Heavy Vehicle National Law commences

The new Heavy Vehicle National Law (HVNL) commenced on 10 February 2014 in Queensland, New South Wales, Victoria, Tasmania, South Australia and the ACT. This has effectively replaced six different sets of legislation with one national law.

From 10 February 2014 the National Heavy Vehicle Regulator (NHVR) took over responsibility for the administration of the regulation of heavy vehicles under the HVNL. We now have one heavy vehicle law being administered under a single national regulator.

Work diary

A new look National Driver Work Diary (work diary) was released for use in conjunction with the HVNL. This new work diary has more user information and includes the new requirements under the HVNL.

Prior to the commencement of the HVNL, Queensland drivers of a fatigue regulated heavy vehicle (that is, a vehicle or combination with a GVM over 12 tonne) were not required to complete a work diary if they worked standard hours and drove within a 200km radius of their base. Under the HVNL, this radius was reduced to 100km – which brings Queensland into line with all other participating states.

The new work diary costs $20 and is available from Department of Transport and Main Roads Customer Service Centres, QGAP offices and some police stations.

Drivers have up to six months to change to the new work diary. That means, if drivers are using a work diary issued before 10 February 2014, they may continue to use it until it is filled up, or up to 9 August 2014 before they need to get a new work diary.

Drivers using an existing work diary should continue to complete it in line with the instruction pages in the front of the work diary. However, despite anything written in the instruction pages, drivers must comply with the requirements of the HVNL, including the requirement to record all work and rest hours on any days they drive in an area greater than 100km radius from their base, not the 200km radius written in the instructions.

If drivers have upgraded to the new work diary, then they need to complete it in line with the instructions contained in the new work diary.

Important information:

Existing permits and exemptions

Permits and exemptions issued by Transport and Main Roads (TMR) prior to the commencement of the HVNL have automatically transitioned to the new law. You do not need to reapply to renew a current permit or exemption, or contact the department or the NHVR about it, this all happens automatically. All of the conditions of your current exemption will continue and your exemption will remain effective until the expiry date stated on the exemption notice.

Temporary arrangements for OSOM and SPV applications

On 19 February 2014 the NHVR temporarily delegated authority to the department to process some categories of applications on its behalf. Under this temporary delegation, applications for all Class 1 Over-size and Over-mass (OSOM) and Special Purpose Vehicles (SPV) undertaking trips wholly within Queensland are being processed by the department.

You should lodge any applications for Class 1 OSOM and SPVs with routes entirely within Queensland with the department.

For all other new applications, including cross-border applications and cross-border OSOM/SPV applications, apply to the NHVR.

Further information on the transitional arrangements, including permit applications, can be found on Transport and Main Roads’ application forms website.
Sharing the road

To coincide with the first tour of the upgraded Safety Truck, the ATA has released a new edition of its Truckies Top Tips, which provides motorists with advice about how to share the road safely with Australia’s 534,000 trucks.

QTA Chief Executive Peter Garske said the tips would help car drivers share the road safely with trucks.

“The trucking industry is working hard to improve our safety, but we know that many of the accidents between trucks and cars are due to mistakes by car drivers. Drivers are just not taught how to share the road with trucks,” Garske said.

The tips include:

• Avoid blind spots. Truck drivers use their mirrors to see surrounding traffic. Sitting too close to the left passenger door or too close behind the truck may mean the driver doesn’t know you’re there.

• Do not cut in front of trucks. Truck drivers leave a large gap between their vehicle and the car in front. But don’t cut in – because of a truck’s size and weight, it needs almost twice as much room to brake as a car.

• Dip your high beams early when coming up behind a truck. A truck’s mirrors don’t have an anti-glare position.

• Don’t overtake turning vehicles. Trucks need more room to get around corners and roundabouts. Sit back until we’ve gone around the corner.

• Towing Caravans & Boats: if you are being overtaken by a truck, please maintain your speed and stay in your lane. Let the professional truck driver overtake you in a smooth way, even if takes some time.

• 100km/h speed limiting means no engine power is delivered above 100km/h. Truck drivers like to be at the legal speed approaching hills in order to lessen delays to all traffic, but if we slow going uphill or when overtaking, we are doing the best we can.

“Our Top Tips provide motorists with advice to help make sure everyone gets home safely at the end of the day.”
Road toll update

Fatalities: 1 January to 31 December 2013

During 1 January to 31 December 2013 there were 53 fatalities as a result of crashes involving heavy freight vehicles, within Queensland, which represents 19.6% of the Queensland road toll (n=271) for the same period.

