S. market that are being permanently imported into Canada. For more information on RIV, see the link in the Key Resources section below.

## Key resources

- [CEPA – Vehicle, Engine and Equipment Standards \(ECCC\)](#)
- [Heavy-duty Vehicle and Engine Greenhouse Gas Emission Regulations](#)
- [On-Road Vehicle and Engine Emission Regulations \(ORVEER\) \(TC\)](#)
- [Registrar of Imported Vehicles \(RIV\) \(Adminserv Canada L.P. and Livingston Managed Services\)](#)
- [Report: Frequently Asked Questions – Vehicle and Engine Emissions program \(Livingston International\)](#)

# Canada Regulatory Compliance Guide

## Appendix 1 – Government of Canada contact information

### Transport Canada

For more information on importing vehicles or the National Safety Mark, contact TC Motor Vehicle Safety directly at:

Transport Canada

Motor Vehicle Safety

**Telephone:** 800-333-0371 (toll-free), 613-998-8616 (Ottawa region)

**Email:** [mvs-sa@tc.gc.ca](mailto:mvs-sa@tc.gc.ca)

### Environment and Climate Change Canada

For more information on GHG emissions compliance and the National Emissions Mark, contact ECCC Transportation Division directly at:

ECCC

**Telephone:** 800-668-6767 (toll-free)

**Email:** [infovehiculeetmoteur-vehiculeandengineinfo@ec.gc.ca](mailto:infovehiculeetmoteur-vehiculeandengineinfo@ec.gc.ca) (Transportation Division General Inbox)

## Additional NTEA resources

### Commercial Vehicle Certification Guide

NTEA's [Commercial Vehicle Certification Guide](#) captures the latest regulatory information in U.S. and Canada — offering a complete representation of compliance mandates and implications facing work truck industry companies in North America. Content addresses safety certification and labeling requirements vital to conformance with National Highway Traffic Safety Administration and Transport Canada regulations.

### Rear Visibility F/CMVSS 111 Field of View Conformity Kit

NTEA's [Rear Visibility F/CMVSS 111 Field of View Conformity Manual/Kit](#) includes conformance mandates that took effect in Canada in 2019, providing a more complete representation of field of view requirements, and it is designed to support anyone upfitting light commercial vehicles in the U.S. and Canada. The manual is spiral-bound for ease of use and includes a materials list; a step-by-step test procedure; full-color photos and diagrams; and a test procedure checklist. It is available as part of a kit that comes with an approximately 22-foot by 12-foot tarp with the necessary markings to facilitate test cylinder placement (already updated to reflect both U.S. and Canadian regulations); a roll of tape to properly mark test cylinders (cylinders are not included); and the manual for guidance in locating the camera for proper field of view. The manual can also be purchased separately.

### Truck Equipment Handbook

NTEA's [Truck Equipment Handbook](#) is the work truck industry's most comprehensive pocket guide for commercial vehicle components and equipment. The latest version includes updates to U.S. and Canadian regulations, along with an expanded set of industry definitions. This edition also covers the vehicle certification process and regulatory standards applicable in Canada.

### U.S./Canada Federal Lighting Guide

NTEA's [U.S./Canada Federal Lighting Guide](#) provides illustrations indicating specific lighting requirements for commercial vehicles. Two full-color copies are included in the [Commercial Vehicle Certification Guide](#). Laminated 19-inch by 25-inch lighting guide posters are available for purchase separately.

# Canada Regulatory Compliance Guide

## Glossary

**Canada-unique vehicle or engine** – a Type 1 Canada-unique vehicle or engine is a vehicle or engine specifically listed on an EPA certificate, and sold in Canada, but not in the United States. A Type 3 Canada-unique vehicle or engine is not specifically listed on an EPA certificate and not sold concurrently in Canada and the United States.

**CBSA** – Canada Border Service Agency

**CCMTA** – Canadian Council of Motor Transport Administrators

**CEPA** – Canadian Environmental Protection Act (S.C. 1999, c. 33)

**CFR** – U.S. Code of Federal Regulations

**CMVSR** – Canadian Motor Vehicle Safety Regulations (C.R.C. 1038)

**CMVSS** – Canada Motor Vehicle Safety Standards

**CO2 family certification level** – The maximum CO2 emission level that is determined by a company for heavy-duty engines.

**Company** – means a person:

- (a) who is engaged in the business of manufacturing vehicles or equipment in Canada;
- (b) who is engaged in the business of selling to other persons, for the purpose of resale by those persons, vehicles or equipment obtained directly from a person described in paragraph (a) or the agent of such a person; or
- (c) who imports a vehicle or article of equipment into Canada for the purpose of sale. Note that this includes vehicles to lease. (Source: MVSA).

**Completed vehicle** – A vehicle that needs no further manufacturing operations to perform its intended function, other than the addition of readily attachable components, such as mirrors or tire and rim assemblies, or minor finishing operations such as painting (Source: CMVSR).

