



## Work health and safety procedure

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# Heavy vehicle operations – chain of responsibility

Managing the risks of working with heavy vehicles, including chain of responsibility.

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# Overview

Under the [Heavy Vehicle National Law](#) (HVNL) chain of responsibility (CoR) provisions, every person in the transport supply chain (supply chain) has a responsibility to ensure the safe and legal transport of goods. This places legal obligations on all parties who operate in the supply chain.

Under CoR, all [parties who influence, direct or control transport operations in the supply chain](#) share responsibility for compliance with the law and for the safety of heavy vehicle operations, even if they have no direct role in driving or operating a heavy vehicle.

Roads and Maritime Services has processes in place to facilitate compliance with its obligations under the HVNL and state laws, including the [Work Health and Safety Act 2011](#) (WHS Act), [Work Health and Safety Regulation 2017](#) (WHS Regulation) and relevant codes of practice.

This procedure works in conjunction with the [Heavy vehicle operations – chain of responsibility framework](#). The framework sets out how CoR is integrated into the OneRMS SMS and how WHS processes are applied to manage CoR risks as an integral part of work health and safety.

Figure 1 shows the key aspects of this procedure and summarises the associated legislative requirements.

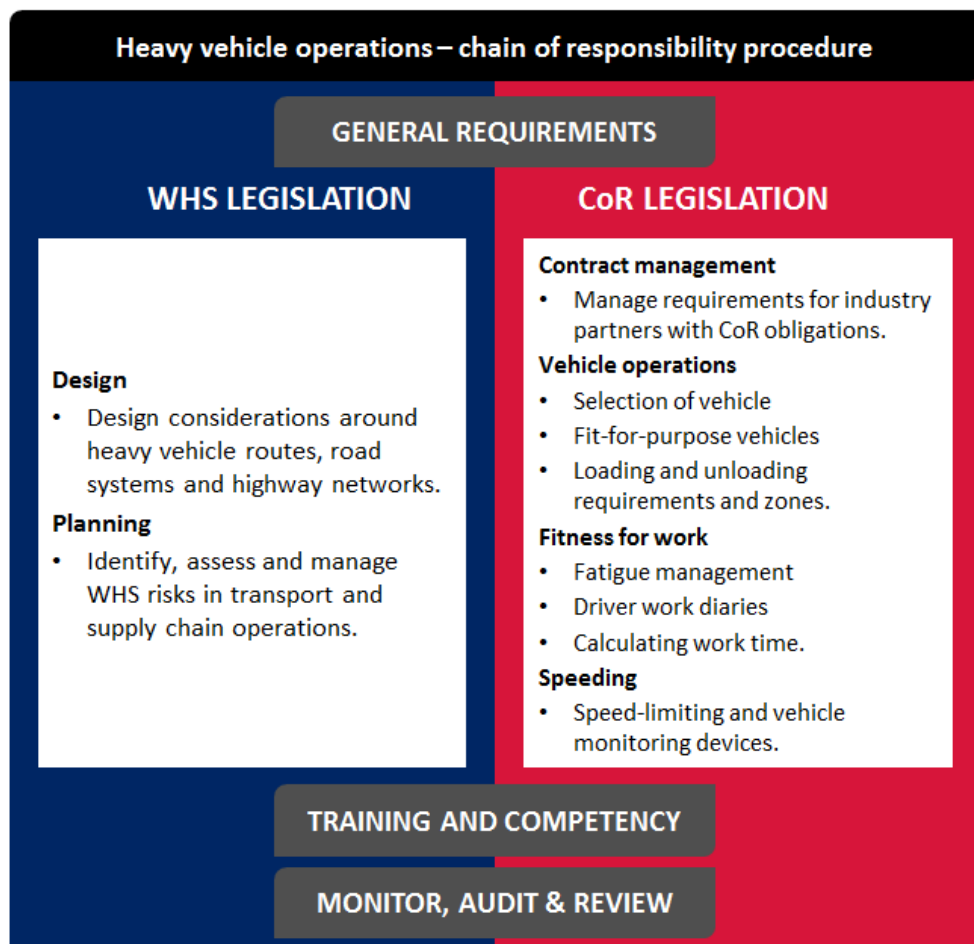


Figure 1: Key aspects of this procedure

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# Introduction

## Purpose

Roads and Maritime provides a systematic process for managing risks associated with the operation of heavy vehicles.

