

## **To The Rural and Regional Affairs and Transport References Committee**

In regard to; Inquiry into the importance of a viable, safe, sustainable and efficient road transport industry.

Please accept and publish This Submission in its entirety.

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Published Transport Journalist

Trade Qualified Mechanical Engineer 1995

CertII Apply Fatigue Management Strategies Transport and Logistics 2008

Road Transport Industry Safety Advocate 2012

Principal Petitioner: 'Petition to Recognise Deaths in The Transport Industry'

Road Safety Remuneration Tribunal Applicant RSO2016

Verteran Experienced Truck Driver, over 26 years, 4,000,000 kilometres

This Submission will encompass the following under the Terms of Reference:

(b), the development and maintenance of road transport infrastructure to ensure a safe and efficient road transport industry;

(e) the social and economic impact of road-related injury, trauma and death;

(i) other related matters.

REGARDING (b)

The development and maintenance of road transport infrastructure to ensure a safe and efficient road transport industry.

It is a well known fact, supported by many previous inquiries and reports that infrastructure available to Professional Operators to combat Fatigue,

Both 'ON ROAD' and 'IN VEHICLE' are lacking in both quantity and quality.

ON ROAD, facilities that provide, quiet and shady places to sleep during the day and combat fatigue are practically non existent.

Those parking bays and areas that are available, are unable to satisfy the requirements needed at present 2019, compounding fatigue, and slowing economic growth. The deficit of Fatigue Fighting Areas for Truck Drivers, ensures further fatigue related deaths and injuries as a direct result.

This of course compounds fatigue, and removes BASIC combat skills

ONLY SLEEP COMBATS FATIGUE !

ITS WHY ITS CALLED COMBAT, HUNDREDS AND HUNDREDS KILLED MAKES IT SO

I draw the committee's attention to the fact that sleeper berths are not covered at all under the NHVR, OR under Fatigue Law.

IN VEHICLE, Drivers are not afforded best practices, in fact the sleeper berth standards

## **Vehicle Standard (Australian Design Rule 42/05 – General Safety Requirements) 2018**

**Dated**            **25 October 2018**

### **16.        SLEEPER BERTHS FOR CATEGORY NB OR NC VEHICLES**

- 16.1.        Every '*Sleeper Berth*' must be located within the cab or immediately adjacent thereto and must be so constructed that any occupant will not be likely to be thrown out in the event of sudden deceleration of the vehicle.
  
- 16.2.        A '*Sleeper Berth*' must not be located within the cargo space unless such berth is completely and securely separated from the remainder of the cargo space.
  
- 16.3.        Every '*Sleeper Berth*' must be so constructed as to provide, at least the following internal dimensions:

- (a) 1,900 mm long measured on the centreline of the longitudinal axis;
- (b) 530 mm wide for 1,200 mm along the required length and 440 mm wide for the remainder of the required length; and
- (c) 630 mm deep, of generally rectangular shape, except that the horizontal corners and the roof corner may be rounded to radii not exceeding 270 mm.

16.4. Except as provided by clause 16.4.1 below, every '*Sleeper Berth*' must provide the occupant, without the assistance of other persons, with at least two exits at opposite sides of the vehicle, each being at least 450 mm high and 530 mm wide.

16.4.1. Two exits at opposite sides of the vehicle need not be provided where the '*Sleeper Berth*' space is part of the vehicle cab and has a doorway or opening at least 450 mm in one direction and 910 mm in another direction between it and the driver seat.

16.5. Unless a '*Sleeper Berth*' is located within the driver's cab or is provided with a direct entrance thereto, a means must be provided to enable its occupant to communicate with the driver. Such means may include telephones, speaker tubes, buzzers, pull cords, or other mechanical or electrical means.

16.6. A '*Sleeper Berth*' must not be so located as to:

- (a) permit the ready entrance of gases from the exhaust system; or
- (b) be overheated or damaged by reason of its proximity to the exhaust system.

16.7. A '*Sleeper Berth*' must not be so located that defects in the '*Fuel System 17/00*' would result in leakage on or into it.

16.8. Every '*Sleeper Berth*' must be provided with proper ventilation and be tight against dust and rain.

COMBATTING FATIGUE IN A BOX OF 1,900 mm long measured on the centreline of the longitudinal axis, 530 mm wide for 1,200 mm along the required length and 440 mm wide for the remainder of the required length and 630 mm deep WITH NO AIR CONDITIONER.

I draw the Committee's Attention to 15 October 2013

The WA Commission for Occupational Safety and Health produced a Code of Practice on Fatigue Management for Commercial Vehicle Drivers which includes a section on establishing and maintaining appropriate workplace conditions.

Vehicles must be fitted with appropriate adjustable seating and an adequate sleeping berth that complies with Australian Design Rule ADR 42, as well as air conditioning if operating north of the 26th Parallel between October 1 and March 31.

