

INQUIRY INTO HEAVY VEHICLE SAFETY

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20TH March 2009

STAYSAFE [Joint Standing Committee on Road Safety]
Parliament House
Macquarie St
Sydney NSW 2009

RE; Inquiry into Heavy Vehicle Safety

Dear Committee,

I wish to make some comments to this inquiry. I have read the terms of reference and feel that I may be able to address some of them. Please note though, that I am a long distance owner/driver of a B-double truck, and can only address things as I see them.

I have been in the industry for 30 years, the last 15 as an owner/driver. I have a supportive wife, three children and a mortgage and we support ourselves with our truck. While I may not be familiar with the mechanics of a Parliamentary Committee, at least I may be able to offer some input from a grass roots level. I am more comfortable picking up a spanner than writing submission such as this. Most truck drivers would feel this way. They believe that people, who have not had to do the job, could not possibly know our fatigue and work requirements.

IN THE PAST

Historically our industry has had a bad record of overworking drivers. However, I can honestly say that this to me is very much a thing of the past. I think that this is a good thing anyway. Nobody pressures me to do anything that I do not wish to do now, in relation to unreasonable deadlines and illegal driving activities.

Apart from the multitude of laws now covering fatigue management nationally, there is also a massive shortage of experienced heavy vehicle drivers. This means that employers try hard to treat drivers well, both in regard to lifestyle and not pushing them too hard. The employers would simply not be able to hang on to drivers if they did.



So while we are all happy with the slowing down of the industry in the last two decades we almost feel like the multitude of recent legislation was not necessary. Only because we felt the industry had already slowed down and become more professional.

THE NSW O. H AND S. AMENDMENT REGULATION 2005.

The NSW Occupational Health and Safety Amendment [Long Distance Truck Driver Fatigue] Regulation 2005 seemed to be somewhat unnecessary and just an impediment to getting a job done. It put an additional and duplicated paperwork burden onto us, as we were already filling out log books. I am not trying to be negative and I will explain.

The new national fatigue management laws were in the pipeline with the National Transport Commission. Everybody knew this, but probably with all good intentions, NSW jumped the gun with their own legislation. Even now with the new laws coming in nationally, the NSW legislation is still there as an added task for us all.

Fatigue management is a very personal thing. No bureaucrat, professor, academic or doctor could make a one size fits all policy. Thirty years of driving heavy vehicles all over Australia tells me how my body operates. This is different to how the next driver operates. Even doing the same trip on another day, my body could be feeling different.

I do believe we need some regulations and guidelines though, such as maximum hours you can drive in a day, and minimum continuous rest times in a day and a week.

TRIP PLANS.

However, trip plans do not work because there are far too many variables. Time delays such as road works, detours, mechanical problems, personal needs, and even becoming suddenly tired for no apparent reason and needing to rest or sleep.

I know there is a need to put down your actual trip plan if and when it deviates from the given trip plan. However, the actual trip plan is your legally binding RTA logbook. Therefore, we end up with duplication.

Sometimes after having many days rest, I depart on a long trip, and find myself unable to make a good distance. My fatigue management is to pull over and have a sleep. Even if it is 2.00 pm in the day. The reason for this is that I am so well rested, that my body is completely relaxed, and does not want to put in a hard days work. This ruins a trip plan.

The companies that I am sub-contracting to are not issuing trip plans to me. They are supposed to, as I am an owner/driver. I cannot remember when I received one last. I work for many different companies in a month, and even the well known extremely large companies are not issuing them. This may be due to some driver resistance, company resistance, and the difficulty in collecting and auditing them [at a distant location].

I believe trip plans should be made optional for any length of journey for the following reasons;

1. There are too many variable affecting progress to schedule a trip accurately.
2. The new national fatigue laws offer more than enough guidance, regulations and penalties.
3. These NSW trip plans are not aligned with other states, in what is a national industry.
4. Added paperwork burden on companies and owner/drivers alike.
5. Transport companies in other states consciously or subconsciously choose not to accept them.
6. Log books provide an accurate, duplicate and legal record of a trip.
7. Experienced drivers already know the route they will take, including best rest areas and food locations.
8. Trip plans could be optional for inexperienced drivers or experienced drivers embarking on new routes.

Regarding point 5 above, I do many trips out of Adelaide to Sydney. None of the people I have loaded for are doing trip plans. Even though legally they should as their loads are traveling more than 500 kms through NSW. When I have asked them why they do not do them, they often reply that they do not give a bugger about what happens in NSW. Others think that it is my responsibility. I tell them as an owner/driver it is their responsibility and they do not want to know. I choose not to argue, as I need the load. I have had a good relationship with them for years, and I do not want to go broke from lack of a load.