This procedure:

- Describes minimum expectations for ensuring CoR requirements are identified, applied and systematically managed across Roads and Maritime's operations
- Details the key responsibilities for parties in the supply chain relevant to Roads and Maritime's operations
- Provides guidance to Roads and Maritime staff in managing WHS risks and preventing breaches during heavy vehicle operations.

While this procedure outlines specific CoR requirements for Roads and Maritime, any underpinning general WHS processes such as risk management; assurance; occurrence management; and consultation, coordination and cooperation must be conducted in accordance with the [OneRMS SMS manual and frameworks](#) and the [heavy vehicle operations – chain of responsibility framework](#).

This procedure does not apply to non-heavy vehicles (eg light vehicles or powered mobile plant).

## Scope

This procedure applies to all:

- Roads and Maritime transport and supply chain activities associated with heavy vehicles owned or hired by Roads and Maritime
- Roads and Maritime workers and industry partners undertaking work for Roads and Maritime.

The CoR requirements apply to heavy vehicles. Heavy vehicles might be:

- Owned or hired by Roads and Maritime
- Used by industry partners (eg contractors and their subcontractors) to:
  - undertake work for Roads and Maritime
  - supply goods and materials to Roads and Maritime.

Under the HVNL, a road-going vehicle that has a gross vehicle mass (GVM) of more than 4.5 tonnes must meet a number of requirements in relation to mass, dimension, loading and speed. Vehicles that have a GVM or gross combination mass (GCM) of more than 12 tonnes, or a bus with a GVM of more than 4.5 tonnes designed to carry more than 12 people including the driver, are fatigue-regulated heavy vehicles and are subject to requirements in relation to fatigue management.

A heavy vehicle is determined by its GVM rating, not the load it is carrying at the time. When a heavy vehicle is returning to its depot without a load, there are still legislative obligations regarding speed and fatigue which must be complied with.

# Managing the risk of heavy vehicle transport

## 1 General requirements

Roads and Maritime must ensure that:

- All processes, including procurement, meet the legislative and CoR requirements outlined in this procedure, eg heavy vehicles contracted or hired for Roads and Maritime work must comply with the HVNL and CoR requirements
- The actions, inactions or demands of workers do not place unreasonable demands on drivers and other parties within the supply chain.

### 1.1 CoR risks and risk controls

The CoR provisions are concerned with managing the risks and implementing risk controls for heavy vehicle operations in relation to:

- Load restraint
- Mass
- Dimensions
- Fatigue
- Speeding
- Vehicle standards (including maintenance).

### 1.2 CoR activities

Under the CoR, all parties who influence, direct or control transport operations in the supply chain share responsibility for compliance with the law and for the safety of heavy vehicle operations – even if they have no direct role in driving or operating a heavy vehicle.

Roads and Maritime carries out activities such as:

- Transporting bulk materials (eg from quarry to worksite)
- Purchasing bulk (loose or packaged) materials
- Operating and driving heavy vehicles (Roads and Maritime owned, lease, dry hire)
- Engaging industry partners to operate heavy vehicles (wet hire)
- Engaging industry partners to undertake projects on which heavy vehicles are used.

Consequently, Roads and Maritime has CoR requirements for heavy vehicle safety as part of the various roles it has in the supply chain.

### 1.3 Responsible parties in the supply chain

All participants in the supply chain (see Table 1) must ensure that:

- All reasonably practicable steps are taken to prevent a breach under the CoR provisions of the legislation for any heavy vehicle movements they direct, control or influence
- They adhere to safe practices with respect to heavy vehicle operations

- Risks to health and safety (of workers, road users and the public) arising from heavy vehicle operations are eliminated or minimised so far as is reasonably practicable.

All parties in the supply chain hold a shared responsibility and can be held liable for offences.

The [Chain of responsibility checklist](#) helps to identify what role or roles an organisation or individual may play in the heavy vehicle transport operation.

CoR obligations apply regardless of functions, titles and responsibility defined by the organisation. The obligations arise from the activities described in Table 1 (and see definitions in section 5 of the [HVNL](#)).

