

Submission for the NHVL through the NTC.

I am a heavy vehicle owner operator with at least 30 years experience in heavy transport.

To begin with we need to start at the top by having only one governing body, either the NTC, or the NHVR. At the moment we have buracrats and legal teams from two Government organisations, and none with any knowledge, experience or any understanding of what is involved in a highly dangerous profession.

The law has no place in fatigue management, the only person that has any control with this issue is the actual operator in control of the vehicle. No other person or entity or governing body should have any control in this matter.

The 24 hour period should be abolished altogether as this leads to overly complicate the system and only achieves a platform for governing bodies to prosecute non fatigue operators. The multiple 24 hr period. working with in a 24 hr period is a prime example of this.

Taking ideas from the Territory and WA should be a no brainer, as there system has shown by statistics of death involving heavy transport has decreased, while the eastern states has risen.

As it stands the rules are very much law based and only aimed at prosecution. We have to remember that a majority of operators do not have a law degree, just as the NHVR and NTC people do not have the skills to safely operate heavy vehicles, or at this time govern an industry that is in crises.

Over 80% of accidents are caused by smaller vehicles. This is a very serious issue and needs to be addressed at the education of new drivers being taught how to interact with heavy transport, and other motorists.

The enforcement of log book infringements should be only up to Transport inspectors and taken away from the police, as their only aim in road safety is prosecution no matter how minor and does nothing for the safety of any road user. Judges also have to be educated about the industry, how it works and the risks that operators work under, remember fatigue and safety is not always about the Law.

Having a log book where an inspector can go back months looking for infringements is only aimed at prosecution, I make mistakes in my adding up of hours and have not driven over my allocated hours, I then get prosecuted for that, we all make mistakes, yet heavy vehicle operators are the only ones prosecuted, politicians make mistakes and they put it down to clerical errors. NHVR staff have made mistakes giving me information, they apologise yet they do not get prosecuted.

The log book should only be trip based, from start of trip to end, and this is where the operator should be able to work out a trip schedule that works for him or her to safely manage fatigue in say a 12/14 hour drive time with say a 7/8 hour break, no 24 hour period. The trip that the operator is actually on should be the only trip open to scrutiny while on the road.

Light vehicles towing caravans should also come under scrutiny, as the statistics show there are an ever increasing number of fatalitys due to severly over loaded vehicles and a total lack of knowledge and understanding by drivers. The congestion they cause on the highways leads to many dangerous incidents from people trying to get around kilometres of traffic lined up behind them.

With COR laws the roads have to be included in the Work Health ands Safety rules. Heavy vehicle accidents should be thoroughly investigated for all the evidence leading up to the incident. The coroner also needs to be included if death is involved.

When the final documents are finished they should not be put in operation until the industry sees them and comment on fine tuning them. This process should also be open if problems occur when made into law and we can improve the system as need be.

We have an industry that is in crisis due to government thinking that prosecution will fix all issues, but has only been able to bring our industry to its knees. WE need gov. to work with the industry to improve and make red tape not part of the industry. State Borders and laws leading to misunderstanding by operators leading to prosecution, for this reason I will not travel into NSW from Qld.

The use of electronic devices to manage fatigue will not work, they can be a tool to help, but to rely on them is not the answer. At the end of the day fatigue management is totally up to the operator.