

INQUIRY INTO HEAVY VEHICLE SAFETY

Organisation: Transport Certification Australia (TCA)
Name: Mr Chris Koniditsiotis
Position: Chief Executive Officer
Telephone: (03) 8601 4600
Date Received: 26/03/2009

THIS PAGE INTENTIONALLY BLANK

24 March 2009

The Hon. Geoff Corrigan MP
Chair
Parliament of New South Wales
Staysafe Committee
Macquarie Street
SYDNEY NSW 2000



Dear Minister,

Thank you for your letter of 22 January 2009 seeking a submission from Transport Certification Australia to assist the inquiry by the Parliamentary Joint Standing Committee on Road Safety (Staysafe) into Heavy Vehicle Safety.

We are pleased to make our submission in the document attached. We have limited our comments to Part (d) of the Terms of Reference, 'responses to heavy vehicle driven fatigue management', as this is within our area of operations.'

Please do not hesitate to contact us if your team have any further questions and be assured of our fullest co-operation to your inquiry.

Yours sincerely,

Chris Koniditsiotis
Chief Executive Officer
Transport Certification Australia Ltd

Attachment: TCA Submission to Parliament of New South Wales Joint Standing Committee on Road Safety Inquiry into Heavy Vehicle Safety



Transport Certification Australia Ltd
submission to

Parliament of New South Wales
JOINT STANDING COMMITTEE ON ROAD SAFETY
Inquiry into Heavy Vehicle Safety

25 March 2009

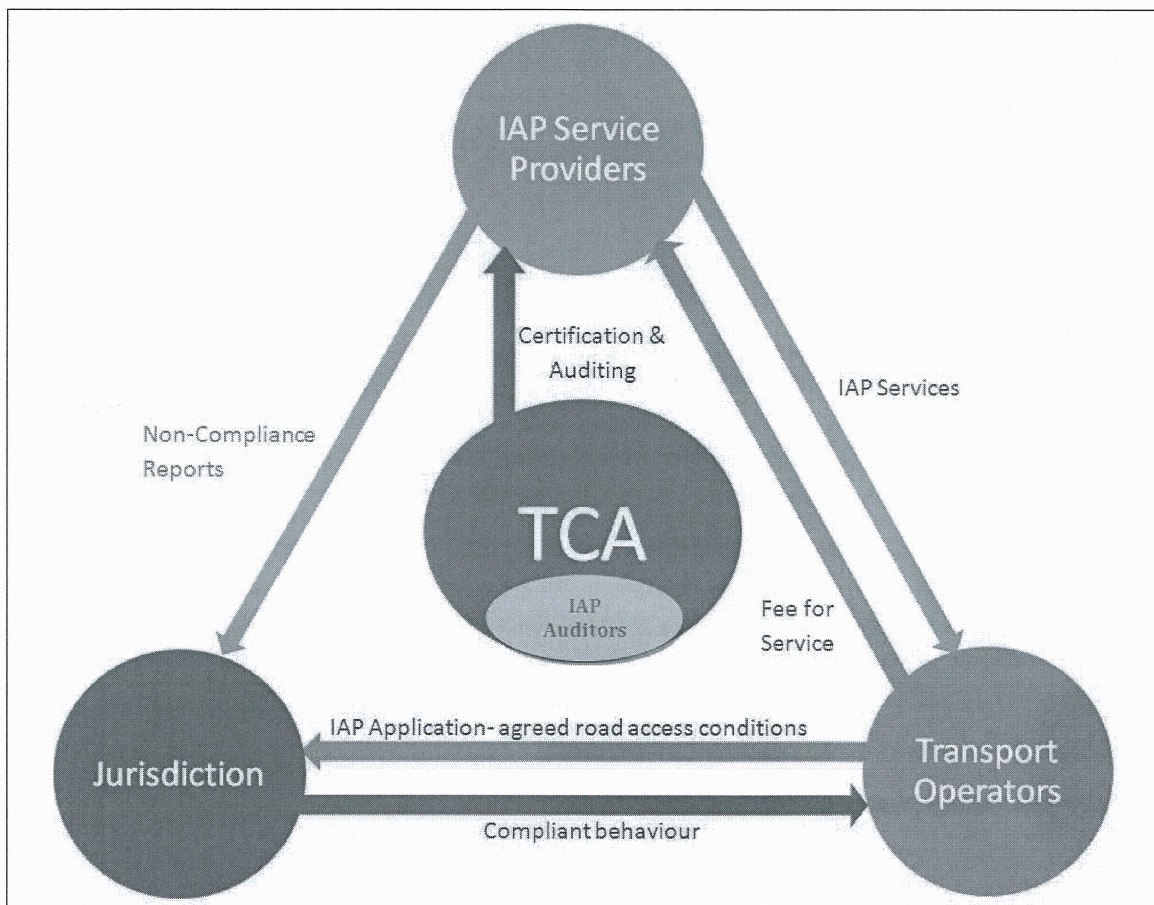
Contact:
Dr Charles Karl
General Manager, Development Services
Transport Certification Australia Limited
Level 12, 535 Bourke Street
Melbourne, VIC 3000
Phone: (03) 8601 4699
Mobile: 0408 174 233
Email: charlesk@tca.gov.au

What TCA does?

Transport Certification Australia was established by the Commonwealth, State and Territory Governments to manage the implementation of Australia's Intelligent Access Program (IAP), including the certification and auditing of private sector service providers providing telematics services under the IAP.

Intelligent Access Program

The IAP represents a new innovative way for managing heavy vehicle access to the Australian road network, offering to transport operators improved access arrangements and providing road authorities and local governments with assurance that the operators are adhering to these arrangements. The IAP provides a unique national framework comprising regulatory, contractual and operational elements for monitoring heavy vehicle activity and generating evidentiary level reports in relation to non-compliant activity. The IAP operating model is summarised below:



TCA effectively certifies and audits IAP Service Providers. Contractual relationships exist between the other parties as shown in the figure above.

