NATROAD

NATIONAL ROAD TRANSPORT ASSOCIATION

Submission to the Joint Select Committee on Road Safety

Inquiry into reducing Australia's road accident rates, trauma and road deaths

31 January 2020

INTRODUCTION

1. The National Road Transport Association (NatRoad) is pleased to provide a submission on "steps that can be taken to reduce Australia's road accident rates, trauma and deaths on our roads."[1]

2. NatRoad is Australia's largest national representative road freight transport operators' association. NatRoad represents road freight operators, from subcontractors to large fleet operators, general freight, road trains, livestock, tippers, express, car carriers, as well as tankers and refrigerated freight operators. NatRoad's principal policy focus is on the regulation of heavy vehicles that is vehicles over 4.5 tonnes.

3. NatRoad has a strong commitment to improving road safety. Even one death on the road is too many. Yet during the 12 months ended November 2019, there were 1,183 road deaths, representing an increase of 1.5 per cent from the 12-month period ending November 2018.[2]

4. Statistics for heavy vehicle fatalities are only available for the period to end September 2019.[3] According to that data, during the 12 months to the end of September 2019, 182 people died from 165 fatal crashes involving heavy trucks. These included 99 deaths from 91 crashes involving articulated trucks, 88 deaths from 79 crashes involving heavy rigid trucks and 5 deaths from 5 crashes involving both a heavy rigid truck and an articulated truck.

5. Fatal crashes involving heavy trucks increased over the 12 months to September 2019 by 7.8 per cent when compared with the corresponding 12-month period one year earlier (from 153 to 165 crashes) and decreased by an average of 2.2 per cent per year over the three years to September 2019.

6. Accordingly, NatRoad welcomes the Select Committee's inquiry into steps that can be taken to reduce road accident rates, trauma and death.

7. In this submission, we outline a number of factors affecting heavy vehicle safety, focusing on light vehicle driver education, upgrading infrastructure and better data collection and analysis.

HEAVY VEHICLE SAFETY IS IMPROVING

8. The Productivity Commission (PC) is currently undertaking a review of national transport regulatory reform that includes an examination of heavy vehicle safety.[4] It released a Draft Report on 12 November 2019. It is seeking submissions on that Draft Report by 15 January 2020. It will provide a final report to Government in April 2020 [5] and therefore its ultimate findings could inform the Select Committee's Report.

9. The Draft Report contains an assessment of heavy vehicle safety which shows that they are encouraging. Whilst the trends are encouraging NatRoad does not believe there is any room for complacency in the task of improving road safety, particularly as the PC concluded that the introduction of the Heavy Vehicle National Law was not causative of the improvement.

10. The PC made a draft finding as follows:

    There have been significant improvements in heavy vehicle safety over the past decade, with the number of heavy vehicle crashes involving injury or death per kilometre travelled decreasing by about 40 per cent between 2008 and 2018. The fall in crash rates is consistent with longer term

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[1] https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Road_Safety
[2] https://www.bitre.gov.au/sites/default/files/documents/RDA_Nov_2019_Revised.pdf
[3] https://www.bitre.gov.au/publications/ongoing/fatal_heavy_vehicle_crashes_quarterly
[4] https://www.pc.gov.au/inquiries/current/transport#draft
[5] Ibid

trends and is likely to be due to factors affecting all vehicle types such as improvements in road infrastructure and safer vehicle design.[6]

11. The PC has also taken into account an issue which NatRoad emphasises in discussions about reducing road fatalities. Where heavy vehicles are involved in fatal road incidents, evidence suggests that other road users are, in the main, legally at fault.

