



**Asia-Pacific  
Economic Cooperation**

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## **Chain of Responsibility: Broadening the Net**

Submitted by: Australia



**Workshop on Regulating High Mass Heavy Road  
Vehicles for Safety, Productivity and Infrastructure  
Outcomes  
Brisbane, Australia  
3-6 April 2017**

The background of the slide is a photograph of a large white truck driving on a road, viewed from a low angle. The image is overlaid with a semi-transparent blue filter. The truck is moving towards the right, and the road surface shows motion blur.

# *Chain of Responsibility*

## *Broadening the net*

Michael Crellin  
Manager, Chain of Responsibility  
National Heavy Vehicle Regulator

# Overview

- › The Regulatory Challenge
- › Evolution of Chain of Responsibility (CoR)
- › Purpose of CoR
- › Investigation Case Study – affecting change
- › CoR as a tool for managing overloading

# The Regulatory Challenge



## Productivity

- 14.5% of GDP
- \$150b per year
- 1 million jobs –  
165,000 companies
- Freight task  
predicted to double  
by 2030

## Safety

- 20% of Injury & Fatal  
incidents
- 213 deaths involved a  
H/V (2016)
- Economic triggers
- Increasing drug use

# The Regulatory Challenge



In 2016, fatal road crashes accounted for **1300** lives lost on Australian roads – equivalent to 2 x A380 aircraft.



# Safety Matters

16 October 1996





# Safety Matters





**PAUL ALAN RILEY**

**DIED TRAGICALLY 16-10-96**

**AGED 27 YRS. 7 MTHS.**

**LOVING HUSBAND OF AMANDA**

**AND**

**FATHER OF LIAM AND GEORGIA.**

**IN GOD'S CARE**

**BUT FOREVER IN OUR HEARTS.**

**1995**  
Small beginnings (Qld)

**1999**  
Executive Officers  
& Representatives

**2008**  
Extended Liability  
(Parties)  
Reasonable Steps

**2014**  
Heavy Vehicle  
National Law

**2018**  
Primary Duty





# Philosophy of CoR

*Chain of Responsibility (CoR) means that **anyone** who has **influence** over the transport activity is **responsible** for **safety** on the road.*



# Chain of Responsibility

- Extends liability for offending (Parties)
- Targets those who can control/influence safe practice
- Reduces incentives for offending
- Supports investigation of safety risks
- Encourages supervision & management
- Proactive focus upon managing risk
- Level the playing field (fair competition)



