



Image courtesy of Volvo Group Australia



Message from the CEO

Welcome to this fortnight's edition of *On the Road*.

During the past decade Australia's heavy vehicle industry has embraced new technology and designs using the Performance Based Standards scheme.

The scheme has become so popular that almost one-in-five new vehicles are PBS approved.

The NHVR has invested a lot of time and effort recently into assisting road managers to gain a greater understanding of the PBS scheme, its principles, benefits and approval process.

Aside from the technical information, there has also been an opportunity to continue to showcase some of the outstanding designs and units that are boosting productivity and safety on our roads.

Almost 100 representatives from local governments attended a PBS Demo Day last week in Portland in western Victoria. We'll also be hosting a PBS Demo day in Temora, in southern NSW on 11 April.

Both days are valuable opportunities to build an understanding of PBS vehicles and how they can contribute to growing local economies.

Sal Petrocchio
CEO, National Heavy Vehicle Regulator

Extra CoR pressure not required under law

The NHVR has warned heavy vehicle operators to be aware of their responsibilities under the changed Chain of Responsibility laws after reports of pressure to disclose additional information from larger customers.

NHVR Safety Standards and Assurance Executive Director Geoff Casey said the NHVR was aware that some customers were requiring operators to provide unnecessary information beyond what is required under the current CoR provisions.

"We have been contacted by a number of operators after they were asked to provide details of their drivers, safety systems and work diaries by a customer claiming they were required under CoR laws," Geoff said.

"This level of information is not required by a customer or primary contractor under the law.

"The law makes it clear that it's the transport operator's responsibility to manage their own operations and activities so as to ensure safety under the primary and safety duty provisions."

Geoff said each party in the heavy vehicle supply chain was liable and responsible to the extent of their level of influence and control over the particular transport task.

The NHVR has been made aware of a number of similar instances during 13 information sessions conducted for over 400 businesses during February and March.

South Australian Road Transport Association Executive Officer Steve Shearer said many members had expressed their dismay at the unintended and unnecessary administrative and cost burden that too many customers are imposing on road transport operators by over-reacting to the CoR provisions.

"A customer who engages a road transport operator to move their freight does not generally have influence or control over the operator's drivers, nor over the maintenance of the trucks," Steve said.

"Customers need to be aware that the more they seek to micro-manage road transport suppliers, the more they will increase their level of influence and control and in doing so they will significantly increase their own legal liability under the CoR law and unnecessarily increase their own compliance costs.

"Customers are entitled to rely upon the fact that their transport operators have systems and procedures in place to manage their own safety responsibilities, provided the customers don't prevent or inhibit the transport operators' or drivers' ability to be compliant.

"Corporate customers, including prime contractor transport operators, need to review their CoR practices and procedures to ensure that their business meets its CoR responsibilities while avoiding taking this beyond their business's level of influence and control under the HVNL."

Geoff said a customer or primary contractor may request additional information under a commercial arrangement that is subject to agreement but it is not a requirement under the HVNL.

"Both parties need to work together to ensure that they each understand their respective responsibilities, including the limits of those responsibilities, and that they each manage those responsibilities effectively."



Forum outcomes focus on fatigue reform

The NHVR will release a *Discussion Paper* as part of a broader Fatigue Safety Strategy to support a push by many in the heavy vehicle industry to reform fatigue laws.

NHVR CEO Sal Petrocchio said many operators were keen to make fatigue reform a major focus of the current review of the Heavy Vehicle National Law.

"In many of our day-to-day interactions with operators, whether we're at the roadside or at an industry conference, we hear that the reform of fatigue laws should be a priority," Sal said.

"In particular, operators are looking for more flexibility, rather than more driving hours.

"This push was started by the diverse cross section of operators and industry who attended our Fatigue Safety Forum in October last year (pictured), urging the NHVR to push forward with fatigue reform.

"We've recently released a *Summary of Outcomes* from that forum that looks at the

current challenges, some key principles and the NHVR response."

The Fatigue Safety Forum discussed future directions in fatigue safety for heavy vehicle drivers and identified actions to improve fatigue safety.

The NHVR will take a number of steps in response to the feedback received during the forum.

"We recently invested in a \$250,000 study into Fatigue Monitoring Technology to help get potentially life-saving technologies out of the lab and into the cab," Sal said.

"I've also committed to developing and implementing a fatigue safety strategy to promote industry adoption of a strong safety culture and improved fatigue risk management.

"We will release a *Discussion Paper* on our position in relation to reform of fatigue laws, in the next couple of months."

[Click here for the full Summary of Outcome.](#)

Pre-advised PBS applications extended

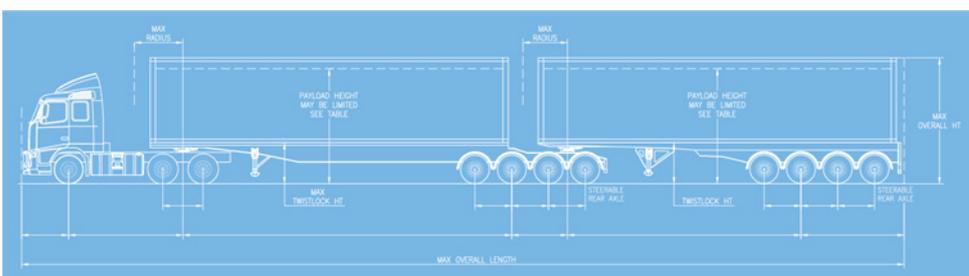
The NHVR has expanded the PBS pre-advised design approvals to include B-double combinations up to 30 metres.

NHVR Chief Engineer Les Bruzsa said the pre-advised process was improving processing times.

"Since the commencement of the pre-advised design approval trial in March 2017, application processing times for applicable vehicle types have reduced on average from four weeks to three business days," Les said.

"To date, most major combination designs have been pre-advised and it is estimated that 90 per cent of all PBS design applications will qualify for approval under the simplified pre-advised design approval process."

A full list of the PBS combinations that are currently eligible to access the pre-advised approval process can be found at www.nhvr.gov.au/pbs



Joint QTA fatigue sessions

The Queensland Trucking Association and the NHVR have joined forces to host a series of fatigue information days.

NHVR Fatigue Specialist Andreas Blahous said the information sessions, starting 10 April, would allow on-going collaboration with the heavy vehicle industry as part of the NHVR's Fatigue Safety Strategy.

"This is a great opportunity to provide practical advice on individual needs to QTA members," Andreas said. "It's also a great opportunity for the QTA to work with their members and provide feedback on current fatigue processes directly to us."

The NHVR will look to build a collaborative model in other states and territories.

For more information visit www.qta.com.au

Portal tip

Here's a tip that may help you when next applying for a permit.

Scope the route

Before you apply for an access permit, scope your route. Use tools, including 'street view' in Route Planner to check bridges and infrastructure along your proposed route and consider alternate routes if required.



Easter travel restrictions

Please be aware that over the Easter holiday period, New South Wales, Queensland, Victoria and Western Australia have travel restrictions for agricultural, oversize/overmass and special purpose heavy vehicles.

For more info visit www.nhvr.gov.au/news/2019/04/02/easter-travel-restrictions-2019



1800 931 785
Heavy Vehicle Confidential Reporting Line
www.nhvr.gov.au/HVCRL

Enjoying *On the Road*?
Subscribe to future fortnightly issues here