



# U.S. Department of Transportation National Response Program Standard Operating Procedure

**Subject:** U.S./Canada Cross Border Movements

**SOP-1-9**

**Date Modified: February 20, 2015**

**Total Pages: 5**

## **Purpose**

This Standard Operating Procedure (SOP) provides the Emergency Support Function -1 (ESF-1) process, procedures, policies, and contacts to assist in expediting the cross-border movement of personnel and equipment during disaster response and mutual aid support activities between the United States and Canada.

## **Mission**

In response to an event or incident, the U.S. Department of Transportation's (DOT) Emergency Support Function-1 (ESF-1) provides transportation support to incident management by coordinating DOT resources and statutory authority to regulate and ensure the safety and security of the national transportation system. Incident management support may include activities such as: reporting the status of damage to transportation, identifying temporary or alternative transportation options, and coordinating the restoration and recovery of the transportation system infrastructure. ESF-1 may be requested to facilitate the cross-border movement of personnel and equipment under the auspices of mutual aid agreements between the United States and Canada.

## **Process**

The U.S. Department of State (DOS) is identified in the National Response Framework, International Coordination Support Annex, as responsible for managing U.S. Government relations, policies, and activities as related to the international dimension of response and recovery operations. However, for the purposes of this SOP, ESF-1 will work directly with FEMA's International Affairs Office to help facilitate the movement of personnel and equipment during disaster response and mutual aid support activities. FEMA's International Affairs Office is responsible for coordinating these activities with the DOS and other interagency partners as needed.

### **A. ESF-1 Cross Border Movement Process and Contacts**

During disaster response, cross-border movements will be coordinated by FEMA's International Affairs desk at the National Response Coordination Center. If companies contact the ESF-1 desk to request assistance in the cross-border movements of equipment and/or personnel, ESF-1 shall notify the following contacts as indicated below:

1. For all cross border coordination contact the FEMA International Affairs Desk at:  
NRCC Desk Number: 202-212-8044  
NRCC Email: [FEMA-NRCC-fiaa@fema.dhs.gov](mailto:FEMA-NRCC-fiaa@fema.dhs.gov)
2. For coordination of and assistance with movement of telecommunication resources, contact the ESF-2/National Coordinating Center for Communications (NCC) Desk Officer at:

NRCC Desk: 202-212-8086/202-646-2413

NRCC Email: [FEMA-NRCC-coms@fema.dhs.gov](mailto:FEMA-NRCC-coms@fema.dhs.gov) / [FEMA-NRCC-ecul@fema.dhs.gov](mailto:FEMA-NRCC-ecul@fema.dhs.gov)

3. For coordination of and assistance with movement of public works and engineering resources, contact the ESF-3 (Public Works and Engineering) Desk Officer at:  
NRCC Desk Number: 202-646-2459, 202-646-2443  
NRCC Email: [FEMA-NRCC-epwsinfo@fema.dhs.gov](mailto:FEMA-NRCC-epwsinfo@fema.dhs.gov); [FEMA-NRCC-epwslogs@fema.dhs.gov](mailto:FEMA-NRCC-epwslogs@fema.dhs.gov)
4. For coordination of and assistance with movement of urban search and rescue resources, contact the ESF-9 (Search and Rescue) Desk Officer at:  
NRCC Desk Number: 202 646 2449  
NRCC Email: [FEMA-NRCC-esf09sar@fema.dhs.gov](mailto:FEMA-NRCC-esf09sar@fema.dhs.gov)
5. For coordination of and assistance with movement of energy and utility resources, contact the ESF-12 (Energy) Desk Officer at:  
Work: 202-646-3324/202-646-3201  
Email: [FEMA-NRCC-eul@fema.dhs.gov](mailto:FEMA-NRCC-eul@fema.dhs.gov) / [FEMA-NRCC-epwslogs@fema.dhs.gov](mailto:FEMA-NRCC-epwslogs@fema.dhs.gov)

If the NRCC is not activated, contact the FEMA International Affairs representative, Heather Beebe, at 202-262-1951 or [Heather.Beebe@fema.dhs.gov](mailto:Heather.Beebe@fema.dhs.gov).