**CVCG** – Commercial Vehicle Certification Guide

**DOT** – U.S. Department of Transportation

**ECCC** – Environment and Climate Change Canada

**Engine family** – In respect of a company's heavy-duty engines other than those referred to in Section 25, means

- (a) if they are covered by an EPA certificate, the grouping for which the EPA certificate was issued; or
- (b) if they are not covered by an EPA certificate, the grouping determined in accordance with Section 230 of Title 40, chapter I, subchapter U, part 1036, subpart C, of the CFR. (Source: HDVEGGER)

**eNVIS** – Partial electronic New Vehicle Information Statement

**EPA** – U.S. Environmental Protection Agency

**EPA certificate** – A certificate of conformity with the U.S. federal emission standards issued by the EPA.

**Evidence of conformity** – Technical information to show compliance with the standards set out in the regulations including, but not limited to, information describing the capabilities of the emission test facilities operated by, or on behalf of, the company to produce evidence that its vehicles and engines conform to the standards set out in the regulations. This may include evidence that the emission test facility used on behalf of the company has produced test results used in support of a successful application to the EPA for the issuance of a certificate of conformity.

**Final-stage manufacturer** – A company that performs the manufacturing operations on an incomplete vehicle that turn the incomplete vehicle into a completed vehicle (Source: CMVSR).

**FMVSS** – U.S. Federal Motor Vehicle Safety Standards

**GAWR** – Gross axle weight rating

**GCWR** – Gross combined weight rating

**GHG** – Greenhouse gas

**Greenhouse gas Emissions Model (GEM) or GEM computer simulation model** – EPA's GEM computer simulation model is referred to in Section 520 of part 1037 of the CFR. Of note, GEM was developed by the EPA as a means for determining compliance for vocational vehicles, as well as tractors. The same model is used for the Canadian regulations.

# Canada Regulatory Compliance Guide

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**GVWR** – Gross vehicle weight rating

**HDVEGGER** – Heavy-duty Vehicle & Engine Greenhouse Gas Emissions Regulations (SOR/2013-24)

**Incomplete vehicle** – A vehicle:

- (a) that is capable of being driven and that consists, at a minimum, of a chassis structure, power train, steering system, suspension system and braking system in the state in which they are to be part of the completed vehicle, but requires further manufacturing operations to become a completed vehicle; or
- (b) that is an incomplete trailer. (Source: CMVSR).

**Incomplete vehicle manufacturer** – A company that manufactures an incomplete vehicle by assembling components none of which, taken separately, constitutes an incomplete vehicle. (Source: CMVSR).

**Intermediate manufacturer** – A company, other than an incomplete vehicle manufacturer or final-stage manufacturer, that performs manufacturing operations on an incomplete vehicle. (Source: CMVSR).

**IVD** – Incomplete vehicle document

**Manufacture** – In relation to a vehicle, includes any process of assembling or altering the vehicle prior to its sale to the first retail purchase. (Source: MVSA).

**MVSA** – Motor Vehicle Safety Act (S.C. 1993, c. 16)

**NEM** – National Emissions Mark

**NHTSA** – U.S. National Highway Traffic Safety Administration

**NSM** – National Safety Mark

**NVIS** – New Vehicle Information Statement

**OEM** – Original equipment manufacturer

**ORVEER** – On-road Vehicles and Engine Emissions Regulations (SOR/2003-2)

**Prescribed classes of vehicles** – For the purposes of Sections 4 and 5 of the MVSA, prescribed classes are the classes of vehicles set out in Schedule III of the CMVSR and incomplete vehicles are prescribed classes of vehicles (Source: CMVSR).

**QFVM** – A Qualified Foreign Vehicle Manufacturer is a company, outside the borders of Canada that fabricates prescribed classes of vehicles as defined in the Motor Vehicle Safety Act, in conformance with the legislative requirements of MVSA and CEPA to be imported for the purpose of sale.

**RIV** – Registrar of Imported Vehicles

**Sell** – Includes to offer for sale or lease, have in possession for sale or lease or deliver for sale or lease. (Source: MVSA).

**Statement of compliance letter** – An original signed letter from an authorized representative of the company that offers for sale or intends to import the subject engines or vehicles in Canada.

**TC** – Transport Canada

**Vehicle** – Means any vehicle that is designed to be, or is capable of being, driven or drawn on roads by any means other than muscular power exclusively, but does not include any vehicle that is designed to run exclusively on rails. (Source: MVSA).

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## About NTEA

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Established in 1964, **NTEA – The Work Truck Association™**, a 501(c)(6) organization, represents more than 2,100 companies that manufacture, distribute, install, sell and repair commercial vehicles, truck bodies, truck equipment, trailers and accessories. Buyers of work trucks and the major commercial truck chassis manufacturers also belong to NTEA. The Association provides in-depth technical information, education, and member programs and services, and produces **Work Truck Week®**, **Green Truck Summit**, **Commercial Vehicle Upfitting Summit**, and **Executive Leadership Summit**. The Association maintains its administrative headquarters in suburban Detroit and government relations offices in Washington, DC, and Ottawa, Ontario, Canada.



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