

Smoking ban angers truckers

Cabs must be smoke-free

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Alberta truck drivers are angry the province's new smoking ban prevents them from lighting up on the job because it considers work vehicles workplaces.

Many say the new legislation is an unenforceable violation of their rights.

"I think it's insane," said Don Sayers, a long-haul driver who frequently crisscrosses Alberta. "I respect people that don't smoke, but that's my home. I'm on the road sometimes for three weeks, a month and a half."

According to the legislation, known as Bill 45, employees of trucking companies can't smoke in their cabs, even if used sporadically or if they contain a sleeper.

The legislation, however, applies not only to trucks, but to all company vehicles, government vehicles and private industry vehicles: any vehicle that can be shared by more than a single employee.

Fines for those who violate the legislation range from \$1,000 to \$5,000 for individuals and \$10,000 to \$100,000 for companies.

Sayers said it's often impossible and unsafe for drivers to stop and smoke along highways, and said most drivers voluntarily butt out when sharing cabs with non-smokers.

"It's an infringement on my rights," Sayers said. "This smoking thing has gotten out of hand."

"It affects anybody in a commercial vehicle, really, because you can't smoke anywhere," said Michael Samuels, a Calgary-based driver lighting up outside the Road King truck stop Friday night.

According to the Tobacco Reduction Act, which came into effect Jan. 1, a workplace includes all or any part of a building, structure or other enclosed area in which employees perform their duties, including work vehicles.

Work vehicles are any vehicle owned or leased by an employer and used by employees during the course of their job.

It does not include owner-operator Murray Schrader's semi, however, which



CREDIT: Ted Jacob, Calgary Herald

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he alone operates and which he uses to haul produce between here and California.

"This is my home and no one can tell me what to do in my home," said Schrader, smoking, from the cab of his rig at the Nisku 24-hour truck stop near Edmonton.

That sentiment is shared by his colleagues, said Schrader, whether they own their vehicles or not.

Schrader said the majority of long-haul truckers smoke out of habit, and to battle the fatigue that can come with the solitude of long hours spent on the road, which can be as much as 13 hours at a stretch.

With deadlines and schedules to meet, he said, added stops for cigarette breaks are going to affect production in an industry that's grappling with an escalating shortage of commercial drivers.

According to Les Hagen, executive director of Action on Smoking and Health, the new law makes sense.

"It's a confined space and that means people are at an increased risk of exposure to second-hand smoke," Hagen said.

"It's a safety issue and smoking while driving is an additional safety risk."

Hagen said he believes companies should help hold their employees responsible to the new regulations.

"There may be some enforcement challenges, but I also believe that most people are law abiding," he said.

"If the trucking companies make it clear that this is provincial law, and the company is expecting drivers to comply with this legislation . . . that is going to increase compliance."

He also believes passengers can help enforce the rules by holding drivers accountable and said companies can easily tell if a truck cab smells like smoke. "It would be very easy to detect violations," said Hagen

Some trucking companies don't expect they'll have any trouble complying with the act.

At Sokil Transportation Services in Edmonton, which also operates in Calgary, most people don't smoke in their trucks anyway, said Greg Sokil.

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