12. In this context, the PC has made the following draft finding:

    Most multi vehicle fatal crashes involving a heavy vehicle are not the fault of the heavy vehicle driver — in 2017, the driver of the other vehicle was at fault 83 per cent of the time. For serious, non fatal, multi vehicle crashes involving a heavy vehicle, the heavy vehicle driver was at fault 65 per cent of the time (2017).[7]

13. The same research relied on by the PC shows that in a decade the 83% figure cited had never been outside of the band between 80 and 100 per cent.[8]

LIGHT VEHICLE DRIVER EDUCATION

14. The PC has made the following draft recommendation, directed at improving light vehicle behaviour around heavy vehicles:

    State and Territory governments should seek to improve general road users' understanding of driving safely in the vicinity of heavy vehicles through education and enforcement measures.[9]

15. NatRoad supports this draft recommendation. However, we have responded to the PC that how the intent of the draft recommendation might be achieved should be a component of the recommendation, such as requiring an accurate answer to a question or questions about behaviour around heavy vehicles to be a mandated part of obtaining a light vehicle drivers' licence. Driver training could also encompass issues associated with interaction with heavy vehicles.

16. A number of jurisdictions have useful material about sharing the road with heavy vehicles. For example, in 2019 the Australian Capital Territory Government produced a Road Rules Handbook that includes material addressing driving behaviour around heavy vehicles.[10] This material should be the focus of State and Territory based education campaigns.

17. Education about how to share the road safely with heavy vehicles must be a funding priority for governments, particularly when young drivers first apply for a drivers' licence. That training could be an element of school based curricula or other means could be found to embed this knowledge from an early age. Obtaining consistency in messaging and conducting a suitable education programme would best sit with the newly created Office of Road Safety.[11] The Office's funding should reflect this priority. [12]

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[6] Draft Report above note 3, Draft Finding 5.1 at page 137
[7] Id at page 140
[8] https://www.fullyloaded.com.au/industry-news/1904/ntc-2019-nti-releases-ntarc-major-crash-report?utm_source=Sailthru&utm_medium=email&utm_campaign=ATN%20eDM%2004%2004%202019&utm_term=list_fullyloaded_newsletter
[9] Above note 3 at page 140
[10] https://www.accesscanberra.act.gov.au/ci/fattach/get/282955/1552017512/redirect/1/filename/2019+Road+Rules+Handbook+Screen.pdf see in particular pages 104 and 105
11 https://www.infrastructure.gov.au/roads/safety/
12 The education programme could follow the recommendations made in Baker, S. et al. Evaluation of light vehicle driver education programs targeting sharing the road with heavy vehicles. NTSCE report 14-UM-029, 2014.

APPROPRIATE INFRASTRUCTURE

18. Appropriate road infrastructure, including suitable rest areas for heavy vehicles[13], is a critical component of enhancing heavy vehicle safety outcomes. As is evident from the PC's draft recommendation set out in paragraph 8 of this submission, better infrastructure is a major part of heavy vehicle safety improvement. It is vital that key interstate freight networks are upgraded for the expected increase in the freight task expected over the next decade.[14] Australian governments are aware of the challenges that planning in this area presents.

19. The Transport and Infrastructure Council (TIC) published the *National Freight and Supply Chain Strategy*[15] (the Strategy) and related Action Plan[16] in August 2019.

20. The Strategy outlines four critical action areas building on jurisdictional freight and infrastructure plans and ongoing national reform efforts, like Heavy Vehicle Road Reform (HVRR)[17] and the National Road Safety Strategy.[18] One of those action areas is "smarter and targeted infrastructure investment."

21. That is certainly an area where reform is required, especially in the development of appropriate regional infrastructure; smarter investment requires better access planning[19] and better planning for road safety outcomes.

22. The construction of heavy vehicle rest areas must form part of the federal Government's road infrastructure planning. Suitable rest areas for heavy vehicles requires strategies to be developed for major highways and significant freight routes.[20]

23. These strategies must recognise the Austroads guidelines[21] that specify the following requirements: class 1 and 2 rest areas should be 70-100 kilometres apart; class 3 and 4 rest areas should be 35-50 kilometres apart, and class 5 rest areas should be 15-25 kilometres apart. These distances are not arbitrary but are set so as to better facilitate fatigue management. A significant element of fatigue management that is far from adequate in the Australian road network is the proper provision of heavy vehicle rest areas which incorporate usable toilets, shelter and drinking water.[22]

24. As stated, Government has turned its mind to better infrastructure development for the freight industry. As indicated above, TIC endorsed the National Freight and Supply Chain Strategy and

