

**SUBMISSION NATIONAL ROAD SAFETY STRATEGY**

FEBURARY 2011



The Australian Trucking Association's principal goal is to improve the safety of the trucking industry. The ATA supports the National Road Safety Strategy (NRSS). Continuing to improve safety with well designed heavy vehicle policy is important to the industry, as laid out in the ATA's strategic plan. Although there have been significant improvements in heavy vehicle accidents, the current levels of fatal and serious injury accidents are unacceptable.

The ATA Safety Committee has reviewed the draft National Road Safety Strategy (NRSS) and has responded below. There are a number of omissions from the draft strategy that the industry considers effective and important policy targets, and these are outlined for consideration in the final strategy. These priorities are drawn from the ATA Safety Policy Statement developed in 2009<sup>1</sup>.

## Summary

All proposed actions in the draft NRSS must be evidence based, relevant to Australia, and subjected to a rigours process including a regulatory impact statement. There are concerns around some actions outlined in the draft strategy that appear to be inappropriate based on costs or small estimated safety benefit.

There is practical detail missing in the action items in the strategy that may weaken implementation. Each action should include the financial and governance responsibilities. The quantifiable effect of how different policy action will reach the target should also be included.

**The final strategy should clearly address financial and governance arrangements for each action.**

Heavy vehicles should not be treated with extreme, unproven or random policy measures. Safety related policy that is effective in regard to general vehicle travel, that can be appropriately transposed to heavy vehicles, should be considered. Graduated accelerated licensing for heavy vehicle drivers is an example of this, where it would improve the quality of licence holders and allow more qualified, earlier entry into the workforce.

**Actions targeting heavy vehicles should be evidence-based and effective, and include encouragement for industry initiatives.**

To promote the success of the NRSS, it is important it is recognised at a suitable level. The Final Strategy will struggle to be effective if the actions are not financially supported by governments.

Lastly, the role and responsibilities of the National Heavy Vehicle Regulator should be taken into account in the final strategy.

The ATA highlights the following policy targets and measures for stronger emphasis or inclusion in the final NRSS.

- Encourage safer companies through TruckSafe
- Undertake measures to reduce 'other driver' risk and exposure
- Reduce heavy vehicle exposure and promote the use of higher productivity vehicles
- Improve compliance along the supply chain by expanding the effective application of the Chain of Responsibility legislation (beyond speeding)

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<sup>1</sup> ATA Safety Policy, 2009. Available at [www.atatruck.net.au](http://www.atatruck.net.au)

- Target heavy vehicles travelling at inappropriate speed for conditions
- Manage fatigue risk by building more rest areas and allowing the voluntary use of electronic work diaries

## Discussion on strategy content

### SAFE ROADS

#### Safe systems and infrastructure planning

Safe systems and infrastructure planning is a sound policy direction to take. Safe systems building criteria should be cognisant of heavy vehicles' use of the road network. Implementation and financial responsibility needs to be clearly addressed. Without clear instructions and financial support road agencies will have limited ability to implement changes.

The ATA supports the road enhancement policies outlined in the draft strategy, including: more tactile edge lines, shoulder sealing and wide centre line markings.<sup>2</sup> Wire rope barriers used in the median and on the side of the road may be a good safety tactic, if concerns about visibility in differing weather conditions can be addressed.

Road design should be planned to consider heavy vehicles including high-productivity vehicles where practical. This includes turning curve considerations, ramp treatments and wide shoulders. While safe systems infrastructure characteristics are usually improvements, practical use, especially by heavy vehicles, needs to be remembered. There have been reports, for example, of wire barriers continuing for longer than necessary, creating dangerous situations when heavy vehicles have no emergency pull over lanes.

Cost estimates and financing methods for additional safe systems investment needs to be detailed, as this may require additional funding at all levels of government. This must be addressed to ensure roads, provided as public goods, are safe and fit for purpose. The inclusion of freight vehicles is fundamental in this consideration.

Equal with safety considerations for new roads, optimal road maintenance and utilising existing road capacity should be included in road management. Efforts to maintain roads, especially following severe weather impacts, should be prioritised as a safety and productivity measure.

There is a risk that failure to adequately upgrade or build infrastructure will result in reduced speeds. This could result in inappropriate cost or responsibility transfer from road agencies. Where economically possible, infrastructure changes should be considered in the first instance.

