



Transport
for NSW

NSW Government response

Inquiry into Heavy Vehicle Safety and Use of
Technology to Improve Road Safety

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1 Recommendation 1

The Committee recommends that the New South Wales Government prepares and adopts the anticipated NSW Heavy Vehicle Safety Strategy as a priority.

NSW Government response

Support

The NSW Government committed in the Road Safety Plan 2021, released in February 2018, to work with the heavy vehicle industry to develop a new Heavy Vehicle Safety Strategy (the Strategy) and enhance partnerships with the heavy vehicle industry, including champions of change, to improve the safety of freight across NSW.

Work has begun on developing the Strategy in consultation with industry, with an initial workshop held in July 2018.

At the national Transport and Infrastructure Council (TIC) in May 2018, Ministers agreed on a NSW-led Heavy Vehicle Safety Package and to develop a work program to:

- Improve the uptake of telematics.
- Accelerate the introduction and uptake of safety technologies.
- Explore options for a national approach to heavy vehicle accreditation schemes, noting the National Heavy Vehicle Regulator has commenced a preliminary review of current arrangements.
- Explore opportunities, including utilising telematics and other safety technology, for improved flexibility within the existing fatigue management system without compromising road safety outcomes.
- Explore options for Austroads to undertake a heavy vehicle in-depth crash study nationally.
- Increase education for other road users about how to share the road with heavy vehicles.

The work program will be overseen by the national Heavy Vehicle Strategy Group, which consists of representatives of heavy vehicle industry, senior officers from each jurisdiction, the National Transport Commission and the National Heavy Vehicle Regulator.

2 Recommendation 2

The Committee recommends that the New South Wales Government continues to pursue heavy vehicle regulation in a national framework with the goal of national harmonisation.

NSW Government response

Support

NSW continues to pursue harmonised heavy vehicle policies through the Heavy Vehicle National Law and related mechanisms.

From 1 October 2018, the Heavy Vehicle National Law strengthens Chain of Responsibility provisions, specifying that every party in the heavy vehicle transport supply chain has a duty to ensure the safety of their transport activities. In practical terms, this primary duty represents an obligation to eliminate or minimise potential harm or loss (risk) 'So Far As Is Reasonably Practicable'.

3 Recommendation 3

The Committee recommends that the NSW Government adopt a consistent policy on the installation of telematics in heavy vehicles with a view to all vehicles meeting the required standards as a priority.

NSW Government response

Support in principle

There are significant opportunities to harness the potential of telematics to improve productivity, enhance safety management systems, reduce administrative burden for industry, and improve compliance and road safety outcomes for all road users.

In NSW, the Intelligent Access Program (IAP) provides restricted access and over dimension/mass vehicles with improved access to NSW's road network. In return, their compliance with approved access conditions is monitored through a form of telematics using satellite-based tracking technology.

Consistent requirements for the use of telematics in heavy vehicles should be developed at the national level to maximise harmonisation across jurisdictions.

The NSW Government will consider policy options for the uptake and subsequent installation of telematics as part of the national Heavy Vehicle Safety Package approved by TIC in May 2018.

The Package includes a two year program of works that involves the development of a best practice model for the use of regulatory telematics as well as options to increase and support the uptake of appropriate cost effective systems.

At a jurisdictional level, Transport for NSW is implementing telematics trials through the IAP to improve productivity while maintaining safety outcomes and vulnerable assets.

Key outcomes include:

- Improved access to data collected to drive business objectives.
- Strengthened integrity of data collected and privacy concerns.
- Faster access to relevant information.

4 Recommendation 4

The Committee recommends that the NSW Government work with the Commonwealth Government to adopt a policy of identifying heavy vehicle safety technologies which are currently available and can be practically installed or retro-fitted, such as electronic stability control, roll over stability control, and autonomous emergency braking, with a view to all vehicles being fitted with these technologies in an agreed timeframe.

NSW Government response

Support

The NSW Government acknowledges the potential of new technologies to significantly improve the safety of heavy vehicles, as outlined in Section 6 of the Government's submission - Safer Vehicles and Safety Technology. Continued improvements to safety standards and the consistent application of these standards will provide clear guidance for heavy vehicle operators, enabling significant proactive road safety benefits to be realised.

The NSW Government's Road Safety Plan 2021 identifies increasing the uptake of safety technology as a key part of the new Heavy Vehicle Safety Strategy being developed. Transport for NSW is exploring options to do this at the national level, in conjunction with other jurisdictions, and locally through infrastructure contracts.

The TIC-approved Heavy Vehicle Safety Package also included a proposal to develop a program of work to accelerate the introduction and uptake of safety technologies in the heavy vehicle fleet.

The NSW Government will continue to work with jurisdictions on these national initiatives. Outcomes from these initiatives will be incorporated into the NSW Heavy Vehicle Safety Strategy to ensure that successful outcomes can be used to inform ongoing actions to progress the uptake of heavy vehicle safety technologies.

5 Recommendation 5

The Committee recommends that, given the lack of industry consensus, the New South Wales Government examine the relative merits of accreditation and licensing of operators, and the various models of regulation which they impose, with a view to determining how to achieve the most road safety improvements at the most efficient cost.

NSW Government response

Support in-part

The NSW-led national Heavy Vehicle Safety Package acknowledged that the greatest safety benefits will be generated if any proposed accreditation schemes are harmonised nationally. To that end, the Package includes a proposal to explore options for a national approach to heavy vehicle accreditation schemes.

The National Transport Commission's review of Heavy Vehicle National Law will also examine a national approach to accreditation schemes which aim to maximise safety and productivity outcomes while minimising the regulatory and management burden on industry.