## **B. U.S. and Canada Reciprocal Rules, Regulations, and Requirements**

1. Emergency Declarations - Anytime an emergency is declared in the U.S. and the emergency relief provisions in 49 CFR 390.23 of the Federal Motor Carrier Safety Regulations (FMCSR) are triggered, the emergency relief provisions would extend to Canada-based carriers and drivers providing direct assistance to the U.S. While in the U.S., the Canada-based carriers would have the same regulatory relief as the U.S.-domiciled carriers with regard to driver qualifications (including medical), hours of service, vehicle safety equipment, etc. So, just as U.S. carriers could take advantage of the emergency declaration without filing or requesting any paperwork with Federal Motor Carrier Safety Administration (FMCSA), the Canada-based carriers could do the same thing. Note: Requirements for licensing (USDOT Number and operating authority), controlled substance and alcohol testing, insurance. State size and weight limits, and Commercial Drivers Licenses (CDL) are not exempt by the emergency declaration/ emergency relief rules for either U.S. carriers or Canadian carriers.
2. Commercial Driver's License (CDL) - The U.S. accepts the Canadian CDL and Canada recognizes U.S. CDLs issued in accordance with 49 CFR Part 383 including the various CDL endorsements.
3. Medical Certification/Driver Qualifications – The U.S. accepts the Canadian medical certification as part of their CDL. However, under our current agreements, U.S. drivers who require a medical exemption or Skills Performance Evaluation (SPE) are generally not allowed to operate in Canada, and Canadian drivers who need a Canadian medical exemption are not allowed to operate in the U.S.

4. Controlled Substances and Alcohol Testing – Canada does not have drug and alcohol testing rules because it violates their constitution. However, Canada domiciled carriers must ensure their drivers are covered under a program that meets requirements of 49 CFR Part 382 if those drivers operate in the U.S. FMCSA cannot waive these requirements. The CDL, Drug and Alcohol Testing and financial responsibility requirements remain in effect even during emergencies.
5. Hours of Service (HOS) – U.S. and Canadian HOS rules are substantively different, with U.S. standards being more stringent. Canadian drivers have to ensure they are in full compliance with U.S. requirements in 49 CFR Part 395 when operating in the U.S., which requires these drivers to monitor their HOS in Canada prior to entering the U.S. U.S. drivers have to comply with Canadian HOS rules when operating in Canada without triggering a violation of the U.S. rules upon returning to the U.S. Waivers of hours of service requirements are generally issued as part of an emergency declaration under 49 CFR Part 390.23. Under this SOP, such emergency exemption of HOS requirements would apply to Canadian drivers operating in the U.S.
6. Vehicle Safety Equipment – Canada-based carriers must comply with U.S. requirements concerning parts and accessories necessary for safe operation under 49 CFR Parts 393 and 396, including the requirements that cross reference National Highway Transportation Safety Administration’s (NHTSA) Federal Motor Vehicle Safety Standards. All commercial motor vehicles operating in the U.S. must meet the same requirements under the FMCSRs. By contrast, Canada does not require that U.S.-based carriers meet Canadian manufacturing and equipment standards. Under a declaration of emergency issued in accordance with 49 CFR 390.23, the requirements of parts 393 and 396 are waived.
7. Licensing – Prior to operating commercial motor vehicles in the U.S., Canadian carriers must obtain a US DOT number, which can be done on the website [www.fmcsa.dot.gov](http://www.fmcsa.dot.gov). A U.S. DOT number is required for all commercial motor vehicles over 10,000 pounds, used to transport between 9 and 15 passengers for compensation, used to transport 16 or more passengers, or used to transport hazardous materials. If a carrier is a for-hire carrier that transports passengers in interstate or foreign commerce or transports regulated commodities in interstate or foreign commerce, such carrier also must obtain operating authority and a MC number prior to operating commercial motor vehicles in the U.S.
8. Insurance – DOT recently amended our U.S. regulations under 49 CFR Part 387 to allow Canada-domiciled carriers to operate in the U.S. under their Canadian insurance policies. Canadian carriers would continue to use the MCS-90 endorsement (Endorsement for Motor Carrier Policies of Insurance for Public Liability under Sections 29 and 30 of the Motor Carrier Act of 1980), as required for U.S. carriers, but are now able to have their Canadian insurance companies execute the MCS-90 form.