#### Rest areas

Appropriate rest areas, with shade, amenities and minimal noise allow drivers to comply with fatigue regulations. The Austroads' *Audit of Rest Areas against National Guidelines*<sup>3</sup>, shows the quantity and quality of rest areas are below national standards. This is a symptom of planning and funding problems.

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<sup>2</sup> Draft NRSS p25

<sup>3</sup> Austroads *Audit of Rest Areas against National Guidelines* (2008), Sydney.

Targeted rest area funding has been part of the National Heavy Vehicle Safety and Productivity Program, although funding allocations through this program have ceased. Rest areas should be automatically included in safe systems infrastructure planning, especially where roads have expected heavy vehicle use. Reports of severely crowded rest areas show strong demand for improved infrastructure and these situations offer opportunities for strong improvements.

A further problem is the removal of existing rest areas. Rest areas that are temporarily removed due to capital works should be immediately replaced. New road planning that expects significant heavy vehicle traffic should include rest area facilities.

### **Marking of informal rest areas**

Indicating informal rest areas have been a proven, low-cost safety initiative that should be encouraged. Informal rest areas are useful on routes where government provided rest areas are not sufficient or existent. Information about rest areas should be promoted to educate and encourage means to take breaks.

A nationally consistent framework for marking informal rest areas should be developed and provided to state agencies with encouragement to implement.

### **'Other driver'**

In determining appropriate heavy vehicle safety policy, understanding the role of external factors, outside of the scope of the heavy vehicle and its driver, is important. The role of the 'other driver' needs to be considered and action taken to reduce risks. International studies have shown human factors account for 85 per cent of accidents involving heavy vehicles, where heavy vehicle driver fault accounts for 21 per cent of accidents, with the other human factors (including other driver) accounting for 64 per cent of accidents<sup>4</sup>.

A safe systems infrastructure policy should target the interaction and exposure of heavy vehicles and general traffic. The final NRSS should address this issue by:

- building safe systems infrastructure that separates heavy vehicles from other traffic where feasible;
- educating new license and general license holders about how to drive safely around heavy vehicles; and
- promoting fatigue management in light vehicle drivers.

### **Willingness to Pay**

Determining road expenditure based on willingness to pay is problematic, as discussed in the draft strategy. It is hard to accurately gauge economic values for road use, especially where roads are usually provided as a public good and funded through general taxation.

## **SAFE SPEEDS**

Inappropriate speed for conditions is the dominating factor in heavy vehicle crashes in Australia<sup>5</sup>. The ATA believes more can be done to target this, but it must be done appropriately. Heavy vehicles are already fitted with speed limiters and this is stronger monitoring than is placed on the general traffic.

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<sup>4</sup> International Road Transport Union, *European Truck Accident Causation Study* (2007).

<sup>5</sup> Owen Driscoll, *National Transport Insurance Major Accident Investigation Report* (2009)

### **Draft NRSS First steps specifically supported:**

First step 8) The National Road Safety Council will work with all jurisdictions to develop a national public information campaign about the community safety benefits of nationally consistent, appropriate travel speeds. This will provide education resources suitable for use by government agencies, local governments and community forums.

The ATA suggest this should be extended to targeting heavy vehicles on the dangers of inappropriate speeds for conditions.

First step 9) Governments will develop and commence implementation of plans to install point-to-point cameras to improve speed compliance among all vehicles, targeting road lengths with high serious casualty crash rates.

Point to point speed monitoring for all vehicles is supported. Focusing only on heavy vehicles in this application is unproven in effectiveness and not supported. On road enforcement and a visible, unpredictable presence is effective and it is essential this is continued.

### **Intelligent Speed Adaptation**

First step 12) Facilitate the implementation of Intelligent Speed Adaptation (ISA) systems, by encouraging the development of digital speed limit maps.

The development of ISA systems and digital maps is important to the industry and will encourage voluntary use of technology. This technology should be promoted for adoption on a voluntary basis. Any special treatment for fleet operations (as suggested on page 31) over general vehicle use needs to be justified.

### **Chain of Responsibility**

First step 15) Increase the effective application of chain of responsibility legislation to prosecute heavy vehicle speeding (including speed limiter) offences, and harmonise legislation to assist cross-border enforcement.