In summary, the NSW legislation is at odds with the rest of Australia and as a national industry, it only creates problems and added burdens for large companies and small ones like my family company. I had to pay a consultant \$1,100.00 to set up all my fatigue and OH &S policies, [to meet the NSW legal requirements], just so that I could do the same thing that I have always done. That is, operate my truck safely with regard to my own body clock and fatigue levels.

HEAVY VEHICLE PARKING BAYS AND REST AREAS.

It would be wrong of me to finish without making some comment on this particular issue. There is a massive shortage of these facilities. It would be one of the top five problems affecting drivers and owner/drivers today.

It has always been a problem but it has become larger in recent years because of the escalation of the use of B-doubles, which governments encouraged us to use to reduce heavy vehicle numbers on the road. This is because B-doubles occupy more space in parking bays.

In more recent times, the NSW 2005 O.H. &S legislation, the new tougher national fatigue laws and larger penalties for fatigue breaches has really shown rest area facilities to be lacking. Drivers in the industry find it a little hypocritical for jurisdictions to be enforcing these laws, when there is clearly a lack of rest areas.

About 18 months ago a national audit conducted by Ausroads, concluded that there is a massive lack of heavy vehicle parking bays in Australia. Not one major highway or road came up to standard in Australia, in either frequency or required standard of rest areas/truck parking bays. [It did however say that Victoria was the best of all the states]. Remember also that drivers may only park in a town or suburban environment for a maximum of one hour, whilst we get a meal. Many people believe that there should be a rest area every fifteen minutes on national highways.

The new Coolac bypass on the Hume Highway in NSW does not have one single new rest area in its plans.

Even the NRMA are concerned about the rest area issue for heavy vehicles, and have notified their members via their most recent edition of The Open Road magazine.

I can offer you an example. Leaving Balranald NSW traveling east on the Sturt Highway the first parking bay is 65 kms away. You cannot pull over anywhere else, as there is a large table drain on each side of the road where you can easily get bogged or even roll over. You cannot pull onto the shoulder, as it is very narrow and quite boggy after rain.

Therefore, you leave Balranald at night, feeling good, and after about 15 to 20 minutes, you suddenly get tired. You know you should pull over because you know the signs that your body is letting you down. At 100 kph, you have only done 25 or 30 kms. You still have to do at least 35 kms to get to the parking bay. That is 21 minutes driving at 100kph, passing other vehicles on a narrow national highway in a 62 tonne B-double. Therefore, you may choose to slow down to be a bit safer as you are tired. Then it takes longer to get to the rest area. So you are at risk for longer and so are the public. Remember, you cannot just pull over anywhere, because there is no shoulder.

Fatigue experts say that we should know before we get tired, when we will get tired and find a rest area beforehand. After 30 years of safe driving experience, I cannot do that. Who could? This is where so-called experts really agitate professional drivers. This is why fatigue cannot be controlled by paperwork, as it is an imperfect and personal science.

Now here is the catch. You get to the rest area and it is full of trucks. So you drive back out and go to the next one. You are knowingly putting yourself and other people's lives at risk. You are liable for prosecution, [as you are knowingly driving a vehicle in a fatigued state], but where is the duty of care from the NSW Roads and Traffic Authority? I can offer many other examples like this, where there is an extended distance between rest areas.

I would say that when the RTA build a new rest area they are excellent, but there are simply not enough. I would like to suggest that the RTA could build less ornate rest areas and so would be able to build more. This is a personal opinion [and may not suit all drivers], but my list of requirements for a truck parking bay are as follows;

- 1. Level ground
- 2. Bitumen sealed
- 3. Built a long way off the highway [75-100 metres minimum]
- 4. Trees or earth bank to help deflect road noise between parking bay and highway
- 5. Rubbish bins
- 6. Optional toilet

You could still have the large fancy parking bays/rest areas further apart, and have two or three like the examples above in between. This would have to save money.

NEW NATIONAL HEAVY VEHICLE DRIVER LOG BOOKS.

In closing, can I ask you to continue to consult widely with the industry if you decide to make changes? I can give you an example of what happens when you fail to do this.

I say this as despite all the work that went into the new national logbooks, which are now mandatory, they have inherent design faults. This is after years of research, preparation and design by various experts.

The new logbooks are nearly twice the size of the old books, but the boxes allocated to write locations are too small to write long lettered towns such as Wollongong or Coonabarabran. I cannot even fit my name in the box provided for it, and my name only has 12 letters in it.

SUMMARY

I thank you for allowing our input to your inquiry, and I would be happy to appear personally if required. I wish you well with your considerations. Please above all, keep consulting with us.

The vast majority of truck drivers are law abiding hard working Australians who love their industry and traveling around Australia. Unfortunately, every profession has its bad operators and ours is no different. However, they often do not last the long distance, whilst those committed to the industry still do their best, day in and day out.

Thanking you,

Murray Reddie