



Drivers

Heavy vehicle speeding is a serious safety problem on our roads. Reducing heavy vehicle speeding will make Queensland roads safer for all road users. The Heavy Vehicle Speed Compliance legislation is the third component of the national Compliance and Enforcement road safety reform following fatigue and dangerous goods transport.

Heavy vehicle drivers and speed compliance

Current driver penalties for speeding include demerit points, licence suspension, cancellation or driver disqualification. These penalties do not change under Chain of Responsibility (CoR) laws.

The fines are proportionate to the severity of the offence. The faster the speed, the greater the risk - resulting in a higher penalty.

Who is responsible?

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

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

What are the legislation changes?

These reforms are designed to protect you from being pressured into speeding by parties in the supply chain. Under the national CoR legislation parties are legally required to prevent a driver from speeding by:

- take all reasonable steps to ensure their 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 they know (or reasonably ought to know) will (or would likely) result in a driver breaching speed limits
- refusing contracts or agreements with any party in the supply chain that may cause or encourage a driver to speed.

What do I need to do?

- drive within the speed limits – driver licence demerit points and fines still apply to speeding offences
- maintain control and speed of your vehicle by allowing for hills and not placing your vehicle in neutral when travelling down hills
- use the training and information provided to you by your employer and other sources
- respond to changing circumstances (e.g. loading delays) and keep in communication with your

base or employer about changes, delays or other issues

- inform your employer of any safety risks that the schedule may cause (e.g. they haven't allowed enough time for you to reach the destination).

Things your employer can do

- review customer contracts for any unreasonable scheduling or deadlines which could have a negative impact on a driver's speed
- build speed compliance into regular contracts
- consult with drivers about schedules and confirm that schedules can be met without speeding
- provide training to drivers and off road parties
- develop policies and procedures for drivers detected of speeding (e.g. provide drivers with counselling)
- monitor trip times and vehicle speed
- ensure all speed limiters equipped to vehicles comply with vehicle standards and that they are working correctly.

Penalties

Penalty infringement notices and demerit points apply if you are caught driving over the speed limit by—

- less than 13km/h
- at least 13km/h but not more than 20km/h
- more than 20km/h but not more than 30km/h
- more than 30km/h but not more than 40km/h
- more than 40km/h.

However a court may also find other parties guilty of breaching their obligations under the national laws.

Further information

More information is available on the Department of Transport and Main Roads' website www.tmr.qld.gov.au/Business-industry/Heavy-vehicles/Compliance-and-enforcement .

The National Transport Commission (NTC) also has information and guidelines in the safety and compliance section on their website at www.ntc.gov.au

The content of this publication is a guide only and cannot be used as a reference to a point of law (effective date 20/08/2012)