

Examples of business practices your employer can use

- ensure all vehicles equipped with speed limiters comply with vehicle standards
- ensure regular maintenance occurs on vehicle components such as speedometers, engine management systems and speed limiters (i.e. make sure they work correctly)
- review customer contracts and agreements and inform customers of the effect unreasonable scheduling or deadlines can have on a driver's speed
- build speed compliance into regular contracts
- ensure schedules enable driver compliance by consulting with you about schedules and confirm they can be met without speeding
- provide training to drivers, schedulers and loading managers
- develop policies and procedures for drivers detected of speeding (e.g. provide drivers with counselling)
- monitor trip times and vehicle's speed.

Further information

Department of Transport and Main Roads

Phone: (07) 3253 4274

Website: www.tmr.qld.gov.au

Email: qthvfproject@tmr.qld.gov.au



Heavy vehicle speed compliance legislation

A guide for drivers

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?

Chain of responsibility parties are legally required to prevent a driver from speeding by:

- taking all reasonable steps to ensure their actions (or inactions) do not encourage, support or influence heavy vehicle drivers to speed
- ensuring a driver is not asked or expected to do something off-road parties 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 chain of responsibility that may cause or encourage a driver to speed.

What do I need to do?

- drive within the speed limits - existing speed limits still apply and driver licence demerit points continue to apply to breaches of speed limits
- 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 on-road circumstances (e.g. loading/unloading delays) and keep in communication with your base/employer on schedule 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 in the schedule for you to reach the destination).

Taking reasonable steps - what they need to do

The law requires off-road parties to demonstrate they took all reasonable steps to prevent a speeding breach from occurring. One of the most effective ways they can do this is through carrying out risk assessments that include:

- identifying and assessing the risks of anything that impacts on a driver's speed
- taking steps to eliminate, manage or prevent the risk
- monitoring and reviewing risk management processes.

New measures and contingency plans can then be developed and introduced to compensate for the risks identified and removing unnecessary pressure put on you as a driver to breach speed limits.

Penalties

There are no changes to penalties for drivers under the new reforms. You will still receive penalty infringement notices and demerit points if you are caught speeding however the purpose of the new reforms is to protect you from being pressured into speeding by chain of responsibility parties.

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