## C. Border Documentation Requirements

1. Prior to leaving Canada:
  - a. Each vehicle must stop at the Canadian Export Lane at the port of exit and present the truck inventory manifest to the Canadian Agent. It must have a total of approximated value both in and out, expecting that the value does not change.
  - b. The Canadian Border Services Agency (CBSA) Agent will stamp the manifest as 'goods exported.'
  - c. The vehicle then proceeds to the U.S. side, the crews receive a temporary work permit, and proceed to their destination(s).
2. Entering the U.S.:

Each driver must provide the following information:

  - a. Name
  - b. Employee number
  - c. Birth Date
  - d. Valid identification - Passport (preferred) or Valid Driver's License
  - e. U.S. DOT number (if one was issued by FMCSA)
  - f. Vehicle License Plate Number
  - g. Company Truck number
  - h. Vehicle Identification Number (VIN)
  - i. Fuel Type (Diesel/Gas)
  - j. Each driver must provide the following forms:
    - k. A completed CBP Form 4455 ([http://forms.cbp.gov/pdf/CBP\\_Form\\_4455.pdf](http://forms.cbp.gov/pdf/CBP_Form_4455.pdf))
    - l. A single form can be used for multiple vehicles
    - m. A copy of the State Declaration
    - n. A copy of the Requesting Company Letter of Invite on company letterhead
    - o. Requesting Company Name/Address
    - p. Company Logo (if applicable)
    - q. Requesting Company twenty-four hour contact number
    - r. The applicable vehicle manifest
    - s. Forwarded the master roster to CBSA so that they have all the details beforehand
3. Returning to Canada:
  - a. At the U.S. border, present the vehicle manifest and the temporary work permit.
  - b. The stamped manifest must be presented to the port of exit upon return to be stamped as 'goods returned' (if not stamped, they run the risk of having the vehicle searched and duty charged on the approximate contents) .
  - c. All paper work will be either returned to the vehicle or secured at the border.

**D. Additional Contacts and References**

<b>Customs &amp; Border Patrol</b>		
<b>Office</b>	<b>Point(s) of Contact</b>	<b>Contact Number</b>
ICE/CBP Command Center	Watch Officer	202-344-3926
HSOC ICE/CBP Desk	Watch Officer	202-282-8129
Office of Field Operations, Trade Compliance Office, Cargo Control, Washington DC	Branch Chief	202-344-2116
Pacific Northwest/Great Plains, Customs Management Center, Seattle, WA	Port Director	206-553-8761
West Great Lakes, Customs Management Center, Chicago, IL	Port Director	312-983-9100
East Great Lakes, Customs Management Center, Buffalo, NY	Pease Bridge Station	716-881-2604
FEMA Office of International Affairs	Jessica Steinbeck	Mobile: 202-251-5379 Email: <a href="mailto:jessica.steinbeck@fema.dhs.gov">jessica.steinbeck@fema.dhs.gov</a>
U.S. Customs and Border Protection Office of the Commissioner Joint Operations Directorate	Jane Blasio	Mobile: 202-309-7758 Email: <a href="mailto:Jane.blasio@dhs.gov">Jane.blasio@dhs.gov</a>

U.S. Border Crossing Wait Times: <http://bwt.cbp.gov/>

Canadian Border Crossing Wait Times <http://www.asfc.gc.ca/bwt-taf/menu-eng.html>

**Approved by: Jeremy Greenberg, National Response Program**

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