



TRUCKRIGHT ABN 17426245866

## **TRUCKRIGHT Industry Vehicle (TIV)**

### **Ten Years on the road, 2019.**

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Website: [www.truckright.com.au](http://www.truckright.com.au)

TRUCKRIGHT Awarded Highly Commended, 3M ACRS Diamond Road Safety Awards 2015.  
Finalist 3M ACRS Diamond Road Safety Awards 2016, Awarded Churchill Fellowship 2016.  
Green Reflector Marking Informal Truck Bays, finally completed the Newell Highway 2019.

Please accept the following as my submission to the;

## **Importance of a viable, safe, sustainable and efficient road transport industry.**

The importance of a viable, safe, sustainable and efficient road transport industry, with particular reference to:

- a. the importance of an enforceable minimum award rate and sustainable standards and conditions for all stakeholders in the road transport industry;
  - b. the development and maintenance of road transport infrastructure to ensure a safe and efficient road transport industry;
  - c. the regulatory impact, including the appropriateness, relevance and adequacy of the legislative framework, on all stakeholders in the road transport industry;
  - d. the training and career pathways to support, develop and sustain the road transport industry;
  - e. the social and economic impact of road-related injury, trauma and death;
  - f. efficient cost-recovery measures for industry stakeholders, including subcontractors;
  - g. the impact of new technologies and advancements in freight distribution, vehicle design, road safety and alternative fuels;
  - h. the importance of establishing a formal consultative relationship between the road transport industry and all levels of government in Australia; and
  - i. other related matters.
- A. Rates in the road transport industry have dropped over the years, it could nearly be said the industry is too competitive for its' own good. Yes there must be competition to give customers value, but there is so much inequality, from the abuse of having drivers pitted

against subbies to divide and conquer both, for the benefit of those who do not have to do the work, big transport companies are the worst offenders in this regard.

Then there is the market power abuse of those large companies who want the freight cost to go down each year, no matter how costs have gone up. The large company will drive down rates, transport companies will bid for the work, then when they can't make money on it or do it perfectly legal, they will bring in subbies and cheat them. This is not a simple thing to fix, but the bigger the company in most regards, the more it wants to make money and at the cost generally of the employee.

This is a result of the share market and its forces and again, cannot be fixed simply. I have bigger concerns with on road issues and safety, but recognise and confirm, rates are a big part of the problem and more so, for those lower down the scale, whether small transport companies or owner drivers, or employee truck drivers.

I do believe that paying drivers by the kilometre is used by employers to cheat drivers of fair pay. Many are paid this way and then told all other time, eg loading and unloading etc is included in this rate. Until drivers are paid hourly rate for all the time involved, drivers will not be paid their fair amount.

An extension of this is where we are paid far less than the earnings from driving a b-double. There is more vehicle, more load, more responsibility, less speed so actually less pay per hour as less kilometres travelled per hour and then of course, more time loading and unloading, splitting trailers and getting into sites and docks etc and the difficulty of specific routes. I truly believe, very little if any of this is reasonably covered by the minimal increase given to a b-double or even a roadtrain driver, over that of a semi-trailer driver. The company, whether the owner, the prime contractor or the consignee, gains all the benefits of the bigger unit, the driver takes all the losses and this is not recognised nor paid for properly. All this must be considered if we are to correctly remunerate drivers and if not done, we will see more leave the industry and few enter.

My personal belief is that the RSRT was aimed with the right intent, that of ensuring some sort of floor and fair pay for drivers and owner drivers, rather than being the taker of all responsibility without commensurate pay levels. I fear, someone recognised this would increase costs and they then had to find a way to stop it happening. How they did that was to hijack the RSRT, make it only applicable to owner drivers which then as per the long used abuse of all drivers by pitting owner drivers against company drivers, split the industry in half and it was then rightfully removed. I do believe the baby was thrown out with the bathwater, but I recognise not only the potential harm, but the real harm that occurred with the way it was all done.

Some owner drivers get good money, most do not. Some company drivers get all the pay they earn and deserve and many others, particularly those working for smaller companies, who then compete with the bigger ones, do not. How can a man with one truck, who cannot buy at the scale and discounts of a major company, compete or be expected to operate both fiscally and safely on the road, when he is offered less than the major company earns? Many simply steal from the smaller operator, taking their bit off the top, after chasing the work and undercutting someone else and then the driver and or subby is expected to take a loss to do the work they were doing before.

Chasing marketshare should be a criminal offense. How many big companies think they can keep paying rates which they will not accept, while smaller companies and subbies go broke for them, thinking another sucker will come along? How you regulate this fairly is the big question and how you do it to not then give those big companies yet another unfair advantage, should be the end aim of this inquiry, along with improving safety for all on the road, truck drivers specifically.