Potential safety benefits will also be addressed through upcoming changes to the Heavy Vehicle National Law regarding the Chain of Responsibility. From 1 October 2018, the Heavy Vehicle National Law requires every party in the heavy vehicle transport supply chain to have a duty to ensure the safety of their transport activities. Safety benefits are also expected through increased uptake of safety technology including telematics.

An operator licensing model has the potential to introduce additional regulation, prevent innovation and reduce new entrants in the heavy vehicle industry. The NSW Government does not support the introduction of operator licensing at this time, given safety benefits are likely to be achieved through measures such as accreditation and incentivising the uptake of technology.

6 Recommendation 6

The Committee recommends that the NSW Government examine the value of an incentives scheme with the aim of assisting small operators and operators least able to afford converting or replacing their vehicles, to acquire new technology.

NSW Government response

Support

The NSW Government will examine incentive programs as part of the TIC-approved Heavy Vehicle Safety Package. The Package included the identification of options to support smaller operators to adapt to new safety technologies as well as options to support retro-fitting appropriate safety technologies on older vehicles where it is shown to be cost effective and have safety benefits.

The safety benefits that can be gained from new technologies are strongly influenced by the rate at which they penetrate the vehicle fleet. A multi-faceted approach is likely to be most successful in achieving the goal of promoting the uptake of technologies in the heavy vehicle industry. A range of incentives options will be considered. For example, under the Intelligent Access Program improved access to the NSW road network is currently offered to restricted access and over dimension/mass heavy vehicles if the vehicle meets safety standards and installs regulatory telematics.

The NSW Government will work with jurisdictions through the national work program to ensure that successful outcomes can be incorporated into the NSW Heavy Vehicle Safety Strategy to inform ongoing actions to support smaller operators to uptake heavy vehicle safety technologies.

7 Recommendation 7

The Committee recommends that the New South Wales Government review its current heavy vehicle safety consultation arrangements to ensure the needs of industry, drivers, workers, stakeholders and the community are being met.

NSW Government response

Support in Principle

The NSW Government consults with the heavy vehicle industry through a wide range of methods, including consultation committees, public consultation and attending industry events. Key consultation committees include the Freight Advisory Council, the Road Freight Industry Council and the Road Safety Advisory Council.

The NSW Government committed in the Road Safety Plan 2021 to work with the heavy vehicle industry to develop a new Heavy Vehicle Safety Strategy (the Strategy). As part of this work, the NSW Government will consider the ongoing consultation needs of stakeholders and the community.

Transport for NSW has begun working with heavy vehicle industry stakeholders in the preparation of the Strategy, in particular through a scoping workshop held on 25 July 2018. The workshop helped identify key themes for the Strategy, and attendees at the workshop (and other stakeholders) will continue to be consulted prior to the Strategy's completion.

This process will inform how to improve heavy vehicle safety consultation and engagement arrangements to ensure the needs of industry, drivers, workers, stakeholders and the community are being met.

8 Recommendation 8

The Committee recommends that the NSW Government review its current road safety strategy in response to initial indications of causes of the spike in fatalities, by increasing the focus on:

- safe driving on country roads
- driving safely around heavy vehicles, truck awareness and road sharing
- driver distraction
- management of roadworks

NSW Government response

Support

The NSW Government is continually reviewing its strategic approach to road safety. The Government's Road Safety Plan 2021, released in February 2018, features targeted and proven initiatives to address key trends, trauma risks and the type of crashes on NSW roads.

The Government is delivering on the Road Safety Plan 2021, with new laws passing NSW Parliament in May 2018 to:

- increase penalties for drivers found to be driving under the influence of a drug,
- include cocaine in the list of drugs subjected to by roadside drug testing, and
- enable technology testing of emerging camera-based technology to detect mobile phone offences.

The Government has also increased demerit points for mobile phone offenses from 4 to 5 points, which commenced on 17 September 2018.

In the 2018/19 NSW Budget, the Government announced a record \$1.9 billion investment in road safety to reduce deaths and serious injuries on NSW roads. Priority areas include:

- \$640 million to save lives on country roads through infrastructure safety upgrades.
- \$250 million for enhanced enforcement, including 50 additional highway patrol officers in regional areas, roadside alcohol testing, and a doubling of mobile drug testing.
- \$180 million to increase liveability and safety in urban communities through infrastructure safety upgrades for pedestrians, cyclists and other road users.

On 5 September 2018, the first round of the Saving Lives on Country Roads program was announced, with \$50 million being invested in 97 infrastructure projects across the state. Examples of the safety infrastructure being delivered includes installing safety barriers, audio-tactile line markings, and wide-centre lines as well as the upgrade of high-risk curves.

The NSW Government is also investing in measures to increase awareness about heavy vehicle safety through road safety advertising and community engagement, including the 'Be Truck Aware' campaign.

The 'Be Truck Aware' campaign launched in 2017 and aims to build awareness among vulnerable road users of increased truck movements and promote the safety of all road users including drivers, pedestrians, bicycle riders and motorcycle riders. The NSW Road Safety

Facebook page hosts organic and paid posts to raise awareness amongst all road users of specific heavy vehicle safety, such as blind spots and increased stopping distances, and aims to foster a heightened sense of safety and responsibility within other road users who share the roads with trucks.

The NSW Government will continue to review and increase education and training on the Safe System approach and road safety requirements on day-to-day management and maintenance of roads. As such, the updated *Traffic control at work sites* manual, published in July 2018, brings the manual up to date with current work, health and safety legislative requirements and developments in risk management principles relating to temporary traffic management. The purpose of the manual is to maximise safety by ensuring traffic control at Roads and Maritime work sites is consistent and complies with best practice. It is also intended to assist personnel to comply with the *Work Health and Safety Act 2011* and the *Work Health and Safety Regulation 2017*.