

23 March 2015

Attn: Heavy Vehicle Roadworthiness Program Manager
National Transport Commission
MELBOURNE VIC 3000.

Heavy Vehicle Roadworthiness Program – Consultation Regulatory Impact Statement

The Victorian Farmers Federation

The Victorian Farmers Federation (VFF), Australia's largest state farmer organisation and only recognised consistent voice on issues affecting rural Victoria, welcomes the opportunity to comment on the 2015 Heavy Vehicle Roadworthiness Program - Consultation Regulatory Impact Statement.

Victoria is home to 25 per cent of the nation's farms. They attract neither government export subsidies nor tariff support. Despite farming on only three per cent of Australia's available agricultural land, Victorians produce 30 per cent of the nation's agricultural product. The VFF represents the interests of our State's dairy, livestock, grains, horticulture, flowers, chicken meat, pig and egg producers.

Introduction

The *Heavy Vehicle Roadworthiness Program Consultation Regulatory Impact Statement* (RIS) has been released for public comment, with the intent of improving road safety outcomes by reducing the likelihood of major vehicles becoming defective.

The agricultural sector comprises a large proportion of the individual vehicle fleets in Australia. Use of heavy vehicles is essential for the operation of farm business. It is expected that all road users keep their vehicles in good working order with appropriate attention to legal safety requirements.

There is a clear differentiation between farm heavy vehicle use and the commercial freight industry. Unlike the commercial freight industry, the pattern of heavy vehicle use by primary producers is low and in many cases seasonally based. For example, during the harvest period the vehicles of grain producers may be quite active, but then revert to infrequent use when harvest is completed.

Additional unnecessary costs and compliance burden should not be placed on this low frequency, low risk sector of heavy vehicle users.

The VFF strongly argue that option one of the RIS, retaining the status quo, be adopted.

Heavy vehicle patterns of use in Victorian farming enterprises

Road safety is of great importance to the VFF and its members. There is an expectation that road users will be operating vehicles which provide an acceptable level of safety both for the operator and surrounding vehicles on the road, with strict compliance with legal requirements.

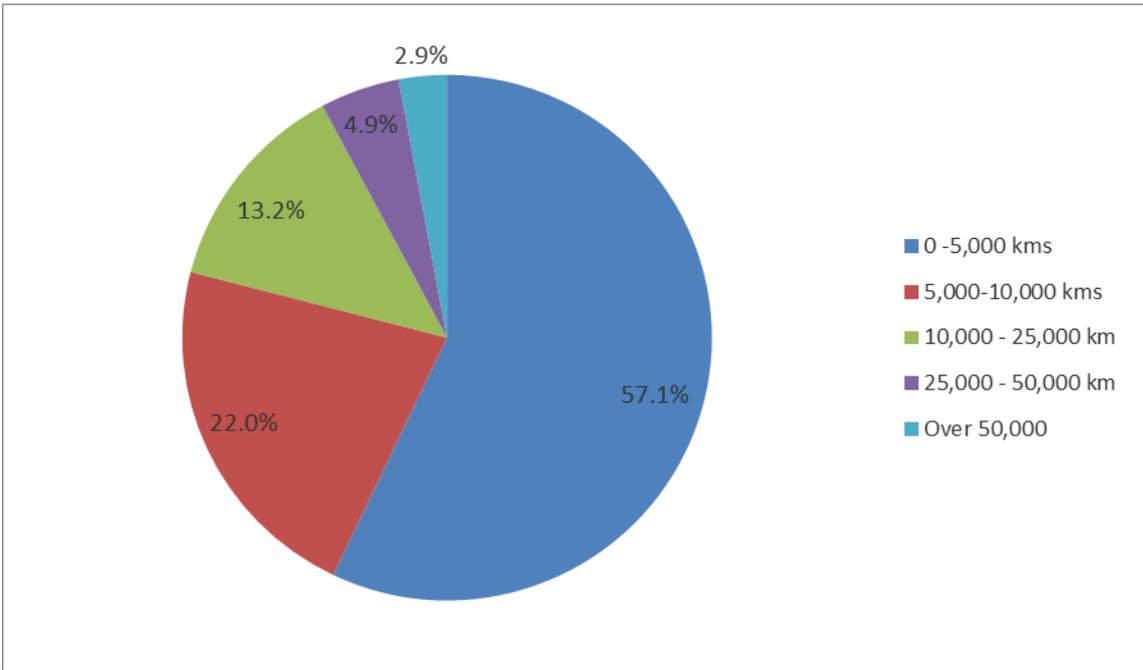
However in considering the options of enforcement of increased formal roadworthy checks outlined in the RIS, safety needs to be viewed through the lens of farm heavy vehicle rates and patterns of use.

