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Fatal Florida trucking accident involving illegal driver a warning for Canada

By **Sergio R. Karas**

Law360 Canada (September 10, 2025, 2:32 PM EDT) -- On Aug. 12, 2025, a tragedy on a Florida highway shook both the trucking industry and immigration policy in North America.

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The authorities allege that a truck driver who was operating a commercial semi-truck made an illegal U-turn on Florida's Turnpike in St. Lucie County and caused a catastrophic collision, killing three people. The driver of the semi-truck, Harjinder Singh, has been charged with three counts of vehicular homicide. During the investigation, it was found that he had entered the United States illegally in 2018 and had no valid status in the country. He obtained a California commercial driver's licence despite having failed the English language test and driving test.

Victor Golmer: ISTOCKPHOTO.COM

The accident is still under investigation, and the driver may face additional charges and deportation. The trucking company that employed him is also under investigation. The case set off a heated dispute between Florida and California, and the issue of how and why an illegal alien who could not speak English and had failed the driving test could obtain a commercial driver's licence and be allowed to drive across the country. California is often accused of lax enforcement and of ignoring the lack of immigration status for driver's licence applicants. The debate has become national and has put the trucking industry and its hiring practices under a microscope.

The United States federal government responded swiftly: it paused the issuance of work visas for commercial truck drivers, citing concerns about licensing integrity, immigration enforcement and public safety.

The incident raises an important question for Canada: Are we vulnerable to the same risks, and is our legislation and regulatory framework robust enough to prevent a similar incident?

Alarmed by the United States' decision to pause work visas for truck drivers, the Canadian Trucking Alliance (CTA) issued a strong statement urging Canada to treat this accident as a wake-up call. The

CTA stressed that the country must address its own systemic issues to avoid facing restrictions in the future. Highlighting longstanding concerns, the CTA stated that immigration-related problems in the industry are evident and must be resolved, warning that non-compliant carriers and unethical ownership groups are eroding public trust through unsafe practices. It urged Ottawa to act swiftly to revamp trucking immigration programs and crack down on bad actors undermining driver licensing, training and safety standards.

According to the 2021 Census data released by the Government of Canada, approximately 35 per cent of workers in the truck transportation sector were immigrants. This highlights the significant role immigrants play in Canada's trucking industry. Furthermore, Statistics Canada reported in 2021 that nearly 60 per cent of recent immigrants employed as transport truck drivers had previously worked as temporary foreign workers. The trucking industry has seen repeated abuse of the Temporary Foreign Worker (TFW) Program, with employers underpaying drivers, misrepresenting job conditions and leaving many fines unpaid, raising doubts about whether foreign hires are properly trained.

According to data from *Truck News*, between 2020 and early 2025, there were a total of 821 violations of the TFW Program, with trucking companies alone accounting for 83 of those infractions, representing over 10 per cent of all violations. In that same period, more than $2.48 million in monetary penalties were imposed on trucking firms, but over half, approximately $1.28 million, remains unpaid. Only 25 violators paid their fines, while 47 (65 per cent) did not; the status of the rest remains unclear because they are subject to lengthy bans. In addition to the companies already penalized, the Ontario Trucking Association (OTA) reports a sharp rise in open work permits granted to foreign drivers, often issued when workers attempt to flee abusive employers. Between January and March 2025, 435 such permits were issued, compared to just 45 during the same period in 2024, which is a staggering increase of 867 per cent. This surge points to a broader climate of distress among foreign drivers.

Canada's truck driver licensing framework has serious regulatory gaps and accountability issues. While provinces oversee training and licensing, enforcement varies widely, creating uneven standards across the country. Some private driving schools operate as "licence mills," issuing credentials without ensuring drivers meet the Mandatory Entry-Level Training (MELT) requirements, which undermines road safety and public trust.

CBC News exposed how some truck driver exams have been compromised, revealing that bribes, forged documents, rigged testing and even the outright buying of licences are not uncommon. According to a *CityNews* report on the state of the industry, there are widespread lapses in enforcement, inconsistent training standards, and provinces such as Quebec and parts of Atlantic Canada still lack MELT programs. In the Greater Toronto Area, safety professionals warn of schools offering the full MELT program for as little as $3,500, far below the estimated cost of delivery, raising red flags about training quality. Some private career colleges continue to operate with almost no checks on instructor qualifications or compliance. As noted by the Ontario Auditor General, the Ministry of Colleges and Universities struggles to verify that instructors truly meet the requirement of holding a Class A licence for at least five years.

These issues underscore a critical lack of national coordination and unified monitoring, allowing bad actors, including questionable driving schools, to slip through the cracks and undermine both safety and the credibility of the licensing system. The CTA has repeatedly urged the federal government to collaborate with provinces to strengthen regulatory integrity, warning that without a harmonized and strictly enforced licensing regime, both road safety and Canada's international reputation, particularly with the U.S., remain at risk.

At the same time, the growing "Driver Inc." model, where carriers misclassify drivers as independent contractors to avoid taxes and labour obligations, undermines fair competition and allows some operators to sidestep accountability for safety and training standards. The fragmented oversight and poor data-sharing between federal immigration authorities, provincial licensing bodies, law enforcement and insurers mean that red flags, such as carriers with TFW violations by drivers with expired work permits, often go unnoticed, leaving dangerous gaps that put both workers and the public at risk.

Canada is not immune to the challenges exposed by the Florida incident, as systemic weaknesses in its trucking framework persist, creating ongoing risks. The CTA has cautioned that capping the

number of foreign students or temporary workers will not, on its own, resolve these issues.

The core problem lies in how newcomers are integrated into the industry, particularly in segments where labour standards are routinely ignored. To address this, the CTA has called for a mandatory "recognized employer" program, which would align the labour supply with companies that comply with lawful and ethical practices. Such a framework would help protect vulnerable foreign workers from exploitation at the hands of unscrupulous immigration consultants, driving schools or fleet owners who thrive in regulatory gaps, while also strengthening safety and accountability across the sector.

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