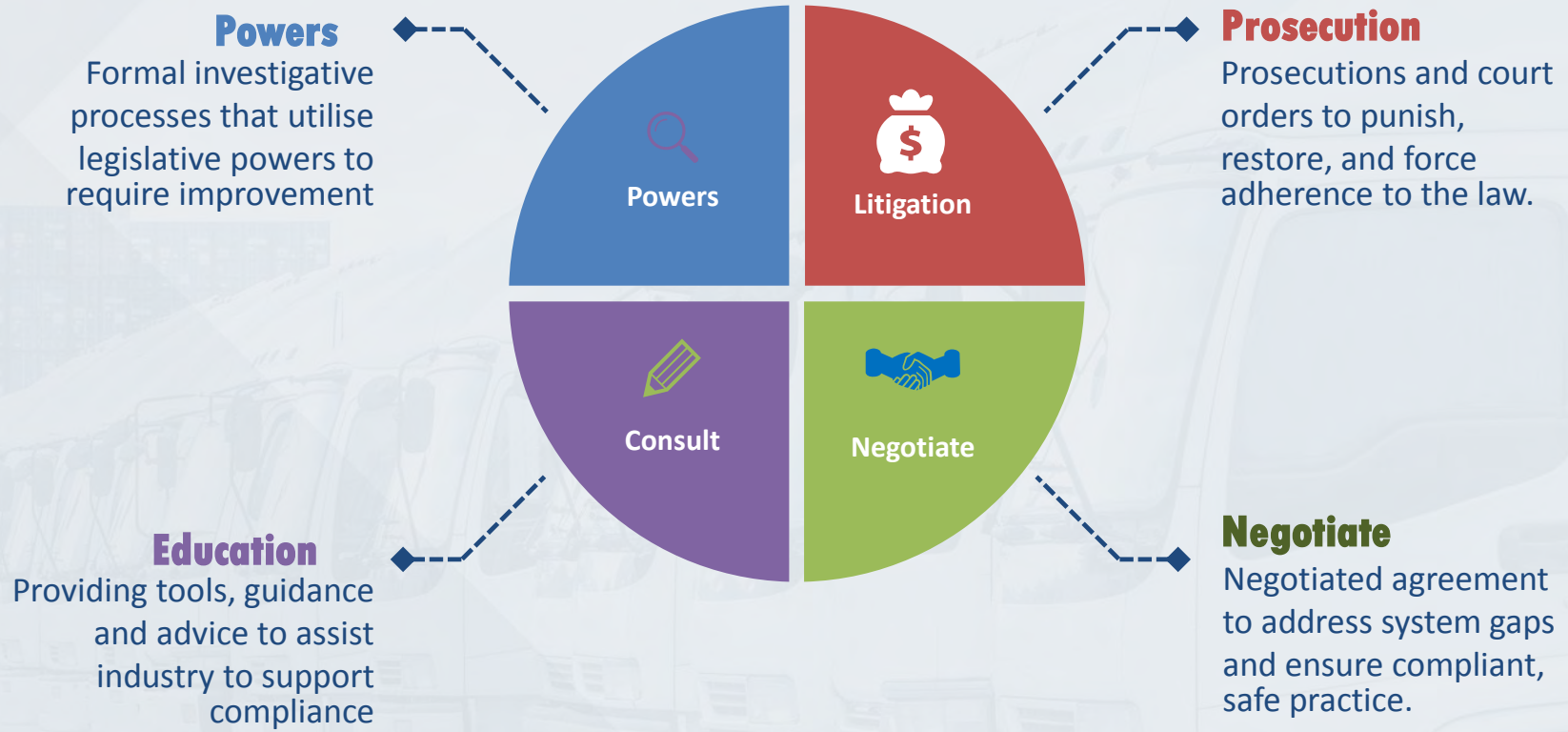


# Chain of Responsibility

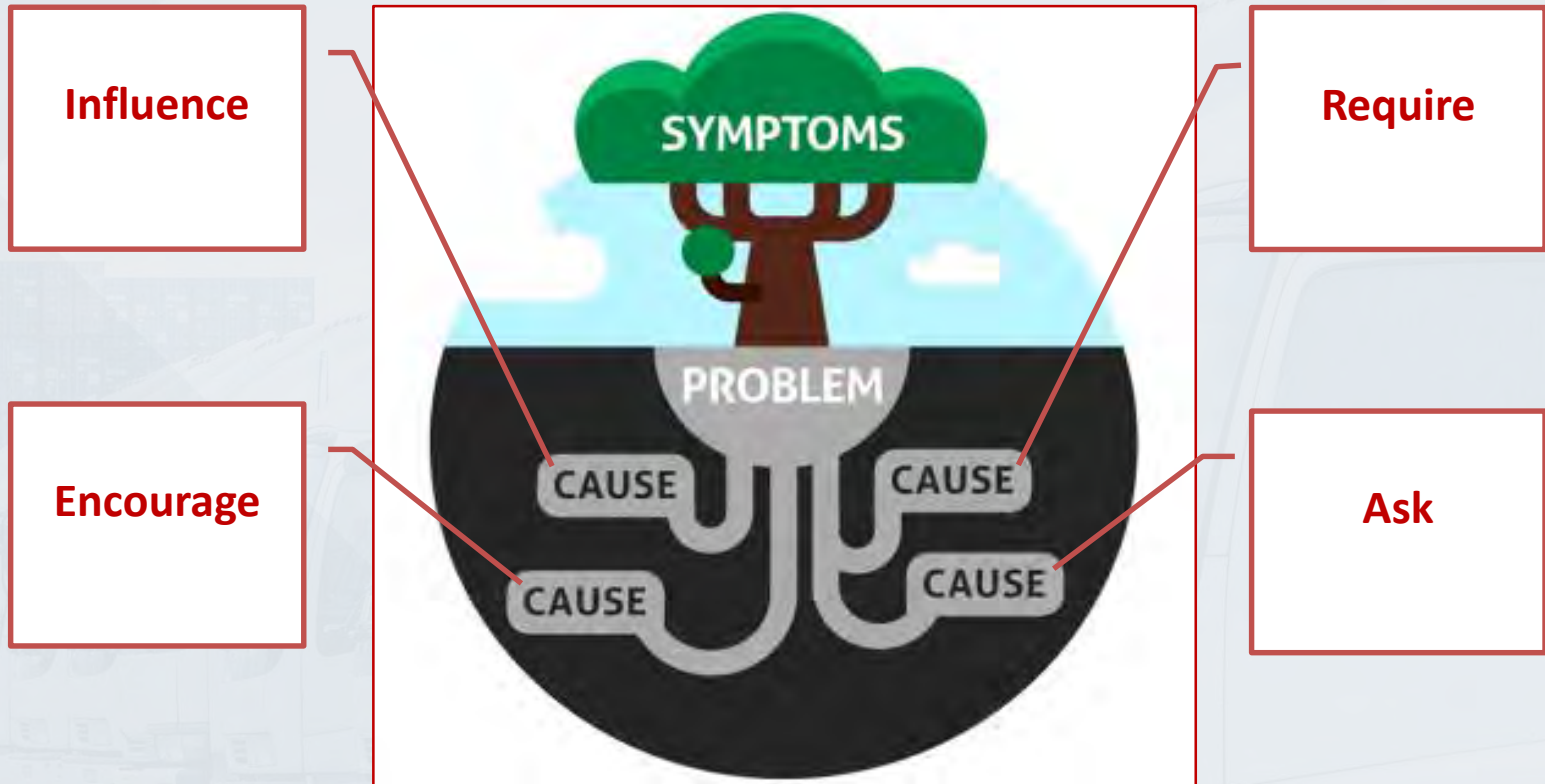
- Liable parties:
  - Executive Officers
  - Operators
  - Prime Contractors
  - Employers
  - Consignors (Sender)
  - Consignees (Receiver)
  - Schedulers
  - Loaders/Unloaders
  - Packers
  - Loading Managers