The industry is supportive of increasing the effective application of the chain of responsibility (CoR) legislation<sup>6</sup>. The draft strategy suggests increased CoR application for speed enforcement and this is supported, although, the ATA believes the effective application of CoR legislation needs to be implemented further.

The role and resources of the National Heavy Vehicle Regulator to adequately implement CoR should be coordinated into the final NRSS.

Governments should establish the National Heavy Vehicle Regulator (NHVR) with the resources, expertise and authority to take direct carriage of major CoR investigations and prosecutions, and this should be included in the final NRSS. The NHVR should also be developed to work in partnership with industry to provide guidance on safety management methods and issues.

### **Future steps**

#### **Telematics to monitor speed**

Developing telematics as a regulatory tool for heavy vehicle speeding

Telematics to monitor heavy vehicle speeding not supported. Heavy vehicles are already monitored to a higher standard than general traffic with speed limiting devices. This type of information is already gathered internally in fleet IT systems, duplicating this would be superfluous and there are also privacy implications.

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<sup>6</sup> Draft NRSS p35

Mandatory telematics monitoring will entail significant government and private investment that will be difficult to justify. Legal advice prepared for the ATA highlights that monitoring this way can be unnecessary and ineffective, with significant privacy implications<sup>7</sup>.

As discussed above, inappropriate speed for conditions, rather than speed limit breaches, are a priority policy target over general monitoring. Telematics will not necessarily monitor this element or improve this type of behaviour. A more effective policy strategy would be to support voluntary adoption of intelligent speed adaptation (ISA).

### **Speed limits**

Introducing lower speed limits for heavy vehicles from both a safety and environmental perspective.

This is not supported. There are a number of fleets that operate at lower speeds and this should remain a voluntary choice for fleets. Even lower speeds for heavy vehicles only are not justified and could result in interaction problems with general traffic. The environmental credentials of this policy are not relevant to the NRSS, environmental considerations should be addressed through national climate action.

It should be noted that vehicles travelling at markedly different speeds on the same road is a safety risk, as it could increase frustration and dangerous behaviour around heavy vehicles.

### **Speed reduction due to infrastructure standards**

Roads with poor infrastructure standards that are considered for lower speed limit revision should be subjected to criteria before the change. Heavily trafficked roads, that move high-value or time-sensitive freight, should have the cost of speed reduction considered as part of an economic decision.

Another implication of reduced speed limits is that compliance may be low, especially on quiet roads (eg 60 km limits on old highways), where there is little public understanding for the speed reduction. Also, significantly lower speeds could lead to inattention/distraction problems.

Future safety policy in this area could be informed by further research on in-vehicle warning systems for excess speed for conditions. Further research on causal factors in roll over crashes is a priority for industry.

## **SAFE VEHICLES**

Safer vehicles should be encouraged with market incentives and guidance material, as well as through ADRs. The industry continues to innovate and adopt sophisticated safety technology that suits individual business characteristics and enhances operations. The average age of the heavy vehicle fleet continues to decrease<sup>8</sup>, and provides better safety with vehicle renewal.

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<sup>7</sup> Lovegrove and Lord, *Transport laws and the Intelligent Access Program*. Prepared for the ATA November 2009.

<sup>8</sup> In 2010 the average age of heavy rigid trucks and articulated trucks was 15.4 years and 10.9 years respectively. Australian Bureau of Statistics, Motor Vehicle Census. 9309.0 31 Mar 2010

## **Draft NRSS first steps specifically supported:**

First step 19.) Subject to the final outcomes of Regulatory Impact Statements (RISs), mandate the following vehicle safety features for new vehicles: advanced seatbelt reminders (driver's seat); provision for ISOFIX child restraint fittings; ESC in light commercial vehicles; pedestrian collision safety requirements for vehicles; Anti-lock Braking Systems (ABS) / load proportioning brake systems for heavy vehicles and trailers.

The ATA supports these proposals.

First step 20.) Prepare RISs to consider mandating of ABS for motorcycles, increased heavy vehicle cabin strength, ESC and Lane Departure Warning Systems for heavy vehicles, and Brake Assist Systems for light passenger vehicles.

