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NRTC heavy vehicle fatigue proposal misses the mark

victoriantransportassociation^{inc.}

The Victorian Transport Association (VTA) has criticised the National Road Transport Commission's (NRTC) Heavy Vehicle Driver Fatigue Draft Policy Proposal for failing to address key issues and misleading the transport industry. A critical analysis by VTA Technical Director Peter Knowles revealed the Policy Proposal and accompanying Regulatory Impact Statement are fundamentally flawed, not only in the reasoning behind the proposal, but in the benefit/cost analysis.

"The proposal is clearly targeted at the long distance sector, with references to short distance road transport almost non-existent," Mr Knowles said.

"Those [references] that can be found are dismissive of any serious need to intervene in control of local operations. We seem to have lost sight of what the road transport industry is all about. This document is all about long distance and becomes the sledge hammer used to crack the walnut."

Less than five percent of the road freight task involves interstate transport, with 82% of all road freight moving less than 100 kilometres.

"The largest proportion of heavy vehicle crashes involves rigid trucks in urban areas in daylight hours," Mr Knowles said.

Mr Knowles continued to attack the document for its inaccurate cost implications to the industry.

Throughout the benefit/cost analysis of the Proposed Policy, the authors of the Regulatory Impact Statement consistently rely on 100% compliance with the new regulatory regime and a 100% reduction in crashes involving fatigued heavy vehicle drivers, Mr Knowles said.

"This assumption, which at the least is totally naive, more likely deliberately mischievous, enables a forecast positive net benefit of \$122 million a year, despite the enormous implementation cost of \$178 million a year."

The VTA, through a conservative re-estimate of possible costs and benefits, predicts the Policy Proposal would incur a net loss of between \$113 million and \$194 million a year.

"Before setting out to comprehensively change regulations that will have enormous impact on the road transport industry, there must necessarily be some concrete evidence to support the existing system is not working and cannot be made to work," Mr Knowles said.

The VTA argues that the present regulations are not the cause of fatigue-related accidents.

"Most accidents, if not all accidents involving fatigued heavy vehicle drivers, result from abuse of the prescribed driving hours," Mr Knowles said.

This level of non-compliance with the present driving hours regulations is directly proportional to a lack of enforcement, he said.

In addition, the Policy Proposal is based on 1996 statistics and ignores data showing a continuing decline in fatal and serious injury crashes throughout the nineties despite a 23% increase in heavy vehicle registrations and consequent risk exposure.

Mr Knowles believes the complex document will also confuse both drivers/operators and enforcement personnel.

While the VTA recognises the need to better understand and better manage fatigue, further regulation is not the answer.

The VTA believes there is clearly a need for greater education and training, which could include fatigue-management competency standards in heavy vehicle driver licence requirements.

Meanwhile, there is no concrete evidence to support that the present regulatory regime has failed.

“Until such time as there is, there is no point in implementing change purely for the sake of change, particularly at such enormous costs,” Mr Knowles said.

The VTA has called on the Policy Proposal to be deferred until:

- Further research is conducted to determine trends and absolute numbers related to fatigue crashes over the period since 1996 together with an assessment of the increased risk-exposure over the same period;
- A review and assessment is undertaken on the present National Driving Hours Regulations and their impact on fatigue-related crashes in the period between 1999-2001 (inclusive);
- Transitional Fatigue Management Scheme regulations and provisions related to fatigue management training, competency standards and external audit protocols are strengthened;
- A fatigue management competency standard is considered as a mandatory requirement for the issue of Heavy Vehicle Driver Licences;
- The Road Transport Reform (Compliance and Enforcement) Bill is implemented with amendments to specifically include references to driving hours;
- The impact and effects of the Compliance and Enforcement Bill, specifically in relation to compliance with driving hours, is assessed and monitored; and
- The NRTC makes every effort to obtain a commitment from both State and Federal Governments to provide greater resources and direction for enforcement.

The VTA's full submission on the NRTC Heavy Vehicle Driver Fatigue: Draft Policy Proposal is available from the VTA or via its website www.vta.com.au.

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