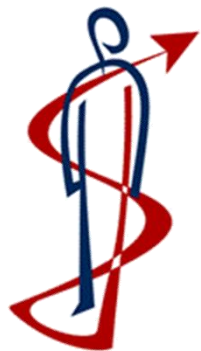


# Update on Australian Motor Carrier Safety

TRB Bus and Truck Safety Committee (ANB70),  
Annual Meeting, Washington DC, 16 January, 2013



# Australian Regulatory and Industry Developments in 2012

- National Heavy Vehicle Act and Regulator
- Remuneration Act and Tribunal
- Chain of Responsibility Enforcement in NSW
- Speed Limiter tampering
- Electronic work diaries operational pilot
- Alternative compliance and industry codes

# National Heavy Vehicle Act and Regulator

- *Heavy Vehicle National Law Amendment Bill 2012* introduced into the Queensland Parliament on 13 November 2012
- Australia's National Heavy Vehicle Regulator (NHVR) will open for business on 21 January 2013 when it will offer NHVAS and PBS services on a national basis
- From July 2013, the NHVR will be responsible for administering one rule book under the Heavy Vehicle National Law (HVNL) which will regulate all vehicles over 4.5 tonnes
- See <http://nhvr.gov.au/> for more information



# Remunerations Act, 2012

**Road Safety Remuneration Tribunal** empowered to inquire into sectors, issues and practices within the road transport industry and, where appropriate, **determine mandatory minimum rates of pay** and related conditions for employed and self-employed drivers.

- determinations (**Road Safety Remuneration Orders**) are in addition to any existing rights employed drivers have under industrial instruments and owner drivers have under their contracts for services.
- empowered to **resolve disputes** between drivers, their hirers or employers and participants in the road transport industry supply chain about remuneration and related conditions in so far as they provide **incentives to work in an unsafe manner**.
- establishes a compliance **regime for the enforcement of orders**



# Road Safety Remunerations Tribunal

## Role

- making road safety remuneration orders; approving road transport collective agreements; dealing with certain disputes relating to road transport drivers, their employers or hirers, and participants in the supply chain; and conducting research into pay, conditions and related matters that could be affecting safety in the road transport industry.

## Work program

- consult with industry on what should be included and publish the finalised work program on this website <http://www.rsrt.gov.au/>
- In its first annual work program, the Tribunal proposes to inquire into the following sectors of the road transport industry:
  - retail sector
  - livestock sector
  - bulk grain sector
  - interstate long distance sector, and
  - intrastate long distance sector.



# Chain of Responsibility Enforcement in NSW

- Target worst offenders (intelligence on speed) – often long haul trucks
- Joint enforcement raids (Roads & Police authorities)
- Numerous speed limiter tampering methods detected
- Demonize the practice of speed limiter tampering – via supportive media
- Work with manufacturers, compliant operators, WorkCover, Motor Traders Association, etc aiming for the widest possible pool of supporters
- Ask the customers of guilty firms what they were doing to prevent speeding (Chain of Responsibility)



# Truck companies raided over alleged tampering with speed limiting devices

From: AAP March 27, 2012 9:23AM



Police raid the offices and depot of Lennons Transport at Madeline St in Enfield after trucks were found to have been tampered with to break inbuilt speed limits. Picture: Toby Zerna Source: *The Daily Telegraph*

# Operational Pilot of Electronic Work Diaries (EWDs)

- The Pilot will examine the use of electronic systems to establish the policy, regulatory and technical requirements that will support the implementation of EWD and speed monitoring systems
- An EWD has three parts:
  - In-Vehicle Unit (IVU).
  - Driver Recording Device (DRD).
  - Record Keeper Function.
- Stage 1 of the Pilot was completed in 2011 and included 27 drivers and 10 transport operators using a range of in-vehicle EWD options to test processes and systems and prepare for Stage 2.
- Stage 2, which commenced in March 2012, is a larger scale pilot involving more participants and will conclude with recommendations on the implementation of EWDs.
- See <http://www.ewd.gov.au> for further information.



Example: Ezy2c



# Telematics & Speed Compliance

- TCA introduced a new regulatory initiative during 2012, known as **Intelligent Speed Compliance** (ISC). Regulators are looking to use ISC for recidivist speed offenders, to be imposed under chain-of-responsibility
- ISC uses evidentiary quality telematics systems to provide regulators with a 21st century approach to manage heavy vehicle speed. TCA introduced this new regulatory service in response to calls from regulators following a number of high profile issues with speed limiter tampering.
- More broadly, TCA is about to release a common hardware standard that will satisfy all current and emerging regulatory applications (IAP, ISC, EWDs etc), enabling transport operators to make the appropriate purchasing decisions about their telemetry hardware.



# Alternative compliance and industry codes

- TruckSafe has been gradually gaining more members, but still no support from Governments
- National Logistics Safety Code (NLSC)
  - Coal Seam Gas Logistics Safety Code of Practice added
  - 15% more signatories to the Retail Logistics Safety Code
  - ALC hopes to have the code registered under the HVNL\*
- National Road Safety Partnership Program (NRSPP)
- National Heavy Vehicle Accreditation Scheme
  - Soon to be managed by the HVS Regulator



\* TruckSafe & NLSC are recognised as “reasonable steps” defense in Victorian law.