The ATA supports these proposals.

## **Telematics**

Telematics should be used in the vehicle fleet where viable and useful, at the discretion of the operator. Voluntary use of telematics as compliance aids should be encouraged.

The NRSS suggestion to allow voluntary use of electronic work diaries is encouraged (First step 35), although in the view of the industry, it should be moved forward as a priority first step. Trials on this will be undertaken shortly, but this is still disappointingly slow progress in the view of the industry. Very good industry systems are in use and if recognised by regulators would provide an instant enhancement in safety while encouraging other operators to introduce technology systems.

Telematics should be used for appropriate policy targets. The industry does not support [mandated](#) telematics to enforce mass limits, minimise road damage and maintain optimal vehicle braking and handling performance<sup>9</sup>, as suggested in Future Steps. The evidence that telematics is the best way to improve compliance in these areas is not provided, nor is the evidence that suggests they are significant causal factors in heavy vehicle accidents.

## **Industry codes of practice and guidance material**

Different elements of the heavy vehicle industry produce material to improve information and standards among the industry. The ATA's Industry Technical Council has two working groups that are currently developing industry guidance on electronic stability control and side/rear underrun protection. Well researched and developed industry initiatives should be recognised and supported by governments. Opportunities for collaborative publications should also be considered.

Technological improvements in vehicle and safety technology should be encouraged through research and market incentives. The ATA is supportive of Future Steps looking at advanced braking systems for heavy vehicles, through a RIS process. In the interim, stronger market take-up of advanced braking systems should be promoted with information.

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<sup>9</sup> Draft NRSS p41

## High-productivity vehicles

The safety benefits of using high-productivity vehicles are not adequately addressed in the draft NRSS<sup>10</sup>. Reducing disincentives and allowing more appropriate network access for high-productivity vehicles is a significant opportunity that will result in strong safety benefits. Direct action to educate governments on vehicle characteristics and infrastructure and access arrangements should be part of facilitating increased uptake.

B-doubles are consistently underrepresented in crash statistics, especially compared to typical semi-trailers, where B-doubles carry 43.4 per cent of the freight task but are responsible for only 21.8 per cent of accidents<sup>11</sup>. B-doubles are newer, better maintained vehicles, with experienced and highly trained drivers using the best of the road network. Using longer, safer trucks leads to fewer trucks on the road and reduced crashes involving heavy vehicles.

In developing a road safety strategy it needs to be recognised that the freight task is going to continue to increase<sup>12</sup>. A safe way to accommodate this growing freight task is to utilise longer, safer vehicles. Promoting the use of B-triples where appropriate should also be considered as part of this safety strategy.

## SAFE PEOPLE

In reference to some first steps outlined in the draft NRSS:

First step 37.) In relation to driving after consuming alcohol or drugs:  
Work in partnership with police to strengthen the deterrence effect by refreshing the scale, time and location targeting, and awareness of RBT and random roadside drug testing programs (continued).

All measures in relation to drink/drug driving are supported when applied to all drivers. The industry should have the ability to use depot or company testing without having workplace issues arising.

First step 38. In relation to mobile phones:

- Promote phone-off policies (including hands-free) in government fleets and encourage phone-off policies with all fleet operators.
- Examine the case for prohibiting all mobile phone use (including hands-free) by novice, heavy vehicle, bus and taxi drivers.

The strategy should focus on enforcing the current mobile phone use regulations as a priority before considering new regulations. There is a case for banning the use of mobile phones by novice drivers. The 2009 Community Attitudes to Road Safety survey showed that 80 per cent of provisional licence holders used their phones while driving, compared to 67 per cent in 2008<sup>13</sup>. With their lower level of skills and experience, these drivers are more likely to have an accident due to distraction.

<sup>10</sup> Draft NRSS p27

<sup>11</sup> Owen Driscoll, *National Transport Insurance Crash Investigation Report*, 2009, Brisbane.

<sup>12</sup> Bureau of Infrastructure, Transport and Regional Economics, *National road network intercity traffic projections to 2030, Working paper 75*. 2009 Canberra.

<sup>13</sup> Petroulias, T. *Community Attitudes to Road Safety: 2009 Report*. December 2009 Canberra.