# Chain of Responsibility



# How does CoR Work?





## CASE STUDY - Infrastructure Project

An investigation revealed extreme mass breaches by operators sub-contracted transporting rock spoil (some in excess of 160% overloaded).

### Investigations included:

- Prime Contractor
- Operators
- Loaders
- Loading Managers
- Consignees (Receivers)

Combination	Gross Range
Semi	Legal (42.5t) – 57.5t
Truck & Tri	Legal (45t) – 58.32t
Truck & Quad	Legal (47.5t) – 57.76t

### Remedies – Ten (10) Improvement Notices

- On-board mass monitoring
- Signage on trucks/trailers (mass limits)
- Scales on loading equipment
- Feedback/reporting systems
- Training/supervision





# Managing with Chain of Responsibility

## System to address overloading:

- The Parties
- The Load
- The Driver
- The Vehicle
- The Road Conditions



# Managing Overloading

- **The Parties**

- Governance (Contractual arrangements)
- Assurance (System check)
- Engagement (Consultation)
- Review (Continual improvement)





## The Load





## The Load



# Managing Overloading

- **The Load**
  - Weight (Mass Limits)
  - Packaging (Properly packed)
  - Position (Weight distribution)
  - Restraint (Secured)



## The Driver



# The Driver



# Managing Overloading

- **The Driver**
  - Recruitment
  - Training
  - Consultation
  - Supervision
  - Direction





## The Vehicle



## The Vehicle

# Managing Overloading

- **The Vehicle**
  - Right vehicle
  - Right combination





## The Road



## The Road

# Managing Overloading

- **The Road Conditions**
  - Suitable for the vehicle
  - Suitable for the load
  - Weather



# Why have Chain of Responsibility?

- Places responsibility on those who can control/influence safe practice
- Encourages supervision & management
- Preventative – focus upon managing risk
- Reduce incentives and commercial benefits
- Treats the causes of offending
- Improves safety and productivity

# Questions?

Michael Crellin

Manager, Chain of Responsibility  
National Heavy Vehicle Regulator

[michael.crellin@nhvr.gov.au](mailto:michael.crellin@nhvr.gov.au)

Ph: (07) 3309 8577