Table 1: Overview of CoR roles and their responsibilities

CoR role description	Summary of CoR responsibilities
<p><b>Prime contractor:</b> A person who engages a driver to drive a heavy vehicle under a contract for services.</p> <p><b>Note:</b> <i>Roads and Maritime is a prime contractor when it directly engages or contracts with drivers of heavy vehicles.</i></p> <p><i>Roads and Maritime is not considered the prime contractor in circumstances where it has no direct contractual relationship with the subcontractors who drive the heavy vehicles.</i></p> <p>See information sheet <a href="#">Prime contractors</a></p>	<p><b>Mass:</b> Heavy vehicles do not exceed mass limits.</p> <p><b>Dimension:</b> Loads do not extend beyond the legislated safe envelope of the vehicle.</p> <p><b>Loading:</b> Loads are secure.</p> <p><b>Speed:</b> Drivers do not exceed the maximum speed limit or a lower posted speed limit.</p> <p><b>Fatigue:</b> Drivers do not exceed permissible driving hours or drive while fatigued.</p>
<p><b>Employer:</b> A person who employs the driver of a heavy vehicle.</p> <p><b>Note:</b> <i>Roads and Maritime employs a number of drivers and therefore has CoR obligations.</i></p> <p>See information sheet <a href="#">Employers</a></p>	
<p><b>Operator</b> of a heavy vehicle: A person who is responsible for controlling or directing the use of a heavy vehicle.</p> <p><b>Note:</b> <i>Roads and Maritime is the operator of the heavy vehicles it owns and of any heavy vehicles it leases or otherwise directly controls.</i></p> <p>See information sheet <a href="#">Operators</a></p>	
<p><b>Consignor:</b> A person who engages, directly or indirectly (including through an agent or other party), a heavy vehicle operator to transport goods to a consignee using the heavy vehicle.</p> <p><b>Note:</b> <i>Roads and Maritime is a consignor for the transport of loads (including materials or plant) which are provided to Roads and Maritime for its projects and activities.</i></p> <p>See information sheet <a href="#">Consignors</a></p>	



CoR role description	Summary of CoR responsibilities
<p><b>Loader:</b> A person who loads the vehicle, a freight container (whether or not it contains goods) or any container that is in or part of the vehicle, with the goods for road transport.</p> <p>See information sheet <a href="#">Loaders/Unloaders</a></p>	
<p><b>Loading manager:</b> A person who manages or controls premises where goods are regularly loaded onto or unloaded from a heavy vehicle or a person who is responsible for supervising, managing or controlling (directly or indirectly) activities carried out by a loader or unloader of goods at the premises.</p> <p>See information sheet <a href="#">Loading managers</a></p>	
<p><b>Unloader:</b> A person who removes goods from a heavy vehicle that have been transported by road (including freight containers or any container that is in or part of the vehicle heavy vehicle).</p> <p><b>Note:</b> <i>Roads and Maritime must ensure unloading activities do not cause a driver to commit a fatigue breach or exceed a speed limit (eg due to insufficient unload allocation time or delays in unloading).</i></p> <p>See information sheet <a href="#">Loaders/Unloaders</a></p>	<p><b>Speed:</b> Drivers do not exceed the maximum speed limit or a lower posted speed limit.</p> <p><b>Fatigue:</b> Drivers do not exceed permissible driving hours or drive while fatigued.</p>
<p><b>Packer:</b> A person who packs or assembles packaged goods on a vehicle or supervises or manages or controls such an activity.</p> <p>See information sheet <a href="#">Packers</a></p>	<p><b>Mass:</b> Heavy vehicles do not exceed mass limits.</p> <p><b>Dimension:</b> Loads do not extend beyond the legislated safe envelope of the vehicle.</p> <p><b>Loading:</b> Loads are secure.</p>
<p><b>Scheduler:</b> A person who schedules the transport of any goods or passengers by the vehicle or schedules the work times and rest times of the vehicle's driver.</p> <p><b>Note:</b> <i>Roads and Maritime staff, such as work supervisors who set rosters or team leaders who amend rosters for drivers, are considered schedulers under CoR.</i></p> <p>See information sheet <a href="#">Schedulers</a></p>	<p><b>Speed:</b> Drivers do not exceed the maximum speed limit or a lower posted speed limit.</p> <p><b>Fatigue:</b> Drivers do not exceed permissible driving hours or drive while fatigued.</p>
<p><b>Consignee:</b> A person who is named or identified as the intended recipient of goods or has actually received the goods after they have been transported by heavy vehicle (but does not include a person who merely unloads the goods).</p> <p><b>Note:</b> <i>A consignee must not make a demand that causes a driver to breach, or contributes to them breaching, a CoR provision – such as requesting an unreasonable delivery time that causes the driver to overload the vehicle, commit a fatigue breach or exceed a speed limit.</i></p> <p>See information sheet <a href="#">Consignees</a></p>	<p><b>Loading:</b> Loads are secure.</p> <p><b>Speed:</b> Drivers do not exceed the maximum speed limit or a lower posted speed limit.</p> <p><b>Fatigue:</b> Drivers do not exceed permissible driving hours or drive while fatigued.</p>

Parties in the supply chain must ensure their activities or requirements are reasonable in the circumstances and do not require or encourage a driver to:

- Exceed the speed limits
- Exceed regulated driving hours
- Fail to meet the minimum rest requirements
- Drive while impaired by fatigue.

