

Loading managers have a duty to take all reasonable steps to ensure that the arrangements for loading and unloading a driver's vehicle will not cause, or contribute to causing the driver to speed. As a loading manager you must:

- ensure loading and unloading arrangements facilitate compliance (e.g. consider opening times, queuing systems and safety)
- review loading and unloading times and delays at loading/unloading facilities
- identify and remedy potential loading/unloading bottlenecks in consultation with drivers and other parties in the chain of responsibility
- ensure allocated timeslots for loading/unloading are reasonable and reliable.

Consignors and consignees have a duty to take all reasonable steps to ensure that terms of consignment will not result in, or encourage a driver to speed and that it will not result in, or encourage an employer, prime contractor or operator to cause or encourage a driver to speed.

As consignor or consignee you must:

- ensure schedules and deadlines enable driver compliance
- ensure loading and unloading arrangements facilitate compliance
- ensure contractual arrangements include speed compliance and monitoring
- have contingency plans for schedules and deadlines.

Further information

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Heavy vehicle speed compliance legislation

A guide for schedulers,
loading managers, consignors
and consignees

**Tomorrow's Queensland:
strong, green, smart, healthy and fair**

Heavy vehicle speeding is a serious problem on our roads, with roughly one in five heavy vehicle crashes due to speeding or excessive speed. Reducing heavy vehicle speeding will make Queensland roads safer.

From 1 July 2010, Queensland is implementing new nationally consistent laws to help reduce crashes involving speeding heavy vehicles.

The new laws make off-road parties in the chain of responsibility more accountable for ensuring heavy vehicles do not speed.

Heavy Vehicle Speed Compliance legislation is the third component of the national Compliance and Enforcement road safety reform.

Who does it apply to?

The new legislation applies to all vehicles (including buses) with a gross vehicle mass of more than 4.5 tonnes.

Who is responsible?

The new laws place greater responsibility on specific parties in the chain of responsibility including:

- employers
- prime contractors
- operators
- schedulers
- loading managers
- certain consignors and consignees.

What are the legislation changes?

To prevent a driver from speeding you are legally required to:

- take all reasonable steps to ensure your actions (or inactions) do not encourage, support or influence heavy vehicle drivers to speed
- ensure a driver is not asked or expected to do something you know (or reasonably ought to know) will (or would likely) result in a driver breaching speed limits
- refuse contracts or agreements with any party in the chain of responsibility that may cause or encourage a driver to speed.

Existing work practices should be reviewed to ensure you comply with the new laws.

Penalties

A maximum of \$8,000 can be issued if a court finds you guilty of breaching your chain of responsibility obligations under the new legislation.

Protect yourself by taking all reasonable steps

If a driver commits a speeding offence, you will have to show that you took all reasonable steps to prevent the driver from speeding.

One of the most effective ways you can show you've taken all reasonable steps is to carry out a risk assessment that includes the following actions:

- identify and assess the risks of anything that impacts on a driver's speed
- take steps to eliminate, manage or prevent the risk
- monitor and review risk management processes.

This allows you to develop a contingency plan and introduce new measures to compensate for any risks identified and removing unnecessary pressure put on drivers to breach speed limits.

Schedulers have a duty to take all reasonable steps to ensure that schedules for drivers will not cause or contribute to causing a driver to speed. As a scheduler you must:

- take into account all lawful speed limits, distances of travel and required rest breaks
- take into account any traffic delays such as road works and detours
- ensure schedules are safe and achievable for drivers while allowing them to comply with speed limits
- consult with drivers when developing schedules and ensure they report any scheduling problems
- have a contingency plan for all schedules (i.e. allow for unexpected delays such as flat tyres and load checking).