

# 2011 NSW ELECTION ISSUES

## KEY ISSUES FOR NATROAD

### 1. NATIONAL HEAVY VEHICLE REGULATOR

NatRoad is committed to supporting and promoting the development of a Single National Heavy Vehicle Regulator, as endorsed by the Council of Australian Governments (COAG). This is a key reform for the trucking industry, and a necessary development to reduce red tape, improve focus on delivering safety outcomes and drive an efficient road freight sector..see over

### 2. FAIR ENFORCEMENT OF HEAVY VEHICLE REGULATION

NatRoad is a strong supporter of enforcement to support a safe and productive road freight industry. At the same time, enforcement measures should be fair..see over

### 3. AN EFFECTIVE CHAIN OF RESPONSIBILITY

Since its inception, NatRoad has supported an effective legislative framework to support the Chain of Responsibility concept in the road freight industry. Chain of Responsibility was designed to impose legal accountability for road safety outcomes back through the supply chain..see over

### 4. ROADS ACCESS

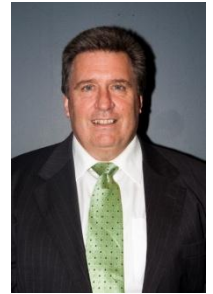
Truck combinations, such as B Doubles, are often impeded from access to the beginning and/or ends of required journeys ("Last mile access"). Also members are constrained from operating larger and more innovative high productivity vehicles... see over

### 5. ROADS INFRASTRUCTURE

NatRoad is a proponent of good roads, bridges and rest areas, which are essential for the growing freight task. For example, the Newell Highway is a vital freight corridor in need of upgrading. We are conducting an audit of members about infrastructure requirements..see over

### 6. TRUCK CHARGES

Our members are more than paying their way for the use of roads infrastructure as they pay registration charges and fuel excise. Significant registration charges for lead trailers, make the use of productive B Doubles less viable, forcing the use of smaller semi trailers...see over



*NatRoad is the National Road Transport Operators Association. Our members run trucking businesses ranging from owner drivers through to multinational fleet logistics providers. We have over 1,100 members Australia wide. The NSW election on 26 March 2011 is of crucial interest to our members, many of whom are from NSW, and many others have depots here or regularly travel through the State. Working with our members in NSW and around the country, we have identified and listed essential election issues for our members.*

Rob McIntosh  
President

**RE: NSW Election – Key Issues for NatRoad continued..**

*Under its Mission Statement, NatRoad is committed to providing leadership, support and development of its members, staff and stakeholders in the road transport industry. We strive to maximise members' long term viability by providing tools, networking opportunities and industry education within the following core values:*

- *National Uniformity of Regulation;*
- *Promotion of Safety and Compliance;*
- *Environmental Sustainability;*
- *Positive Community Awareness;*
- *Fair and equitable Industrial Relations framework.*

**1. National Heavy Vehicle Regulator...**

In February 2009 NatRoad commissioned a report from international strategic advisers, Castalia, to respond to the Draft Regulatory Impact Statement. The Castalia report endorsed national regulation through a National Heavy Vehicle Regulator and conservatively estimated that the present value benefits to the economy at \$1.6 Billion.

Importantly, it is crucial that the Regulator is provided with the tools in order to be able to achieve its core objectives. This includes:

- Adequate resourcing;
- Endorsement by industry, through strong engagement and consultation throughout development;
- The authority and function to make decisions;
- Ability to control enforcement training, strategies and resourcing; and
- Accountability for achieving results.

**2. Fair Enforcement...**

The operation of heavy trucks is highly regulated in Australia. There are dozens of pieces of legislation across the country, which carry with them hundreds if not thousands of potential offences.

These offences range from very minor administrative matters through to serious safety breaches. For the most part offences are dealt with by way of an on the spot infringement.

Today, the most common concern for NatRoad members is the worry of being caught, fined and lose demerit points for going about their business. It is easy for an enforcement officer to simply fine a driver, rather than necessarily address the issue.

This is causing great concern in the road transport industry, with many of our members, generally the type of people and businesses that put every effort they can into ensuring their business is run and operates safely, finding it increasingly difficult to keep drivers or recruit drivers into the industry due to fear of being fined every time they set foot on a road.

NatRoad and our members supported the introduction of chain of responsibility and stronger enforcement powers, and we continue to support these tough laws. However, it is critical that these strong and tough powers are used fairly and appropriately. That is why during the development of the

laws NatRoad supported the introduction of alternative sanctions, such as formal warning and improvement notices.