All parties must regularly consult with other parties in the supply chain to identify risks or issues that may contribute to HVNL breaches.

The [Heavy vehicle driver handbook](#) helps drivers understand their responsibilities and the rules and regulations that apply to drivers and their heavy vehicles.

See [Chain of responsibility – Your role](#) for more information.

## 2 Design

Roads and Maritime must ensure that the planning and design of heavy vehicle routes, road systems and highway networks take into consideration heavy vehicle operations and ensure risks are eliminated or minimised, so far as is reasonably practicable.<sup>1</sup>

Designers should consider (but not be limited to):

- During network design:
  - Provision and/or maintenance of appropriate rest areas that accommodate fatigue management and rest provisions for heavy vehicle operators
  - Human factors relating to heavy vehicle operations or other motorists interacting with heavy vehicles.
- During network construction or maintenance:
  - Opportunities to reduce the requirement for heavy vehicle use through effective earthworks balance and minimising double-handling of materials
  - Specification of materials or designs that could introduce supply chain risks, heavy loads, dimension restrictions and increased heavy vehicle movements
  - Provision of manufactured, pre-cast or modular systems that are designed and/or specified for safe loading and unloading.

## 3 Planning activities

Roads and Maritime – in consultation with key stakeholders and industry partners – must identify, assess and manage WHS risks in supply chain operations and ensure compliance with CoR requirements during the planning stage. This includes:

- Reviewing activities to identify supply chain activities or involvement of heavy vehicles to move goods or supplies or to complete works
- Reviewing work procedures or plans to ensure that work practices requiring heavy vehicle use comply with CoR requirements

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<sup>1</sup> While design and planning requirements arise from the application of WHS principles to the management of risks in regard to heavy vehicles operations – these are not stated as part of the HVNL.

- Planning routes to ensure that routes are suitable, safe and approved by Roads and Maritime. The approved routes in NSW are published on [Roads and Maritime interactive maps](#).
- Identifying supply chain arrangements and related WHS risks in risk registers or other risk assessment outputs
- Managing risks of heavy vehicles used for, or to support, work with Roads and Maritime
- Seeking assurance in the planning and tender stages that there are processes in place to ensure heavy vehicle operations comply with the HVNL
- Ensuring loading, unloading and operational activities have an accepted safe work method statement (SWMS) or risk-assessed procedure established; and methods align with any other applicable Roads and Maritime procedures.

## 4 CoR and contract management

Industry partners who work with Roads and Maritime must have appropriate systems in place to meet their obligations under the HVNL legislation and to ensure compliance with CoR requirements. In managing CoR hazards and risks, industry partners must consider the full extent of their obligation to others in the supply chain.

Line managers (including project managers) must ensure that Roads and Maritime's requirements relating to CoR compliance are included in contracts that may involve heavy vehicle use. When contracting services, line managers must consider, in collaboration with key stakeholders, whether the service has CoR obligations. If there are CoR obligations:

- The selection process and criteria should consider whether the industry partner has demonstrated they have safety management systems in place that enable compliance with legislated CoR requirements
- The contract must include requirements regarding compliance with CoR obligations
- Line managers must monitor and manage the industry partner's compliance with CoR requirements (and this should be reflected in the relevant contract).

### 4.1 CoR contract requirements

Roads and Maritime requires industry partners with CoR obligations to:

- Comply with the HVNL and regulations governing the supply chain for the work
- Develop a CoR management plan – see section 4.2
- Not commence any work on a site until the CoR management plan has been submitted to and approved by Roads and Maritime
- Update the CoR management plan (as required) throughout the duration of the work
- Report on CoR performance in monthly progress reports.

## 4.2 CoR management plans

A CoR management plan must be submitted to and approved by Roads and Maritime. As a minimum, it must contain the following:

- Descriptions of CoR functions
- Hazard identification and risk analysis
- Occurrence reporting processes (eg near misses, incidents, infringements)
- Evidence that legal obligations under the HVNL and state laws are being met
- Safety metrics
- Organisation chart showing team structure and defining CoR responsibilities
- Key personnel, with descriptions of their positions, qualifications and reporting lines
- Communication protocols
- Resource management.