WorkSafe issued a Safety Alert on the issue of non-conforming sleeper cabs, and this can be found on WorkSafe's website

<https://www.commerce.wa.gov.au/announcements/safety-truck-sleeper-cabs-spotlight>

This is still a current issue in all states except WA, the committee may be aware that the 26th parallel extends across Australia and Professional operators are not supplied with basic work safe conditions outside WA during the dates specified, or on any other day where temperatures drivers are supposed to combat fatigue against are not supported or protected against.

Its my view, that while operators, continue to travel near or above the 26th Parallel without an air conditioner that is not reliant upon the primary engine, are exposed to unfair and unsafe working conditions, certainly equal to industrial manslaughter, if fatigue, had any contributing factor to any truck drivers death, above the 26th Parallel since 2013.

ANY INCLUSIONS: Must be fitted with an Air Conditioner system not reliant upon the primary engine. That can provide a climate controlled environment able to be adjusted to the needs of the driver.

DO NOT include evaporative water systems,as high humidity above the 26th Parallel NEGATES their use.

Further Technology advances such as slide outs, used in Motorhomes and in Sleeper Berths in The United States of America, need to be also given further considerations to exemptions and introduction into the Australian Fleet.

Whilst still in the Sleeper Cabin, Cold Water or Water in general, is not a requirement under workplace law, although it is required under workplace laws usually to everyone else. Professional Operators usually have their own fridges that they carry in their trucks, these fridges should be made mandatory, and a minimum litreage of drinking water should be carried to align with modern times, and also to

try to address and remove the continuing deaths of drivers caused by dehydration and exposure in remote areas

Again stating that refrigeration units for these trucks to keep cold water shall be not of evaporative water cooling type.

Therefore: Minimum Sleeper Berth Requirements must be amended to reflect the serious nature of successfully combating fatigue, with the best weapons available.

Directly to reflect the area provided to the driver to combat fatigue, changing the dimensions

1,900 mm long measured on the centreline of the longitudinal axis, 530 mm wide for 1,200 mm along the required length and 440 mm wide for the remainder of the required length and 630 mm deep

TO

1,900 mm long measured on the centreline of the longitudinal axis, a minimum of 1000mm wide for the required length, and minimum 1200 mm deep, with No Maximum limit, exempted as a **negative measurement** over the vehicle/combination length.

These must be fitted with the Air Conditioning systems available to give the drivers a fighting chance, current standards are clearly too low and need to be raised immediately, the need for a length of vehicle exemption of the drivers fatigue fighting area must be legislated and implemented.

Whilst Addressing Fatigue Fighting Technology and Implementation

Sleep and or Sleeping is not required under fatigue law. Only Resting

Sleep and or Sleeping is not recorded. Only Resting

I find this to be an anomaly that no person including the experts on Fatigue Requirements from the National Heavy Vehicle Regulator can explain.

I have some ideas, but they would get me labelled a conspiracy theorist, or explain the massive amount of dead truck drivers.



REGARDING (e)

the social and economic impact of road-related injury, trauma and death;

I draw the Committee's attention to:

HOUSE OF REPRESENTATIVES STANDING COMMITTEE ON PETITIONS

April 12 2013

[https://parlinfo.aph.gov.au/parlInfo/download/committees/commrep/364622d7-b176-45a9-a849-39022aaf9da4/toc\\_pdf/Standing%20Committee%20on%20Petitions\\_2013\\_04\\_12\\_1868\\_Official.pdf;fileType=application/pdf?fbclid=IwAR3va2dIV8Byw4KeYCnyg3dfYUmUlpTDkLuJcTLY24tXG8W6bh09rtWwKp8#search=%22committees/commrep/364622d7-b176-45a9-a849-39022aaf9da4/0001%22](https://parlinfo.aph.gov.au/parlInfo/download/committees/commrep/364622d7-b176-45a9-a849-39022aaf9da4/toc_pdf/Standing%20Committee%20on%20Petitions_2013_04_12_1868_Official.pdf;fileType=application/pdf?fbclid=IwAR3va2dIV8Byw4KeYCnyg3dfYUmUlpTDkLuJcTLY24tXG8W6bh09rtWwKp8#search=%22committees/commrep/364622d7-b176-45a9-a849-39022aaf9da4/0001%22)

This link and the evidence given to support a payment to drivers, in honour and respect of their deaths, continues, while personally I have been witness to further deaths of Friends and Workmates, and my intimate knowledge of the actual battlefield of burning trucks and drivers broken and killed, has recently included, someone who was one of my petition signatories, an Owner Driver who was of the highest calibre.

His Machine, was perfect, his skill, was well known.

In respect of those fallen, and his family, I will not say his name here, but everyone will know who I am referring too.