A survey of primary producers in Victoria was undertaken by the VFF during 2013. Results from this survey provided an understanding of the types of vehicles used within farm businesses and the annual average distance farm vehicles travel. The results demonstrate that the annual use of heavy vehicles in farm business is low.

The results of the survey show that 57% of farm vehicles travelled less than 5,000 kilometres per year. Further, 79 percent of primary producer vehicles travelled less than 10,000 kilometres per year. Figure one outlines the survey mileage results.

A Victorian livestock enterprise provides a real example of the patterns of low heavy vehicle use. A registered farm truck, used within a livestock enterprise, travels 32 kilometres in a round trip once a month to transport livestock to market. The owner of the truck maintains the vehicle in a roadworthy condition, as is required of a responsible road user. An annual roadworthy check at a cost around \$800 is a large cost to an enterprise for such a small usage.

Figure 1: Kilometres travelled per year by primary producer vehicles



Response to RIS options

Option one- Status quo

Supported

Retaining the status quo for the frequency of formal roadworthy inspections must be adopted.

Farm heavy vehicles have a low to very low annual mileage. The VFF believes that requiring more frequent inspections of low risk farm vehicles, as opposed to large commercial trucking operations, would place unnecessary costs and red tape on the low-risk farm sector.

Any increase to the frequency of roadworthy inspections, by moving away from the current State registration model, will place additional expense and burden on farmers. Such a burden is unnecessary, given the low use and low-risk profile of heavy vehicle operation in the farm sector.

Any increased mandatory inspections should be focused on commercial trucking fleets – such as fuel trucking company Cootes, who pleaded guilty in the Melbourne Magistrate’s Court last October to 67 charges of operating unsafe vehicles.

Irrespective of any formal scheduling of roadworthy inspections on heavy vehicles, all vehicle users must comply with State and Commonwealth rules and regulations. Mandating scheduled roadworthy checks for heavy vehicles does not change the legal obligations on a road vehicle user- to maintain their vehicle in a roadworthy condition.

If a vehicle is pulled over by an authorised officer on the side of the road for a random check, a recent mechanical roadworthy inspection cannot be used as an argument to prevent the issue of an infringement.

Police or VicRoads on-road checks, as are currently undertaken, is a far better approach to identifying what vehicles may be un-roadworthy at any point in time.

Option two

Option two of the RIS makes comment around the development of a harmonised education and training package. There is some merit in the further development of appropriate support tools for both vehicle operators and authorised officers, to ensure that high standards of safety are being practiced.

Options three and four – risk-based or mandatory roadworthy inspections

Not supported

The Heavy Vehicle National Law (HVNL) outlines a set of rules for the operation of heavy vehicles. State and territory policy and authorised officers can undertake enforcement action for non-compliance with these regulations. The HVNL in itself provides a consistent playing field across all states to be held to account for vehicle safety – without moving towards a mandated annual roadworthy for all vehicles.

As outlined within the preamble to this submission, heavy vehicles used by farm enterprises are seasonal and sporadic. Annual roadworthy inspections for farm vehicles will place unnecessary and substantial costs on primary producers who have a low profile of vehicle use on roads.

Members of the VFF have quoted roadworthy costs for farm heavy vehicles starting around \$800 - an unnecessary cost and process burden for low use, low risk farm based heavy vehicles which may be only used for a matter of days a year.

Recommendation

The status quo for formalised roadworthy checks must be maintained (option 1).

Departure from the current system of compliance will place unnecessary costs onto Victorian Farmers, who represent a low-use, low-risk sector of the national vehicle fleet.

Formalised safety checks such as those outlined in options 3 and 4, should be directed toward the commercial freight industry.

For the farm sector, ensuring that vehicles are in a roadworthy state are best managed through point in time roadside checks, rather than shifting a burden towards the user through a roadworthy check.

Thank you for the opportunity to provide comment on the RIS. Should you have any further questions regarding this submission please contact Melanie Brown, Policy Manager on 03 9207 5552 or mbrown@vff.org.au.

Yours sincerely



Peter Tuohey
President
Victorian Farmers Federation