In addition to these requirements, it is recommended that the CoR management plan also refers to other standard quality system requirements such as training, assurance plan, records management, non-conformance, audit and change management.

The CoR management plan must also demonstrate how the industry partner will:

- Manage interfaces with stakeholders, suppliers and subcontractors
- Deal with relevant regulators and authorities.

A CoR management plan can be a stand-alone document or form part of a safety management plan.

## 5 Vehicle operations – vehicle standards, mass, dimension and loading

Appendix A identifies the length, width and height dimension limits for heavy vehicles as set out in the [Heavy Vehicle \(Mass, Dimension and Loading\) National Regulation \(NSW\)](#).

See the fact sheets [Dimension Requirements and the Chain of Responsibility](#), [Mass Limits and the Chain of Responsibility](#) and [Loading Requirements and the Chain of Responsibility](#).

### 5.1 Selection of vehicle

Vehicle standards must comply with requirements under the [Heavy Vehicle \(Vehicle Standards\) National Regulation \(NSW\)](#) (the Vehicle Standards Regulation).

Vehicles must be selected for the actual load to be transported, taking into account the:

- Design and construction (eg timber or steel deck; open-sided or side-gated; high or low bed; twist locks fitted; open or closed body; restraint and tie-down points)
- Maximum carrying capacity and distribution of loads

- Route and location for delivery, including consideration of safe loading and unloading (eg side loaders or side tippers where environmental hazards such as unstable ground, zone of influence, exist)
- Length, height and width of the loading deck in order that a load can be contained within the vehicle if possible and to avoid the need for an escort.

If a vehicle appears to be in poor repair, or inappropriate for the task, do not load the vehicle.

## 5.2 Fit-for-purpose vehicle requirements

Vehicle standards must comply with requirements under the Vehicle Standards Regulation. All heavy vehicles must be regularly serviced, well maintained, roadworthy and safe to operate.

Line managers must ensure processes are in place and heavy vehicles owned, leased or operated by Roads and Maritime:

- Are fit for purpose
- Comply with [Australian Design Rules](#) (including speed-limiting devices)
- Conform with contractual specification [G22/J – Truck and Plant Requirements](#)
- Have documented vehicle inspection and checking instructions, including processes for recording checks
- Are marked appropriately with warning signs such as 'long vehicle' or 'road train' or any associated hazards signs required for dangerous goods.

All heavy vehicles must be fitted with an emission control system. These must not be tampered with.

See the fact sheet [Heavy Vehicle Roadworthiness, Vehicle Registration and Driver Licensing](#).

### 5.2.1 Roads and Maritime heavy vehicles (owned or leased)

Roads and Maritime must maintain a register of Roads and Maritime owned, leased or operated heavy vehicles. The register must contain:

- A unique identifier
- Vehicle description (including make, model and year)
- Registration details
- Registered GVM or GCM
- Vehicle manufacturer's GVM or GCM
- Maintenance and servicing details.

Heavy vehicles owned, operated or leased by Roads and Maritime must carry:

- Work instructions issued to drivers and maintenance workers, including load limits
- A vehicle running sheet, kept in the vehicle
- Vehicle inspection and check forms
- Defect report forms.

## 5.2.2 Roads and Maritime heavy vehicles (dry hire, wet hire and subcontracted)

Line managers must ensure, or have processes in place to ensure that:

- Roads and Maritime CoR requirements are included in heavy vehicle service supply contracts
- Industry partners provide assurance that compliance with the HVNL is monitored and managed.

Where CoR duties are applicable to a contract, industry partner selection and procurement must ensure that the industry partner can demonstrate formal and systematic processes for managing WHS risks, including CoR requirements.

Managers contracting heavy vehicles for Roads and Maritime work must ensure industry partners:

- Maintain a register of the vehicles to be used, including subcontractor vehicles
- Have formal processes that:
  - Demonstrate compliance with vehicle loading requirements
  - Record vehicle journeys in accordance with the requirements of the HVNL
  - Provide evidence of their process to manage vehicle non-conformances
  - Provide evidence that subcontractors comply with the industry partner's CoR requirements.

Industry partners using heavy vehicles for Roads and Maritime work must demonstrate an effective vehicle maintenance system, including:

- Vehicle logbooks
- Processes for reporting vehicle faults and managing defects and repairs
- Vehicle maintenance schedules and records.