- B. We need a national road standard. Any national highway road that does not meet this standard, should be repaired within one month. Our roads are not being maintained properly. The severe impacts into the trucks, the drivers and the loads, increase maintenance costs, increase fatigue and can and do contribute to road crashes and road deaths. The government will not recognise the road as our workplace, yet we have to share it with those who are not trained to share it with us.

**Car Drivers need to be taught how to share the road with trucks as part of the licensing process, as when they make a mistake and cause a crash with a truck, it may well be their last.** NHVR did provide funding for sharing the road videos and I have written to all state road authorities to include this in new driver training with no response as yet. You can see these at [www.sharetheroad.net.au](http://www.sharetheroad.net.au) and are available for free for all. I would ask they be included in all driver licensing and testing.

Roads are not currently required to be kept up to a nominated standard, nor are repairs always done well. No one is held to account when roads fail, when repairs fail and when a tragedy occurs, those on site do not always have the time or the qualifications to look for all contributing factors. The ATA has been asking for proper investigations into fatalities involving trucks and whilst we are currently blamed in the media for most, we are not the party at fault in the majority.

The truck I drive records impacts from road irregularities. This data could be used to define which roads do not meet the standard and would ensure roads are maintained to that standard ensuring maintenance funds would go to the roads needing them. The worst impact so far was 2.3 G. Over twice the weight of the load on the road. We would be taken off the road and fined severely for such an overload, yet are expected to both suffer the damage to the truck and driver and simply accept this.

The lack of rest areas is both critical and criminal. I submitted to the National Road Safety Inquiry in 2003. Of the 31 recommendations, two were mine, I was involved in three others and yet in 2019, none of this has been addressed. No wonder truck drivers are cynical of government and how they want to keep us safe. The only study of truck rest areas done in 2012, showed not one of our major highways met the minimum number or standard for truck rest areas and little has changed. I have written, emailed and begged for more and better rest areas for many years and yet as two examples, the Pacific Highway has less rest areas now that it did ten years ago and I detailed and explained that then, let alone explained the need for a changeover facility as the road was improved. This was ignored yet again. The new Toowoomba Second Range Crossing has just been completed and yet in the 41 kilometres, there is not one truck rest area, another criminal oversight and I did request this be considered during construction, and was ignored yet again.

At my request, we now have updated national truck rest area guidelines, but no national enforced standard to the number, frequency, size or facilities that should be included in new road projects, let alone on current roads. I have been promoting the green reflector marking of informal trucks bays for over 19 years and have had to do the Newell Highway myself to

get even one highway completed. Drivers tell me I have saved their life, but I can't get one state government to commit to this simple, cheap and effective interim strategy. If we can't get reflectors on guideposts, what hope have we of getting sufficient truck rest areas?

We must have a national rest area standard for all new roads and this must be then rolled out to existing roads, starting with major highways. We are losing sites, whether due to town bypasses, or simply due to perceived safety concerns about informal sites and as each one is lost in many separate districts, we fall behind in the number available.

We need informal sites at the absolute minimum of 20 kilometres apart. These for

1. Rest if needed to make it to the next formal rest area.
  2. Alternative of a safe place to pull up to get out and walk round truck.
  3. Load check, movement.
  4. Tyre check, blown tyre.
  5. Animal strike, to check for damage etc.
  6. Toilet break.
  7. Any other need to stop safely where there is no knowledge of next formal rest area.
- Then we need formal rest areas every 50 kilometres. Suitable for rest/sleep. Requires shade, suitable size for vehicles operating on that road and for separation to allow good quality sleep.

Then we need major sites with all the above plus toilets every 100 kilometres.

These must be mandated on all major highways. A rollout of green reflector bays can be done simply and cheaply as an interim measure. I recognise there is simply not millions laying around, but the need for rest areas to allow drivers to manage fatigue is critical now and must be addressed and started ASAP.

The roll out of wire rope barriers in Victoria along the Hume Highway is completely removing our ability to stop safely on the roadside. I have spoken with them since it was started and they have said they have increased the size of some overlap sites and will mark them with green reflectors, but this is too little too late.

