

PRESS ARTICLE

Title:	“Trucking managers and directors to feel heat in an unprecedented blitz”
Issue:	Weekend Edition, 14-15 July 2012
Publication:	The Sydney Morning Herald, page 16

Operators of truckies caught speeding or under the influence of drugs have been put on notice, writes **David Humphries**.

EVERYONE knows speed kills, that drivers need to occasionally stop and revive to survive fatigue, right?

We understand time is money, that some trucking companies cut corners literally and figuratively to meet the greed of some customers demanding drivers meet dangerous timetables, putting us all at risk.

We know these things because the evidence is all around us, altogether too frequently.

Here's the rub. How is it some trucking companies prosper within the rules – sometimes imposing speed and timetable restraints beyond the law's demands – while reckless practitioners flout these supposed constraints on profitability and still come undone financially?

David Simon is a fifth generation boss of the family company, which began in saw-milling in 1926 and now operates 100 prime movers and 60 other trucks.

Law demands the trucks be speed limited to 100km/h. The Simon trucks are set at 90km/h – assisting the safety record, saving 10 per cent on fuel costs and “making very little difference to transit time”, says Mr Simon, who is also chairman of the Australian Trucking Association.

“Anyone who justifies speeding on economic grounds is engaging backward argument.”

His trucks are fitted with computers that monitor speed and rest breaks. “If there is a severe breach, the computer will text or email an officer of the company and the cabs are fitted with alarms to alert drivers to breaches,” Mr Simon says.

Simon National Carriers' mission statement reads: “Our services are targeted at businesses who share our desire to operate in an environment where compliance with laws and an emphasis on best practice safety and environmental outcomes are core elements of everything we do.”

The knack, says Mr Simon, is to be upfront with clients, most of whom do not put undue pressure on timetables.

More than a thousand court appearance notices have been issued against directors and owners of four trucking companies for speeding in recent weeks after NSW Police and the Roads and Maritime Services launched a crackdown.

That's the first step. If charges against managers and trucking company directors prove successful, say the services, “the next chapter will be to look” at where loads originated and were headed.

That brings into the noose the managers and directors of trucking company clients. If patterns emerge of particular



AirLink
Scan Mr Hansen to watch a video of him at work for a day. See Page 2 for more details on how to use Airlink.

clients being associated with speeding trucks, the onus falls on the client to demonstrate reasonable steps against poor behaviour or practices. If they cannot satisfy a court of that, they'll be found guilty.

“It's akin to WorkCover,” says a services source. “If a window cleaner falls from a ladder and kills himself, we'd have said in the old days ‘he should have known better’. Now we ask who let the contract, who was supervising, did he have a harness, was he trained?”

“People doing the right thing won't notice what we're doing and people playing up will find their lives in increasing misery.”

This unprecedented blitz by police and the services was launched after a Lennons Transport Services double wagon truck crossed to the wrong side of the Hume Highway at Menangle on January 24 and crashed into a car, killing its

three occupants. The truck had been measured travelling at 133km/h the previous day. The tragedy unleashed public outrage and a campaign of vehicle checks that allegedly revealed widespread tampering with mandatory speed limiters. The synthetic opiate, methadone, was said by police to have been detected in the driver's blood.

Police say anecdotally there have been fewer fatal accidents since Operation Dusty began. “Capture is a good incentive, from the guys sitting in the cabs up to managers and board rooms,” a senior officer said.

Last year, heavy-vehicle-related deaths in NSW numbered 81, seven fewer than 2010. “If we can pull that road toll back 10 or 20 a year, we'll have done our job.”

The truckies' union says chain of responsibility law will work with a national “safe rates” regime which began on July 1. It is designed to ensure independent subcontractors, who make up a third of the Transport Workers Union membership, are reimbursed by trucking companies for wages, fuel, truck repayments and so on.

“As it was with interstate driving, there was no floor on wages and conditions,” says the Transport Workers Union state secretary, Wayne Forno. “That's why [there have] been so many abuses of driving laws because a lot of the time they're paid a kilometre rate. The more you do, the more you get paid, turning trucks into sweat shops, encouraging drug use [to keep drivers awake], excessive speeding, and so on.”

“It's not unusual for a driver to take his rig to Brisbane, leave off the load and take the prime mover away for an eight-hour local shift around Brisbane, before returning to the yard and picking up the reloaded trailer and driving back to Sydney, without a rest break.”

Col Hansen, 57, has been driving a truck for 30 years. He carts processed milk from Penrith to the central west, a round journey that takes about 10½ hours.

But he's not paid to maximise his kilometres. “I'm on an hourly rate, so why do I need to speed.”