Of the 53 fatalities, six (or 11.3%) were heavy freight drivers, none were passengers of heavy freight vehicles and 47 fatalities (or 88.7%) were other road users (includes drivers, riders, passengers, pedestrians and cyclists).

Table 1: Fatalities as a result of crashes involving heavy freight vehicles, Queensland, 1 January to 31 December 2013

<table>
<thead>
<tr>
<th>Fatalities</th>
<th>Jan</th>
<th>Feb</th>
<th>Mar</th>
<th>Apr</th>
<th>May</th>
<th>Jun</th>
<th>Jul</th>
<th>Aug</th>
<th>Sep</th>
<th>Oct</th>
<th>Nov</th>
<th>Dec</th>
</tr>
</thead>
<tbody>
<tr>
<td>Involving heavy freight vehicles</td>
<td>8</td>
<td>1</td>
<td>4</td>
<td>3</td>
<td>2</td>
<td>4</td>
<td>4</td>
<td>9</td>
<td>6</td>
<td>3</td>
<td>6</td>
<td>3</td>
</tr>
<tr>
<td>Not involving heavy freight vehicles</td>
<td>24</td>
<td>23</td>
<td>15</td>
<td>21</td>
<td>29</td>
<td>13</td>
<td>14</td>
<td>16</td>
<td>19</td>
<td>14</td>
<td>14</td>
<td>16</td>
</tr>
<tr>
<td>Total fatalities</td>
<td>32</td>
<td>24</td>
<td>19</td>
<td>24</td>
<td>31</td>
<td>17</td>
<td>18</td>
<td>25</td>
<td>25</td>
<td>17</td>
<td>20</td>
<td>19</td>
</tr>
</tbody>
</table>

Fatalities: Long term trend – 1994 to 2013

Between 1995 and 2010 the annual number of road fatalities as a result of crashes involving heavy freight vehicles within Queensland declined overall from 82 fatalities to 47 fatalities with spikes during 2000 (n=74) and 2008 (n=76). During 2013 there were 53 fatalities as a result of crashes involving heavy freight vehicles within Queensland.

Figure 1: Fatalities as a result of crashes involving heavy freight vehicles within Queensland, 1994 to 2013
Helping you keep safer...

The last 5 years have seen a dramatic increase in the awareness of fatigue as a major issue for professional drivers.

With national legislation implemented in most states in 2008, the truck driving community has been quick to respond and recognise the safety benefits that can be achieved by not driving tired.

But fatigue management isn’t only about legislation and work diaries – drivers also need a place to stop their trucks and rest properly.

The Queensland road network is vast, at more than 33,000km, so making sure that drivers have enough rest areas to support their efforts to combat fatigue is a huge task. In 2009, TMR commenced the Heavy Vehicle Rest Area Program in an effort to provide new and upgraded rest areas and stopping bays where they were needed across Queensland.

In the last financial year, this program delivered 16 new Heavy Vehicle Rest Areas and 8 new stopping bays across the state, valued at over $16 million.

Overall, the Heavy Vehicle Rest Area program is now valued at over $68 million, has already delivered 48 rest areas and 10 stopping places, and a further $23 million will be spent between now and the end of 2014 to deliver a further 13 rest areas and 14 stopping bays.

One of the great successes of the last year has been the delivery of a new 14-bay rest area at Waverley Creek, on the Bruce Highway between Rockhampton and Mackay.

Working with the Road Accident Action Group (RAAG) Mackay, the QTA, operators such as Simon Transport and Single Transport Services, and National Transport Insurance, this site was specifically designed and built to support the needs of professional drivers.

When it was opened in mid 2013, RAAG (http://www.raag.com.au/) and TMR organised a 72 hour ‘Truckie Reviver’ event at the site where drivers were provided with free tea, coffee and a sausage sizzle in return for completing a survey on their needs for rest areas.

Further information about the Waverley Creek rest area can be found the Mackay Road Accident Action Group (RAAG) newsletter at www.raag.com.au

Over 200 drivers were surveyed by volunteers and TMR staff, and the results have provided a valuable insight into what drivers need and how they use rest areas to manage fatigue. The event also won the Queensland Industry and Business Category award at the Queensland University of Technology Centre for Accident Research and Road Safety Queensland (CARRS Q) state-wide conference.

The RAAG website includes articles dealing with causal factors relating to road incidents, programs which have been effective in reducing incidents of road trauma and information about upcoming educational initiatives. For more information about RAAG access their website at www.raag.com.au
The transport industry in Queensland is working with Workplace Health and Safety Queensland (WHSQ), to devise and share initiatives to improve workplace safety throughout the state.