## 5.2.3 Meeting CoR obligations

Responsible parties must take all reasonably practicable steps to meet CoR obligations. A summary of responsibilities is provided in Table 2.

*Table 2: Key supply chain responsibilities – vehicle requirements*

Party	Key responsibilities – vehicle requirements
<b>Consignor</b>	Ensure other parties in the supply chain are aware of any known constraints or hazards that may affect vehicle selection.
<b>Prime contractor, operator, scheduler, manager</b>	<ul style="list-style-type: none"><li>▪ Ensure vehicles:<ul style="list-style-type: none"><li>– Selected and scheduled are fit for purpose and appropriate to the load</li><li>– Are not loaded to exceed mass or dimension limits and are appropriately restrained</li><li>– Are maintained in accordance with Original Equipment Manufacturer instructions and other applicable standards</li><li>– Comply with <a href="#">Australian Design Rules</a> (including speed-limiting devices)</li></ul></li><li>▪ Maintain a process for reporting vehicle faults and managing defects and repairs.</li></ul>

Party	Key responsibilities – vehicle requirements
<b>Loading manager, packer/loader</b>	<p>Ensure vehicles are loaded:</p> <ul style="list-style-type: none"> <li>▪ In a way that is suitable for the load or journey required</li> <li>▪ Such that restraints and other equipment are used only in accordance with Original Equipment Manufacturer instructions.</li> </ul>
<b>Driver</b>	<ul style="list-style-type: none"> <li>▪ Ensure the: <ul style="list-style-type: none"> <li>– Vehicle is suitable for the intended load and journey</li> <li>– Vehicle is inspected before use and regularly throughout the journey</li> <li>– Running sheet is maintained</li> <li>– Load restraint devices, dunnage, other equipment or supports are fit for purpose and regularly inspected</li> </ul> </li> <li>▪ Respond to any identified malfunction or defect and report these to base.</li> </ul>
<b>Unloader</b>	<p>Ensure:</p> <ul style="list-style-type: none"> <li>▪ Other parties in the supply chain are aware of any known constraints or hazards that may affect safe unloading</li> <li>▪ Unloading or handling plant or devices (eg vehicle-mounted loading crane, outrigger) are functioning correctly and are fit for purpose before use.</li> </ul>
<b>Consignee</b>	<p>Ensure other parties in the supply chain are aware of any known constraints or hazards that may affect vehicle selection.</p>

### 5.3 Loading and unloading requirements

Heavy vehicles must comply with the requirements under the [Heavy Vehicle \(Mass, Dimension and Loading\) National Regulation \(NSW\)](#) (the Mass, Dimension and Loading Regulation).

Line managers must ensure heavy vehicles operate and comply with the dimension limits and ground clearance requirements set out in clause 37 and Schedule 6 of the Mass, Dimension and Loading Regulation.

Loading managers must ensure that vehicle loading complies with the requirements of clause 38 and Schedule 7 of the Mass, Dimension and Loading Regulation, and that:

- Vehicles are loaded so they are stable and safe and remain fit for purpose for the route and environmental conditions (including weather)
- Loads do not exceed legal mass and dimension limits, and total load weights are recorded
- An appropriate method is used to restrain the load on a heavy vehicle so it is unlikely to fall or be dislodged from the vehicle
- If a driver appears fatigued, the loading manager stops the loading and contacts their line manager
- Relevant supply chain parties are given accurate information about:
  - The load's dimensions and weight
  - The load's contents, including container manifests where required
  - Special requirements, eg dangerous goods or placarded load.

A container weight declaration (CWD) is required when transporting a freight container on a road using a heavy vehicle, regardless of whether the container is loaded or empty. A CWD is a written declaration of the weight of a container and its contents. It



may be either in hard copy or electronic form, or a placard attached to the container, and must include the following information:

- Weight of the container, including its contents
- Container number and other details necessary to identify the container
- Name and residential address, or business name and address, in Australia of the responsible entity for the freight container
- Date of declaration.

Loads must always be packed, located and restrained in a way that allows safe loading and unloading, including consideration of multiple deliveries and sequences.

Line managers must ensure loading and unloading methods for deliveries are considered when accepting orders and determining load method and load configuration.

Loading managers and drivers must ensure the load on the vehicle is safe, balanced and appropriately restrained in accordance with the [NTC Load Restraint Guide](#). The driver, while not a party in the supply chain, still has responsibility to check loads are secure and restrained.