This is further accentuated in capital cities where we used to be able to park close to a delivery site, but with more and more council and other parking restrictions, by law or simply by no room available, then even worse, parking be stopped in many industrial areas. WE ARE GOING BACKWARDS with truck rest areas sites and parking opportunities and until this is rectified and addressed nationally, we will continue to have tired drivers trying to meet the demands

- C. I have been contributing to the HVNL review currently underway and believe our road transport law is both far too complex, is onerous and aimed at punishing drivers for minor and non-safety related infringements of laws, that seem almost aimed at revenue raising. How can we manage our fatigue with too few rest areas, no shade and when many of the delays we incur, are beyond our control. In the USA, there was talk of a law where if a truck was held at a distribution centre for more than one hour, then detention time would be paid. I would like to see similar instituted here and that would make an enormous difference. With timeslots we are expected to be on time and then to sit for up to 5 hours without facilities and pay. They currently have it all their own way and this is both unreasonable and unfair abuse of drivers time and their lives.

Chain of Responsibility is a marvellous concept, but it is still the drivers who not only cop the brunt of the law, as has always been the case, we are told others will be held responsible, but little has changed.

- D. We are losing drivers, who wants to work in an industry where you get fined a weeks wages for working half an hour overtime? Without suitable training, companies are getting to the point of simply "bums on seats". They have trucks and those trucks will not make money while they have no driver. So they put them in a truck, they have a crash and we are all bad guys again. I have real concerns about my own safety on the road, when companies import drivers from other countries and they are not tested to the same standard as we are. Just having a license does not make you a capable and safe truck driver. It has been the case for many years that companies simply cannot afford to train drivers, so they put bums in seats. You only have to look at the problem and the turnover of drivers in the USA, to confirm that underpaying drivers, or telling them one thing and then treating them like dirt, means they will not stay in the job and around they go again. There needs to be a better and sustainable course and career for truck drivers.
- E. If we could teach young learner drivers about sharing the road with trucks and so reduce the fatalities involving trucks, we could do far more to improve the road toll, than fining truck drivers for being 15 minutes over time. Yes, trucks are overrepresented in crash numbers, yet if you take the kilometres we travel into account and then look at who is the responsible party, if those crashes caused by the car driver were reduced, it would save many lives.
- F. No comment currently.
- G. No comment currently.
- H. I have tried to do this for years. Submissions to government inquiries, industry bodies etc. We have the union, the ATA and state and other industry bodies. They have the people and the access to government that individuals do not. However, they do not live on the road, nor have the intimate knowledge and passion for the lives of those on the road. I work with them and welcome their efforts but ask that those who act as individuals not be excluded, simply because they are not part of recognised groups.

Yes, it is hard for government to do this, but I have been doing it for years and still we have done little to solve the industries problems. Better education of motorists has recently taken some small steps forward, but until we teach them and include that in the licensing process, we will continue to see young and old drivers make mistakes that cost them and others their lives, simply because they do not understand trucks.

Similarly. with rest areas, we don't have enough and no one except those who need them care. We lose spots each month because someone says that place is unsafe, so one closes here and there in each state and local area, we lose ten in a month and one rest area with 10 spaces is built in 6 months and we fall behind yet again. The growing number of caravans and free campers puts even more pressure on this problem, yet we cannot exclude their needs.

I am very frustrated, but still very passionate and want this fixed. I can and have provided succinct and relevant data, only to be ignored. This is a failure of those who both make and

police our laws, yet who don't have to live by them both not listening and then telling us how to do it. This will never provide good law and or on road safety for all.

- I. Until those in government and the road authorities all have staff either from the industry who have lived on the road, or have a program where those responsible for the road transport industry spend time in trucks on the road, we as truck drivers will be over regulated, unfairly fined and treated with contempt by many, punished in the press when we are not at fault in the majority of car/ truck crashes and be cheated of a fair and reasonable income, for the life we lead to feed and clothe every Australian.

Hourly rate in place of per kilometre, is possibly the only way to achieve this and see drivers paid for all their time as is every other worker in Australia. Those on salary accept such a trade off, but that is agreed at the start. We are the only group at the beck and call of others, over whom we have absolutely no control, mostly no recompense or right of payment for lost time and truly, little power to change that.

I ask for the inquiry to look at the suggestion of a National Road Standard and a National Rest Area Strategy (as attached in further detail) as two simple yet significant things that can and will save lives on the road. Each is simple in aim, achievable in time and not beyond the scope and aims of any government. We have a national road safety strategy which is not meeting its' goals, we now have a National Office of Road Safety, we as truckdrivers are continually blamed in the media for all truck crashes, yet how many truckdrivers, or their concerns as the only group full time on the road, will be included and given a fair go to contribute?

I offer to participate and help where and when I can, I have done so for over 20 years now and am still waiting for things to change and improve my safety on the road. I hope this inquiry will achieve something. Thank you, Safe Travelling, Rod Hannifey.