Eight transport safety networks have been created across metropolitan and regional areas. Up to 500 industry operators meet regularly to highlight areas of concern and work collectively to devise ‘low-cost, high-impact’ safety measures to address them. The safety networks focus on improving safety for the actual worker, rather than on-road issues.

The safety networks were established to address the high compensated injury rates in the Queensland transport sector. At the time, the transport industry employed less than 6% of the state’s workforce but accounted for nearly a quarter (23%) of fatal workers compensation claims. Statistics showed that in 2008-2009 the fatality rate for the transport and storage industry stood at 12 fatalities for every 100,000 workers, four times the all-industry average, and many deaths were caused by incidents in depots, involving loading, unloading and falling objects.

Non-fatal compensated claim rates were also 50% higher in the transport industry, with muscular stress while lifting and handling, falls on the same level, and falls from height the most common causes of injury.

The networks, established and facilitated by Workplace Health and Safety Queensland (WHSQ), include national, state, long distance and local transport operators, owner-operators, taxis and couriers, the supply chain and industry associations and unions. Regular industry participants include transport company national and state managers, depot and safety managers, supervisors and owner-operators.

The networks allow transport employers and others in the transport chain to stay up to date about health and safety issues that impact their industry. The primary focus of these networks is to provide information, support and opportunities for employers to improve workplace health and safety in the transport industry. Particular attention is paid to ‘off-road’ issues causing significant levels of injury, such as working at heights and managing the risks of falls; loading, unloading and securing loads; and hazardous manual tasks.

The networks create a practical opportunity for employers in the transport industry to work together to improve the safety of their workers and to keep informed and discuss issues that impact on the safety of the industry as a whole. The minutes from each network meeting are shared among all 500 network participants, so that industry can learn from industry.

The National Road Safety Partnership Program (NRSPP) has recently undertaken a case study of the Transport Networks. The review found:

- the Transport Networks provide an excellent avenue for sharing knowledge so transport industry operators do not have to reinvent the wheel to address workplace safety,
- the low cost, high impact safety solutions discussed at the meetings address the most common barrier to safety: cost,
- while the transport industry is highly competitive; once operators share experiences, they realise they face common challenges and are prepared to work together for a common safety objective.


Testimonials

“The value that the Transport Safety Network Groups bring to the industry must not be underestimated. The openness, frankness and exchange of ideas between authorities, transport providers and customers has accelerated what was likely to require a generational change in transport to improve safety to one which is now clearly achievable in the foreseeable future.”

Graham Smith, State Contracts Manager, BlueScope ANZ Limited

“The Transport Safety Networks have improved industry communication in the area of safety by promoting information sharing between all sectors of transport, logistics and the supply chain across the State. The creation of the networks has been a very positive initiative that will ensure safety, and improving safety, remaining a priority in the industry.”

Lisa Acret, Membership Services Manager, Queensland Trucking Association Ltd
Schedule

The following table sets out when the meetings are held. For more information about a network meeting email: TSG@justice.qld.gov.au

<table>
<thead>
<tr>
<th>Location</th>
<th>Date</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cairns</td>
<td>3rd Wednesday</td>
<td>(Feb, May, Aug, Nov)</td>
</tr>
<tr>
<td>Townsville</td>
<td>2nd Tuesday</td>
<td>(Feb, May, Aug, Nov)</td>
</tr>
<tr>
<td>Mackay</td>
<td>2nd Thursday</td>
<td>(Feb, May, Aug, Nov)</td>
</tr>
<tr>
<td>Rockhampton</td>
<td>1st Wednesday</td>
<td>(Feb, May, Aug, Nov)</td>
</tr>
<tr>
<td>Brisbane North/Sunshine Coast</td>
<td>3rd Wednesday</td>
<td>(Feb, May, Aug, Nov)</td>
</tr>
<tr>
<td>Ipswich/Brisbane West</td>
<td>3rd Tuesday</td>
<td>(Feb, May, Aug, Nov)</td>
</tr>
<tr>
<td>Port of Brisbane/Gateway</td>
<td>1st Wednesday</td>
<td>(Feb, May, Aug, Nov)</td>
</tr>
<tr>
<td>Toowoomba</td>
<td>2nd Wednesday</td>
<td>(Feb, May, Aug, Nov)</td>
</tr>
</tbody>
</table>

Do you use the Smith Street Motorway on the Gold Coast?

A major $50.9 million road upgrade is about to start on both the Smith Street Motorway and the Olsen Avenue Interchange in Southport on the Gold Coast.

If you regularly use these roads you may find increased traffic congestion starting from March 2014 and continuing until mid-2015.

To avoid delays, and to keep up to date with construction progress and traffic impacts, register your interest to receive traffic alert notices via email and/or SMS text message.