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13 Rest areas should be constructed and maintained in accordance with these guidelines: https://austroads.com.au/latest-news/new-guidelines-for-the-provision-of-heavy-vehicle-rest-areas

14 Freight growth follows Gross Domestic Product (GDP) growth, and given Australia's strong economic performance, freight is expected to grow by 26%, to around 915 billion tonne-kilometres, by 2026 as expressed here http://www.truck.net.au/sites/default/files/submissions/DAE%20Economic%20benefits%20of%20improved%20regulation%20in%20the%20Australian%20trucking%20industry%20March%202019%20Final.pdf .

15 https://www.freightaustralia.gov.au/sites/default/files/documents/national-freight-and-supply-chain-strategy.pdf

16 https://www.freightaustralia.gov.au/sites/default/files/documents/national-action-plan-august-2019.pdf

17 https://www.transportinfrastructurecouncil.gov.au/publications/heavy_vehicle_road_reform.aspx

18 https://www.roadsafety.gov.au/

19 Discussed at length in NatRoad's submission to the current National Transport Review of the HVNL https://www.ntc.gov.au/submission_data/464

20 This point is made in the Austroad guidelines mentioned at note 13 above.

21 Ibid

22 Themes explored in this article which cites the NatRoad position https://coastaltransport.com.au/uncategorized/heavy-vehicle-rest-areas-and-their-important-role-in-fatigue-management/

National Action Plan on 2 August 2019. The Strategy and Action Plan set an agenda for integrated national action across all freight modes over the next 20 years.

25. Whilst NatRoad commends the National Action Plan's goal setting, it would be useful for TIC to prepare milestones that would indicate a timetable for achieving the aims, albeit the position that TIC would like to see achieved by 2024 is set out against each target. Linkages with Infrastructure Australia priority plans, such as the most recent plan issued in February 2019[23], would also assist to better clarify how the government vision for freight meshes with identified infrastructure needs inclusive of proposed costs of the relevant infrastructure, with a priority being applied to projects that improve heavy vehicle safety.

26. By way of example, Infrastructure Australia identifies that regional road network safety improvements must occur.[24] High-risk sections of regional roads must be upgraded. The delivery of safer road infrastructure is a critical priority having regard to the following finding by Infrastructure Australia:

    The varied quality of Australia's regional road network is resulting in a high number of crashes and fatalities. Between 2008 and 2016, 55% of road fatalities in Australia occurred in regional areas. Relative to population size, the number of fatalities in regional areas was over four times greater than for major cities over the same period.[25]

27. NatRoad submits that the Committee should recommend the priorities identified by Infrastructure Australia that would enhance both safety and the efficiency of the freight task in regional Australia should be analysed, and appropriate funding allocated to their achievement.

28. That recommendation reinforces the outcome by 2024 envisioned from Action 1.2 from the National Action Plan which is for "All levels of government to improve and upgrade infrastructure in regional and remote areas to lift regional freight productivity, access and safety across all modes and delivery of essential goods and services to isolated communities."[26]

BETTER DATA AND INFORMATION

29. One of the themes that is evident from the PC Draft Report and from NatRoad's experience is that there is a need for much better research on the underlying causes of heavy vehicle crashes and the key factors involved with identifying trends and patterns.

30. One of the terms of reference of a comprehensive examination of road safety in Australia conducted in 2018[27] was to identify "the key factors involved in road crash death and serious injury trends including recent increase in 2015 and 2016."[28]

31. But the independent inquiry found that in respect of this term of reference, there was inadequate data to adequately answer this requirement, saying:

    The first term of reference for this inquiry could not be adequately addressed because of insufficient data on the full extent of influences on the road transport system. While exposure data exists, it is predominantly associated with motorised vehicles. Intermediate measures are also poor and sporadic, and something as simple as regular speed measurement across the network is often difficult to obtain across all jurisdictions. Enforcement data is also often limited in scope and difficult to interpret. The absence of this base data makes it extremely difficult to