More details about TCA and the IAP are available at www.tca.gov.au and www.iap.gov.au.

The areas that TCA's submission addresses

This submission specifically addresses part (d) of the terms of reference – *'responses to heavy vehicle driver fatigue management and safe driving plans in other jurisdictions, further proposals and other related matters.'*

TCA's submission covers three points:

1. Informing the Committee on TCA's involvement in a national fatigue and speed monitoring project under Austroads.
2. Highlighting the need for a certification and auditing authority for the technical monitoring system specified.
3. Highlighting the need for a national approach.

TCA's involvement in national fatigue and speed monitoring

On 29 September 2008, Australian governments introduced new heavy vehicle driver fatigue model legislation (Cth 2006a). Currently, TCA is involving in the development of an open, performance based specification and test protocols for electronic heavy vehicle fatigue and speed monitoring, which will be used to certify any electronic work diary for regulatory purposes.

The specifications to be developed will be fully aligned to the Heavy Vehicle Driver Fatigue Regulations (Cth 2006a) which allows for the use of electronic record keeping devices (also know as electronic work diaries). TCA works closely with the National Transport Commission (NTC) to ensure that the technical requirements fully meet the policy objectives.

The specifications will also be in alignment to the Compliance & Enforcement Bill and Chain of Responsibility (CoR) provisions (Cth 2006b). It would be desirable if fatigue and speed data recorded by electronic work diaries under the legislation is also made available to transport operators in order to manage their CoR obligations and this provision will be considered for the specifications.

Additionally the specifications will also address methods whereby significant breaches to the regulations with the potential to impact upon road safety are able to be identified and actioned upon immediately under CoR and enforcement personnel (e.g., excessive driving hours without rest breaks or excessive speeding).

There is an emerging base of Australian vendors who have developed their own versions of electronic work diaries based on their understanding of the legislation and utilising current technologies. The specifications will seek to accommodate as much of the already developed vendor technical solutions as practicable while remaining firm on the key requirements. As such, the specifications will recognise and cater for transitional arrangements in the longer term as technology evolves.

The IAP platform provides a sustainable framework to which additional regulatory applications, such as fatigue and speed monitoring, can be added upon. This platform comprises of four pillars; a policy and regulatory framework, a functional and technical platform (the specifications), an operational environment and a commercial setting. The last two pillars are equally important and address the operational processes and procedures as well as commercial arrangements between governments, service providers, transport operators, drivers and the enforcement community.

Requirement for certification and auditing

TCA considers that it is important that any technical solution should be able to function anywhere in Australia. Research conducted with the transport industry during the early stages of the development of the IAP indicated clearly that a single sustainable platform (based on performance based specifications) operating nationally, rather than multiple

specifications for each State and Territory, was strongly preferred by the industry and also delivered optimum outcomes.

Hence certification against an agreed performance based specification would permit a competitive market in which number of different suppliers and systems can be selected by stakeholders whilst maintaining uniformity in the overall operation.

Through its certification and audit processes, TCA provides expert, nationally consistent, and cost effective quality assurance in relation to the standard of monitoring provided by IAP Service Providers. This avoids the need for road authorities to establish and manage their own, potentially different, processes, and means that IAP Services Providers are not required to undergo separate certification for each of the eight road authorities.

To perform its certification, audit and review function, TCA has developed a series of complex test and audit systems.

Overall framework

Within the framework of a national approach to monitoring arrangements, it is likely that each jurisdiction may have slightly differing views about the use of various monitoring solutions. There is likely to be a need for an overall framework for the monitoring solution in order to ensure interoperability across the jurisdictions.

TCA has found this to be the case with IAP, where IAP is used for Higher Mass Limits monitoring in New South Wales and Queensland, for the monitoring of mobile cranes in Victoria and for the contract management of school buses in Tasmania.

A similar framework has been established in Europe known as Directive 52 (European Electronic Tolling System, 2004/52/EC¹). This directive states that the interoperable European tolling system must have GPS, DSRC and GSM technologies in the telematics unit. This framework governs the technical, contractual and operational aspects of the solution but leaves open the choice of tolling solution which may be GPS or DSRC or a combination of both. Such an arrangement permits one country to use GPS tolling, another to use DSRC, but all can be monitored by the single telematics unit.

While technical monitoring solutions are necessary, an overarching framework that achieves interoperability (technically, contractually and operationally) is equally important and arguably more enduring than technical solutions themselves. This framework will provide increased flexibility to jurisdictions in the implementation of incremental pricing while ensuring interoperability across the nation so that there is only one regulatory telematics device in the vehicle.

References:

1. *Model legislation – Heavy Vehicle Driver Fatigue*, National Transport Commission, Melbourne, Vic., Aus., 2006a.
2. *Road Transport Legislation – Compliance and Enforcement Bill*, National Transport Commission, Vic., Aus., 2006b
3. *Incremental Pricing Scheme Feasibility Study*, National Transport Commissions, November 2008
4. *Inquiry into Improving Safety at Level Crossings*, Road Safety Committee, Parliament of Victoria, December 2008
5. *Inquiry into Train Visibility and Level Crossing Safety*, The House of Representatives Standing Committee, Commonwealth Parliament of Australia, June 2004
6. Directive 2004/52/CE on the Interoperability of the Electronic Fee Collection Systems in Europe, the Expert Group 4, October 2005
http://ec.europa.eu/dgs/energy_transport/tenders/doc/2006/s44_045846_certification_en.pdf