Just as there are risk based categorisation of breaches from *Minor* through to *Severe* and *Critical*, we also believe their needs to be a risk based approach to penalties. A smaller fine, does not address this. It is a fine and as such it impacts directly on a driver's or owner's livelihood. For a minor administrative offence this simply does not make sense. Having said this we also acknowledge that in some circumstances a fine may well be warranted.

NatRoad believes that there are a range of offences that under the right circumstances could be better dealt with by a Formal Warning or Improvement Notice, for example:

- Work Diary administrative errors;
- Failure to carry a current Restricted Access Vehicle notice/s, whereby the combination is not otherwise in contravention of conditions; and
- Minor category mass, dimension, load restraint and fatigue offences.

There is understandably some detail that needs to be worked through, however in principle a smarter educative, carrot and stick approach to enforcement will lead to overall better outcomes in industry and improved safety standards.

### **3. An Effective Chain of Responsibility..**

To date though our members have been disappointed that the target for enforcement continues to focus on drivers and transport companies. Chain of Responsibility (COR) provisions have been in place now for over 4 years, yet the number of other parties that have been prosecuted remains extremely low.

Until the laws are enforced right across the transport chain fundamental causes for safety issues on the road remain unaddressed. Many customers and others in the logistics chain continue to maintain that COR is not their concern, and responsibility rests solely with trucking operators.

### **4. Roads Access..**

Improving last mile access is a key issue for the productivity of road freight sector. Last Mile issues particularly around roads controlled by Local Councils hold back significant benefits for the NSW as a whole and indeed the national economy. Driving forward with the bigger picture of supply chain route access for road transport operators is key to unlocking significant productivity benefits.

Red tape holds up access and suggestions that we have put forward include:

- Centralising all restricted access vehicle (RAV) applications through the NSW Roads & Traffic Authority (R&TA). This should also include the management of applications involving third party road asset owners, such as Local Councils.
- Developing a publicly available (internet based) and current database of all route and road applications. This should include details of how many applications have been made, when the applications were made, current progress of the application, or if rejected when and why the route / road was rejected. Interested parties should also be able to, in a very simple form, support an existing application or register their interest in accessing a particular route / road.
- Updated guidelines for route assessments to reflect a technical appraisal of the assessment process and approval / rejection on technical merit as opposed to "other" reason. The assessment process, should where practical identify approximate costs of rectifying the issue.
- Applications for route / road access should be available to third parties, such as consignors, producers, consignees, property owners, etc.

**Member of Australian Trucking Association**

- Improving existing RAV route maps, ensuring they are up to date and address all RAV types. R&TA needs to consult with industry on what they should look like and how to make the layout practical. There also needs to be a suitable option for those who do not have internet access.
- Include an option on the RAV maps to show where vehicles cannot go. This way a quick glance at a route for say a B double it is easy to identify areas that are no go. Further, the map should also refer simply and quickly back to the database mentioned above, so that one can see where they can't go and whether it has been applied for previously.
- The requirement to carry notices in the cab of a truck should be dropped.

We support a proactive, transparent and realistic strategy combined with a practical in field approach to deliver improved access management outcomes for road freight.

Members are also interested in operating safer and more innovative High Productivity Vehicles, such as B Triples, AB Triples, traditional type 1 road trains (<= 36.5m) using 3 axle dollies operating at 82.5 tonnes GCM, and traditional type 2 road trains (<= 53.5m) operating at 122.5 tonnes GCM. However, the current combination of limited transparency in decision making, constrained access and draconian operating conditions means that a business case does not exist in order to make viable long term investments in these modern combinations.

In this context members have no choice but to buy conventional equipment with a replacement life exceeding 10 years. In other words, every day safe high productivity vehicles are delayed the industry is forced to put more trucks (which provides for a less safe outcome) on the same roads to deal with the freight task, adding years before the equipment can be replaced. More trucks, more fuel, more movements using poorer handling equipment.

NatRoad is the first to acknowledge that safety is a key matter in considering the provision of access. However, the basis upon which one makes the decision to define what is safe and what is not safe is not occurring in an open and transparent manner, and the industry has no capacity to be able to debate or understand this. Moreover, it would appear that decisions are being made based on a subjective process with the intent of re-engineering the private sectors investment decision making processes, rather than on an objective basis with the intent of delivering safer outcomes.