23 https://www.infrastructureaustralia.gov.au/publications/infrastructure-priority-list-2019-project-and-initiative-summaries
24 Id at p44
25 Ibid
26 Above note 11 at p 8
27 Woolley et al Inquiry into the National Road Safety Strategy 2011-2020 (September 2018) Cth of Australia
28 Id at p6

understand variations in overall patterns of crashes and injury and the underlying causes to observed changes.[29]

32. NatRoad agrees that there is inadequate data to understand variations "in overall patterns of crashes and injury." This is especially the case when seeking to attribute fault, a matter raised earlier in this submission. There appears to be a conflict in the way in which heavy vehicles are "blamed" for fatal crashes, hence the reason NatRoad reinforces the issues about this matter raised earlier. By way of example, in the NSW Government Freight and Ports Plan 2018-2023[30] the following is said:

    While crash data does not include any conclusions as to fault, it does record the 'key vehicle' whose movement appears to have largely contributed to the crash occurring. Heavy trucks were the 'key vehicle' in 39 per cent of fatal crashes in 2015 to 2017 and 59 per cent of serious injury crashes from 2014/15 to 2016/17.[31]

33. Yet the idea that "fault" on the part of heavy vehicles is at the level set out in this extract is not substantiated by data where fault has been investigated, as is evident from the material presented at paragraphs 11-13 of this submission.

34. There needs to be an improvement in the base data, as recommended by the independent inquiry cited above, which noted that "If you can't measure it, you can't manage it."[32] That data should enable benchmarks to be prepared that in turn enables measurement of actual performance against appropriate safety targets.

35. The PC made a finding relevant to the propositions in the last paragraph. In Chapter 6 the PC indicates that data limitations prevent a fully comprehensive assessment of the reforms made by the introduction of the Heavy Vehicle National Law (HVNL). In this context the PC makes the following draft finding:

    The National Heavy Vehicle Regulator (NHVR) has a well-developed information system that allows for effective management of its operational commitments. The NHVR is taking a strategic approach to the collection and use of data and this will allow it to target its activities better. It will also be able to drive broader policy change to improve productivity and safety.[33]

36. The related draft recommendation is as follows:

    The National Heavy Vehicle Regulator should continue improving its data management processes, including how data are stored, integrated, analysed and reported.[34]

37. The PC also turned its attention to the topic of improving incident investigation. NatRoad raised this issue when making initial input to the PC inquiry. We there reinforced that a no-blame form of investigation of heavy vehicle incidents would advance safety. Accordingly, NatRoad fully supports the following draft PC recommendation:

    The Australian Government should direct the Australian Transport Safety Bureau (ATSB) to undertake a defined, targeted trial of incident investigation for heavy vehicles, with adequate additional resourcing for the task. Subject to the successful outcome of the trial, the Government should amend the Transport Safety Investigation Act 2003 to confirm investigation of incidents involving heavy vehicles as a function of the ATSB.[35]

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29 Id at p46
30 https://www.transport.nsw.gov.au/projects/strategy/nsw-freight-and-ports-plan
31 Id at p71
32 Above note 25 at p48
33 Draft finding 6.3 above note 4 at page 206
34 Draft Recommendation 6.3 above note 4 at page 206
35 Draft Recommendation 9.2 above note 4 at page 322

38. In NatRoad's understanding, ATSB aims to improve safety and public confidence by pursuing excellence in safety data and research and fostering safety awareness, in addition to independent investigation of accidents. NatRoad is aware that part of the ongoing social licence to operate heavy vehicles depends on engendering public confidence in the safety of heavy vehicles. Accordingly, expansion of the ATSB's functions as recommended would also reinforce that goal.

CONCLUSION

39. NatRoad has focused on three areas where immediate steps could be taken to improve heavy vehicle safety outcomes: better education of light vehicle drivers, better strategic planning in respect of appropriate infrastructure, particularly to construct more rest areas, and the collection of better data.

40. We submit that adoption of the policies set out in each of these areas would have a marked, favourable effect on heavy vehicle safety and contribute to the reduction of road accident rates, trauma and deaths.