



TIPS ON HEAVY VEHICLE DRIVER FATIGUE LAWS:

All State Governments will be enacting new driver fatigue laws over the next 6 months (except WA).

The new laws place considerably more responsibility on truck drivers and operators to manage driver fatigue – customers have responsibilities too.

Driver fatigue is a killer on rural roads. Road accidents cost Australia \$17 billion a year. Every fatal accident costs the community around \$2 million, apart from the emotional impacts.

Other people who use trucks in their own businesses to move goods around also have clear legal responsibilities under these laws and State road agencies will enforce these responsibilities.

*The new laws require **everyone to have a bit of a culture change** in thinking how trucks get scheduled.*

What are the responsibilities for stock agents?

Like all other people who use trucks to move their goods, or act as a freight agent between the customer and the truck operator, the new laws mean that stock agents have a clear legal duty to 'take reasonable steps to make sure that the driver:

Does not drive while fatigued

Does not break their overall working hours limits

Does not break other laws while trying to stay within the fatigue law (ie speeding to get a job done in time)

Apart from legal risks to drivers, there are serious fines courts can impose on customers who don't do this.

What does this mean in practice for a stock agent?

It means that unless they want to be exposed to legal risks under these new laws, stock agents:

Shouldn't tell the carrier when they need the load picked up and when they need it delivered. The time of a journey needs to be managed so that the driver can comply with the legal requirements for rest breaks. Work with the carrier to get it done legally.

Should consider calling the carrier a bit earlier in the process so that they aren't caught out – under the new laws, carriers can't be treated like ambulances.

Calling earlier means they will have a better chance to organise their trucks, get the drivers rested and compliant with their working hours and ready to do your job when you need it done.

Should listen to the carrier: if a carrier says that a job can't be done legally – take them seriously.

Most longer-distance drivers under these new laws face fatigue and timetabling training and will know what can and can't be done legally under the fine print of these laws better than the agent.

Make it very clear to your customers (farmers, saleyard operators, etc) that having their stock ready to load at the agreed time is important – if a driver turns up at an appointed time and then waits for another 6 hours because nobody has bothered to get ready on the farm or at the sales, the driver's working hours are being chewed up. They are forced to record this in their log books and once out on the road they are then in danger of being breached for being out of legal working hours.

Part of this responsibility can fall back on the person that organised the load – that could be you, the agent!

The golden rule: communication is the key; talk to your carriers and recognize that they are working under timetables that have to be legal.

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