For example the R&TA cannot logically sustain the argument against increased mass limits for safer 3 axle dollies in conventional road train configurations on the basis that it wants to encourage the uptake of 'safer' B Triple and AB Triple combinations, and at the same time argue that B Triple and AB Triple combinations cannot be provided full type 1 road train network access, because, apparently, the safety benefits of B Triple and AB Triple combinations is unproven.

It is essential that Triple road trains (Type 2) combinations are permitted between Nyngan and Bourke for industry productivity.

We also believe that the following are essential:

1. Tri dollies in type 1 road train configurations. Following on from a demonstration day in Dubbo, one of the vehicles utilised showcased the benefits of a 3 axle dolly in place of the existing 2 axle dolly as part of a type 1 road train combination. A 3 axle dolly provides greatly improved handling characteristics, including improved roll over stability, dynamic handling and increased braking capability, all contributing to superior road safety for all road users. Unfortunately, whilst it is legal to utilise a three axle dolly in NSW the vehicle is restricted to 16.5 tonne GVM instead of the normal 20 tonne GVM.

NatRoad seeks that the NSW R&TA revise the existing guidelines providing specifically for 3 axle dolly's to be used at 20 tonne GVM lifting the current type 1 road train GCM to 82.5 tonnes

#### **Member of Australian Trucking Association**

and type 2 road trains to 122.5 tonnes, otherwise operating under current road train permit conditions.

2. Immediate implementation of permitted access for Modular combination AB Triples and B Triples under existing Road Train Permit conditions. NatRoad seeks to confirm that Implementation is established by the NSW R&TA without delay for the purposes of capitalising on the increased safety characteristics of modular combination (against existing standard equipment) AB Triples and B Triples. A modular combination AB Triple varies from the existing defined AB Triples in that the length of the vehicle would exceed 36.5m, rather it would fall within a 42.5m span.
3. BAB Quads (2 x B-Doubles up to 53.5 metres) modular High Productivity Vehicles need to be trialled from North Bourke into at least Narromine. These vehicles were trialled very successfully at Dubbo in June last year.

## **5. Infrastructure**

As mentioned, we are seeking members' views about infrastructure needs in NSW. For instance, heavy vehicle driver fatigue regulations make it essential to have proper rest areas. Although rest areas have been upgraded, and new ones constructed, more needs to be done as illustrated in a rest areas audit by Austroads several years ago.

Certainly, the following routes require significant enhancement:

- Newell Highway-major interstate & intrastate road freight transport trunk route
- Pacific Highway-completion of dual carriageway
- Princes Highway-inadequate for road freight transport eg B Doubles
- Other major regional routes such as the New England and Oxley Highways
- Sydney Region:
  - M4 extension to include Port Botany
  - M5 Tunnel and road widening
  - F6 extension to connect Princes Highway to Sydney Orbital system
  - M2 to F3 link

We appreciate that significant expenditure is required for roads infrastructure, but funding priority should be given, together with infrastructure funding planning.

## **6. Truck Charges**

NatRoad and our members continue to support the need for the industry to "pay our way".

As heavy vehicle registration and fuel excise charges are reviewed annually, our members are facing an increase in both these components. Lead trailer registration charges for B Doubles are currently \$7758 (with total base registration of \$15340). This is having a significant impact on our members, particularly those who do not have high utilisation of their lead trailers because of seasonal work or too variable demand, who are increasingly contemplating using less productive semi trailers (for total base registration of \$5612).

Obviously this would increase the number of trucks on the roads, with less safe and environmental outcomes.

**Member of Australian Trucking Association**

Therefore, NatRoad asks for flexibility with lead trailers registration charges to better reflect usage.

It is important to emphasise that the road freight sector pays its way, and our proposal does not purport to change this fact.

**About NatRoad:**

*The National Road Transport Operators Association (NatRoad Ltd) is Australia's premier association for long distance and regionally based trucking businesses. NatRoad was formed in 1994 from the Long Distance Road Transport Association and the National Transport Federation. In 2008 NatRoad merged with the Australian Road Train Association, further consolidating industry representation. NatRoad has members in every State and Territory. Members range from owner-drivers to major fleet operators. The NatRoad Board comprises operators of transport businesses. For more information, visit [www.natroad.com.au](http://www.natroad.com.au)*

**Member of Australian Trucking Association**

The content of this letter, including attachments, may be confidential and is subject to NatRoad's Materials and Advice disclaimer. To view NatRoad's full disclaimer, visit [www.natroad.com.au/disclaimer](http://www.natroad.com.au/disclaimer) or contact the NatRoad office on (02) 6295 3000. Any unauthorised use of the contents is expressly prohibited.