



Chain of responsibility Operator/Manager/Scheduler

Compliance and enforcement in the transport industry

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Compliance & Enforcement (C&E)

The C&E reforms are a framework for the regulation of the heavy vehicle industry and other participants in road transport. Their general objectives are to improve compliance outcomes for road safety, infrastructure and the environment, while minimising the adverse impacts of road transport on the community. They will also help create a level playing field for industry by making it more difficult for those that operate outside of the law to gain a competitive advantage.

What is the chain of responsibility?

The chain of responsibility means that anybody, not just the driver and operator, who has control in a transport operation can be held responsible for breaches of road laws and may be legally liable. In other words, if you use road transport as part of your business, you share responsibility for ensuring breaches of road laws do not occur. If a breach of road transport law occurs due to your action, inaction or demands, you could be legally accountable.

Put simply this means: Control = responsibility = legal liability

What are my responsibilities?

As an operator, manager or scheduler of a business involved in road transport, your responsibilities include ensuring that:

- Rosters and schedules do not require drivers to exceed driving hours regulations or speed limits.
- Vehicle speed limiters are functioning.
- Vehicles do not exceed mass or dimension limits.
- Appropriate restraint equipment is provided and loads are appropriately restrained.
- You keep records of your drivers' activities, including driving, work and rest times.

What do I need to do?

As an operator or an employee of an operator, you need to make sure that your conduct does not compromise road safety or involve breaking the law.

You should implement systems to ensure that the mass of each vehicle is assessed and recorded for each trip.

You should have an auditable system for rostering and scheduling your drivers so that they do not exceed the regulated hours of driving and work, or exceed any speed limits, and that they have sufficient opportunity for rest and sleep to avoid fatigue.

You need to have work practices in place so that vehicles and equipment are kept in good condition and all loads are properly restrained.

If speed limiters are fitted to the vehicles, they must be operating properly.

You should keep records of drivers' activities including driving, working and resting and check that they are complying with the regulations.

Compliance assurance conditions should be included in relevant commercial arrangements with other responsible persons.

Employees should have the necessary information, instruction, training and supervision to enable compliance with relevant laws.



Where can I find out more information about C&E?



Visit the RTA website www.rta.nsw.gov.au

Visit the National Transport Commission website www.ntc.gov.au

Email the RTA on compliance_and_enforcement@rta.nsw.gov.au