He alongside so many others, who will continue to die, in my opinion, deserve a national memorial like servicemen and women are afforded.

Or at least a call centre and portal to upload dashcam videos and to report near misses and people on the road activeley trying to kill me with dumb masnouvers.

My proposal of Danger Money as a reflection of the fatality rate, morphed into an application to the Road Safety Remuneration Tribunal, and while this is probably more reflective of section (a) in the terms of reference, I do so not in regards to minimum rates, although my name does appear on the front page of the 2016 RSRT Contractors Minimum Rates Order.

My evidence, of systemic, and ongoing deaths, similar to those I mentioned directly to The Petition Committee to support Danger Money as being warranted and needed for many reasons continue.

Including drivers laying trapped in their trucks up to 11 hours and when Triple Zero (000) was called, the response was that trucks crash and nobody bothered to come to the crash, despite authorities looking.

Not only have I had trouble correlating exactly how many drivers have been killed, but I have direct evidence of Drivers deaths not being reported, from multiple eyewitnesses at one crash scene sending me images and video and the attending surgical nurse all confirming that the driver was dead in the truck, but no media report was made, how many of these events go unreported are unknown, but the rules around counting fatalities are complicated and out dated, with some fatalities taking up to 6 months to appear on Safe Work Australia's Figures if at all.

Safe Work is a Statutory Body.

While I ask that this inquiry look into Danger Money as a requirement or as an allowance, similar to that of Australian Servicemen in reflection of the imminent danger they face, with a comparison model reflective of the equal mortality rate of soldiers in combat.

Further to the Remuneration reflective of the Death and Injury rate, an adjustment to the Disability Allowance is required.

The Disability Allowance that Truck Drivers receive This award incorporates the terms of Schedule E to the *Miscellaneous Award 2010* as at 1 July 2019. Provided that any reference to “this award” in Schedule E to the *Miscellaneous Award 2010* is to be read as referring to the *Road Transport (Long Distance Operations) Award 2010* and not the *Miscellaneous Award 2010*.

Supported Wage System

[13.8 substituted by PR994480 from 01Jan10]

See Schedule C—Supported Wage System.

Allowances

To view the current monetary amounts of work-related allowances refer to the Allowances Sheet.

[Varied by PR994480, PR998149, PR509192, PR523022, PR536825, PR551748, PR551128, PR566849, PR579544, PR592298, PR606520, PR704204, PR707648]

Allowances for responsibilities or skills

Industry disability allowance

The rates per kilometre are inclusive of an industry disability allowance of 1.3 times the ordinary rate, which compensates for the following:

shiftwork and related conditions;

necessity to work during weekends;

lack of normal depot facilities, e.g. lunch room, wash rooms, toilets, tea making facilities;

necessity to eat at roadside fast food outlets;

absence of normal resting facilities and normal bed at night;

additional hazards arising from driving long distances at night and alone;

handling dirty material;

handling money;

extra responsibility associated with arranging loads, purchasing spare parts, tyres, etc;

irregular starting and finishing times; and

work in rain.

If these are disabilities, then the requirement of a continued, High Road Toll Number from the Current Professional Truck Driver Pool, dictates that these be addressed in the view of positive driver welfare outcomes. As opposed to the current system.

Where drivers deaths are widely ignored as deserved by the wider community through negative media narratives and political point scoring over economics, while estimates of 2.6 Billion dollars in truck driver deaths annually are accepted and accounted for in the national budget.

Further to Remuneration matters, with No Portable Long Service Leave available to Professional truck Drivers, many work without this basic work entitlement ever, a new, Portable long service leave system must be created to protect these vulnerable workers, who lose their entitlements in such huge numbers due to current insolvency rates amongst transport companies.

Further to that Drivers Superannuation must become a protected workplace entitlement under the government guarantee also in this climate of insolvency.

REGARDING (i)

other related matters.

Given that this inquiry will find evidence directly attributing the continued deaths of Australian truck Drivers to the repeal of The Road Safety Remuneration Act 2012 and The subsequent removal of the Road Safety Orders created, which removed Safe Driving Plans, Mandatory Drug Testing Regimes and an increase to the Rates of remuneration of freight movement that included a Danger Money Component.

During the time of the Road Safety Remuneration Tribunal Order 2016

I was threatened, I was fired from my job for being an Applicant, I was hospitalised from another crash caused by someone else, All whilst I was publicly named by Transport Association leaders as having committed treason against my workmates and stating that I should be hung in public in their published statements, some of whom support this inquiry.

I submit this with the knowledge that just mentioning the hundreds of drivers killed makes me a target amongst my workmates, the ongoing nature of the freight task requires that drivers ignore the current situation, standards and conditions to make a living the best they can, with the skills they have in the equipment they have, to get home alive.

I thank the Committee for its inquiry into the most vital industry in Australia.

Steven Corcoran 14/10/2019