Contact the Department of Transport and Main Roads Gold Coast office on:

Tel: 07 5563 6600
Email: pdo.regions.goldcoast@tmr.qld.gov.au

Driving under instruction – work diary requirements

Under fatigue management requirements, when driving a fatigue regulated heavy vehicle both the driver under instruction and the supervising driver must complete a work diary if travelling more than 100km from their base.

The supervising driver is deemed to always be in control of the operation of the vehicle, either while actually driving or while giving instruction or supervision to a learner driver.

When driving under this arrangement all work time is to be recorded as solo driving hours. You may not drive under a two-up arrangement when one driver is under instruction.

‘Under instruction’ is not just when the learner is driving a higher classification vehicle (eg HR to HC) but also includes other heavy vehicle related duties such as travelling new routes, performing different tasks. This requirement applies to all work and rest hours options – Standard Hours, Basic Fatigue Management, Advanced Fatigue Management or an exemption.

Drivers under instruction and their supervising drivers are not required to complete a work diary when travelling less than 100km from their base, however the driver and their supervising driver must still each keep all the appropriate records for their record keeper.

If a driver holds a HC class driver licence and is gaining 50 hours driving experience to apply for a MC class licence, he/she may use entries in each person’s work diary as evidence that they have completed a certain number of supervised driving hours in a vehicle representative of the MC class.

Persons using this method to obtain a MC class licence will need to present information from both drivers’ work diaries in support of their application as well as proof the vehicle they were driving is representative of the MC class.

A copy of the supervising driver’s original work diary pages certified by a JP as a true copy would be accepted at a Department of Transport and Main Roads’ Customer Service Centre as evidence.
Questions and answers

Each week, the National Heavy Vehicle Regulator and the Department of Transport and Main Roads receive numerous enquiries from drivers and operators about all manner of issues affecting the heavy vehicle industry.

If you have a question about heavy vehicle legislation or operating requirements, please contact the National Heavy Vehicle Regulator on info@nhvr.gov.au or the Department of Transport and Main Roads’ Heavy Vehicle Strategy Unit on hvss_unit@tmr.qld.gov.au.

Question:
When calculating the maximum work time in a day, is the 24 hour period counted from midnight to midnight?

Answer:
No – the legislation refers to “any period of 24 hours”. To calculate a 24 hour period, you count forward from the end of your last relevant major rest break of at least 5 or more continuous hours. The relevant major rest break is determined depending on the work and rest hours option you are driving under. For example, if you are driving standard hours solo, your relevant major rest break is a rest break of at least 7 continuous hours, but if you are driving standard hours two up, then your relevant major rest break is a break of at least 5 continuous hours.

It is also important to understand that 24 hour periods do not necessarily start and finish at the same time every day. They may overlap depending on what time your next major rest break finishes.

For example, if you are working standard hours solo and commence work at 6am on Tuesday after a 10 hour rest break, a 24 hour period would be counted from 6am Tuesday until 6am on Wednesday. However, if you take your next major rest break at 10.00pm Tuesday and commences driving again at 5.00am on Wednesday, the next 24 hour period will be calculated from 5.00am on Wednesday to 5.00am on Thursday (overlapping 24 hour periods).

Question:
Because I do local work (under 100km radius from my base) I am not required to complete a work diary. Do I still have to comply with the work and rest periods?

Answer:
Yes, all drivers of a heavy vehicle or combination over 12t (that is, a fatigue regulated heavy vehicle) must comply with the work and rest limits that apply to standard hours. [Please note; drivers working under Basic Fatigue Management (BFM) or Advanced Fatigue Management (AFM) are required to always complete a work diary regardless of distance travelled.]

Information about the regulated maximum work and minimum rest hours for Standard Hours work and rest option is available on the National Heavy Vehicle Regulator’s website at https://www.nhvr.gov.au/ or contained in the instruction pages of the National Driver Work Diary.

A person may apply for a work and rest hours exemption under certain circumstances. For more information on exemptions, please contact the NHVR on telephone 1300 696 487.

Question:
There is confusion among my colleagues about ‘night rest breaks’. Can you advise on what the requirement is and how many they need in 14 days?

Answer:
A night rest break means 7 continuous hours of stationary rest time between 10pm on a day and 8am the next day. Twenty-four continuous hours stationary rest time is also counted as one night rest break.

For Standard Hours and Basic Fatigue Management (BFM), a driver must take four (4) night rest breaks in any 14 day period. At least two (2) of these night rest breaks must be taken on consecutive days. Remember also, the 1 x 24 continuous hours stationary rest time required to be taken in any 7 day period can be included as one of the four (4) night rest breaks.