

19 October 2015

Heavy Vehicle Compliance and Technology Team  
National Transport Commission  
Level 15/628 Bourke Street  
Melbourne VIC 3000

Dear Sir/Madam,

The National Road Transport Association (NatRoad) welcomes the opportunity to provide a submission to the National Transport Commission (NTC) discussion paper, *Developing a Heavy Vehicle Fatigue Data Framework*.

NatRoad is the peak advocacy group for road transport operators in Australia and is Australia's largest national representative road freight transport operators' association with over 1200 members. NatRoad represents road freight operators, from owner-drivers to large fleet operators, involving general freight, road trains, livestock, tippers, express car carriers, tankers, refrigerated operators and heavy recovery vehicle operators.

NatRoad supports evidence-based policy to manage driver fatigue and recognises that without improvements in data collection, further improvements or reform of fatigue laws will be impeded. The development of a heavy vehicle fatigue data framework represents an important first step in addressing known information gaps, and ensuring both a consistent and robust evidence base to best inform future fatigue policy.

As a member of the peak body representing the trucking industry, the Australian Trucking Association (ATA), NatRoad supports all recommendations made in their submission to this discussion paper. NatRoad further supports ATA positions on the priority areas for investigation identified by the NTC, as well as the three additional priorities nominated of collecting data to investigate long rest break (7-hour) flexibility, analysis of EWD data to reveal minor breach patterns, and the collection of data relating to the full range of driving tasks including regional and remote road train operation.

NatRoad holds concern that current fatigue policy arrangements are too theory-based and rigid with prescriptive adherence requirements that arguably do not help authorities decide whether a driver is, as per the Heavy Vehicle National Law s.233 (1): (a) feeling sleepy; physically or mentally tired, weary or drowsy; (b) feeling exhausted or lacking energy; and (c) behaving in a way consistent with those feelings.

The practical outcome of fatigue management policy is that it is not based upon a robust real-world evidence base. Greater consideration of real-world data in the formulation of fatigue management

policy will hopefully help drive practical improvement to fatigue management policy, while helping to dispel antipathy towards the rigid requirements of driver work diaries. Optimal fatigue management policy should seek to strike a sensible and practical balance between productivity, efficiency, innovation and safety.

NatRoad strongly agrees with ATA Recommendation 2 that the fatigue data framework be placed under the auspices of a federal statistical and/or evaluation-oriented agency such as the Bureau of Infrastructure, Transport and Regional Economics (BITRE) or the Australian Transport Safety Bureau (ATSB). The relevant entity should be responsible for receiving, compiling, holding, analysing and publishing de-identified heavy vehicle fatigue statistics. NatRoad considers it essential that such data collected be de-identified for policy analysis and not be able to be used for enforcement purposes. The de-identified data should be publically accessible and available to share and use for any purpose without restriction.

The framework should seek to harmonise fatigue terminology, data collection and analysis approaches across all Australian jurisdictions. While the improved fatigue evidence base will be primarily constructed from compliance and enforcement data, reasonable consideration should be given to the valuable information provided by coronial hearings and findings, crash investigation recordings, periodic research and industry surveys. Also important is that members of NatRoad already collect rich data sets to manage driver fatigue within their operations on a daily basis, and to ensure that drivers are not impaired by fatigue in line with their duties under the law.

NatRoad would be pleased to provide any further information by request to the National Transport Commission to assist in the successful development of a heavy vehicle fatigue data framework to better inform practical and sensible reform to fatigue management policy.

Yours Faithfully,

A handwritten signature in black ink, appearing to read 'Grant Johnson', with a stylized, cursive script.

Grant Johnson  
**Policy Director**