Generic load plans may include the calculated (and verified) restraint requirement for the load carried on a particular vehicle. Engineer-designed load and restraint systems may be required for non-typical loads.

Appendix B lists questions to consider when addressing load restraint obligations.

### 5.3.1 Meeting CoR obligations

Responsible parties must take all reasonably practicable steps to meet CoR obligations. A summary of responsibilities is provided in Table 3.

*Table 3: Key supply chain responsibilities – loading and unloading requirements*

Party	Key responsibilities – loading and unloading requirements
<b>Consignor</b>	<ul style="list-style-type: none"><li>▪ Ensure:<ul style="list-style-type: none"><li>– Loads do not exceed mass or dimension limits and are appropriately restrained</li><li>– Other parties in the supply chain are aware of any known constraints or hazards that may affect safe transport</li></ul></li><li>▪ Prepare a complying CWD and ensure operators or drivers carrying freight containers have a valid CWD.</li></ul>
<b>Prime contractor, operator, scheduler, manager</b>	<ul style="list-style-type: none"><li>▪ Ensure:<ul style="list-style-type: none"><li>▪ Vehicles selected and scheduled are fit for purpose and appropriate to the load</li><li>▪ Vehicles are not loaded to exceed mass or dimension limits and are appropriately restrained</li><li>▪ Operators carrying freight containers have a valid CWD before commencement of journey.</li></ul></li></ul>



Party	Key responsibilities – loading and unloading requirements
<b>Loading manager, packer/loader</b>	<p>Ensure:</p> <ul style="list-style-type: none"> <li>▪ Vehicles are loaded such that they can be unloaded safely and that risk is minimised so far as is reasonably practicable</li> <li>▪ Vehicles are not loaded if not fit for purpose</li> <li>▪ Vehicles are not loaded without their mass and dimension information being known</li> <li>▪ Loads do not exceed vehicle mass or dimension limits, do not cause the vehicle to exceed mass limits, and are placed and secured in a way that will not allow them to become unstable, move or fall from a vehicle</li> <li>▪ Goods packed in a freight container do not cause the container's gross weight or safety approval rating to be exceeded</li> <li>▪ Drivers are provided with reliable weight information before commencing a journey.</li> </ul>
<b>Driver</b>	<p>Ensure:</p> <ul style="list-style-type: none"> <li>▪ Vehicles are not loaded to exceed mass or dimension limits of the vehicle</li> <li>▪ Loads are secured and restrained, and remain so for the duration of the journey</li> <li>▪ Load restraint devices, dunnage and other equipment and supports are fit for purpose and regularly inspected</li> <li>▪ They carry a valid CWD before commencing a journey and produce it for an authorised officer when requested to do so.</li> </ul>
<b>Unloader</b>	<p>Ensure:</p> <ul style="list-style-type: none"> <li>▪ Other parties in the supply chain are aware of any known constraints or hazards that may affect safe unloading</li> <li>▪ Vehicles are unloaded safely and risk is minimised so far as is reasonably practicable</li> <li>▪ Unloading zones are established and separated from people and plant.</li> </ul>
<b>Consignee</b>	<p>Ensure:</p> <ul style="list-style-type: none"> <li>▪ Loads do not exceed mass or dimension limits and are appropriately restrained</li> <li>▪ Operators or drivers carrying freight containers have a valid CWD.</li> </ul>

See the fact sheets [Dimension Requirements and the Chain of Responsibility](#), [Mass Limits and the Chain of Responsibility](#) and [Loading Requirements and the Chain of Responsibility](#).

## 5.4 Loading and unloading zones<sup>2</sup>

Roads and Maritime workplaces requiring loading and unloading in normal operations (eg construction sites, or warehouse or logistics activities) must ensure the workplace layout is designed so far as is reasonably practicable to separate people (eg drivers and other workers) from mobile plant and other vehicles.

Access to loading and unloading zones must be controlled at all times, including an exclusion zone (see Figure 2). Line managers must ensure an approved traffic management plan is established in accordance with the procedure *Working with mobile plant*.<sup>3</sup>

<sup>2</sup> Workplace access requirements for loading arise from the application of WHS principles – these are not stated as part of the HVNL.