The case for mobile phone use bans for heavy vehicle drivers, in contrast, is much weaker. This measure has not been supported with evidence and would be an unfair restriction that may not produce significant safety improvements. For many drivers having telephone use is vital for business and personal use. In fact, the ATA understands that many trucking operators would not be able to carry on their businesses without the use of hands free mobile phones in trucks. In-vehicle technology that allows hands free access is sufficient and in high use by heavy vehicle drivers.

First step 39.) Pilot operational field trails of driver and vehicle devices that measure drowsiness crash risk using metrics based on ocular dynamics or carriageway position, including back-to-base monitoring of data.

The industry has been conducting trials in these areas, and it would be beneficial to have national oversight and regulatory leadership in this area.

Future steps:

Developing national workplace random drug testing standards for commercial vehicle industry application. Companies with testing regimes in place which meet this standard would have a defence against chain of responsibility prosecutions for drug driving.

The proposal in this future step is flawed in that drug driving would not be a enforceable offence under Chain of Responsibility legislation. This would be regarded as a criminal offence and fall outside road transport law.

Examining the use of seatbelt interlocks and other regulatory means to increase seatbelt wearing by heavy vehicle drivers.

Examining the use of seatbelt interlocks and other regulatory means to increase seatbelt wearing by heavy vehicle drivers is strongly supported. Further, warning sound or dash lights should be on all new heavy vehicles to improve this. The use of high visibility seatbelt material has been trialled by some companies and should be investigated further.

### **Safe companies**

Some companies within the industry have made considerable effort to improve their business operations and focus on risk management. Strong accreditation schemes like TruckSafe<sup>14</sup> have produced visible safety benefits. TruckSafe accredited companies are twice as safe as non-accredited companies.<sup>15</sup>

The industry should be encouraged to improve safety standards through business processes, and TruckSafe should receive the regulatory recognition that is applied to government accreditation schemes. This will assist in shifting the mindset of the industry to focus on risk management and compliance. Further, the introduction of a new accreditation scheme, as suggested in the Safe Rates, Safe Roads Directions Paper should not be considered as it unnecessary and would lead to duplication and confusion.

### **Licensing**

Examining options for competency based licensing of heavy vehicle drivers above the age of 25 years.

Examining options for competency based licensing of heavy vehicle drivers is a priority to improve the current system. This should be moved to a First Steps action.

<sup>14</sup> See [www.trucksafe.com.au](http://www.trucksafe.com.au)

<sup>15</sup> ATA, Case for TruckSafe, Canberra, 2011.

The ATA strongly support graduated accelerated licensing for heavy vehicle drivers. This will produce skilled and competent drivers while improving the industries labour market. Promoting accelerated graduated licensing can coincide with heavy vehicle licensing reform and other ELSP trails proposed by state governments.

### **Fatigue**

The full effects of the recently introduced fatigue management legislation are still being realised, especially as implementation and maintenance issues are still being overcome. The ATA does not support bringing in government mandated technology to assist in fatigue management. As addressed above, the ATA sees recognition of operator's systems as a strong opportunity. Importantly, the system that is being enforced needs to be rigorous. There are outstanding issues with time counting and interpretation that need to be overcome.

### **Education**

The need to use training and education to improve road use is raised in the draft strategy, and should be emphasised further in the final strategy. Educating other road users about sharing the road with heavy vehicles provides the opportunity to improve interactions. The ATA uses education and awareness campaigns to inform and improve the image of the heavy vehicle industry. One avenue this is targeted thought is the ATA's Road Ahead Exhibition<sup>16</sup>. This mobile education centre visits schools and communities providing information on heavy vehicles and the interaction with general traffic. The final NRSS should consider avenues such as this to communicate messages to target audiences.

### **Fitness for duty**

In 2009 the NTI Major Accident Investigation Report showed that 90 per cent of fatigue crashes occurred toward the start of a driver's shift, within the first 500 kilometres of driving<sup>17</sup>. This highlights where policy should target. Companies should be informed of high-risk situations such as this, and encouraged to address this issue with business practices. TruckSafe accreditation provides leadership in managing driver health.

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<sup>16</sup> See <http://atatrodahead.wordpress.com>

<sup>17</sup> Owen Driscoll, *National Transport Insurance Crash Investigation Report*, 2009, Brisbane.