<sup>3</sup> To be developed in 2018

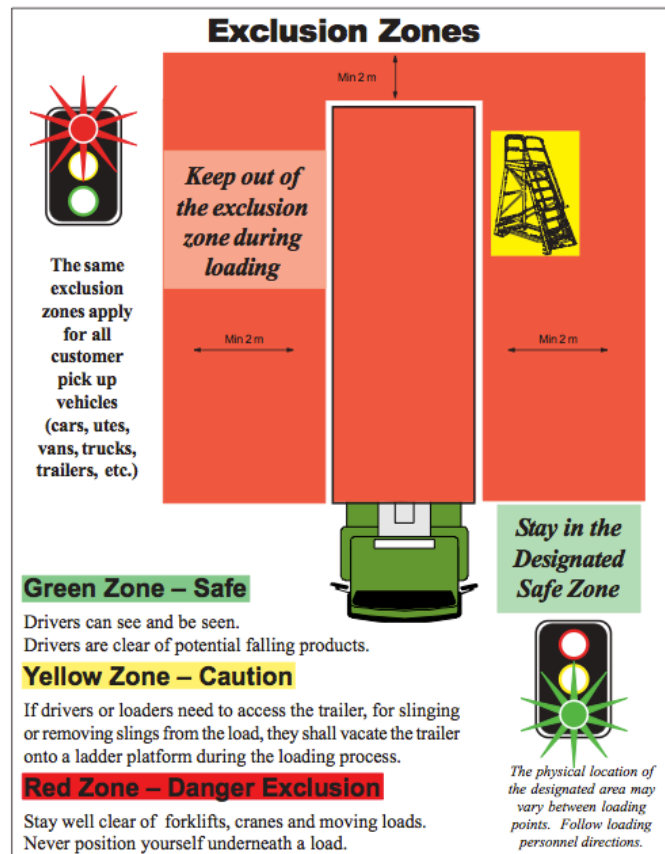


Figure 2: Example – Standard exclusion zone

Loading managers must:

- Ensure risk-based loading and unloading operational procedures are in place
- Authorise and control loading and unloading work
- Ensure the physical separation of loading and unloading equipment from drivers and other pedestrians, including (but not limited to):
  - Designated pedestrian exclusion zones for the sole purpose of loading equipment, demarcated as appropriate for that working environment
  - Designated driver safety zones located to keep the driver away from the loading or unloading work
  - Defined methods for communicating between the driver and the person loading or unloading
  - Effective methods to warn other drivers and pedestrians about the loading or unloading work in progress.
- Specify goods and materials that eliminate or minimise the need to access heights (eg pre-slung materials, ground-accessible rated lifting points, designed access platforms, palletised goods)
- Ensure materials and goods are handled with fit-for-purpose plant and lifting equipment
- Consider risk factors in the loading or unloading work eg environmental conditions (including weather and adequate lighting)
- Ensure vehicles are unloaded on a smooth surface so that the load is less likely to become unstable during the process.

## 6 Driver fitness for work

Drivers must be medically fit to operate a heavy vehicle, must not be affected by drugs and/or alcohol (see the procedure [Drugs and alcohol](#)) and must not be impaired by fatigue.

Line managers must:

- Ensure drivers remain fit to operate a heavy vehicle
- Intervene if they believe the driver of a heavy vehicle is not fit to drive
- Ensure that driver medical requirements are managed in accordance with Roads and Maritime's fitness for work procedures and contractor management processes – see Austroads' [Assessing fitness to drive](#).

It is recommended that drivers of heavy vehicles performing work for Roads and Maritime undergo a medical assessment before being allowed to drive.

Medical reviews are required for drivers with a class MC licence:

- At age 21, and then every 10 years
- At age 40, and then every five years
- At age 60, and then every two years
- At age 70, and then every year.

### 6.1 Fatigue management

Fatigue management of heavy vehicle operators must be managed as set out in the procedure [Fatigue](#) and in accordance with the [Heavy Vehicle \(Fatigue Management\) National Regulation \(NSW\)](#) (the Fatigue Management Regulation).

Line managers must ensure or have processes in place to ensure that:

- Impractical timeframes are not placed on transport services, such as suppliers, operators and drivers
- Drivers adhere to their work and rest requirements (see Appendix C)  
**Note:** *Good practice is to have a continuous 15-minute break after each two hours of driving and a limit of 10 hours driving time per day.*
- Contracted heavy vehicle suppliers provide assurance of processes for monitoring their drivers' maximum work and minimum work rest hours or an accredited fatigue management system
- Contracted heavy vehicle suppliers provide assurance of processes that comply with the Fatigue Management Regulation and National Heavy Vehicle Regulator (NHVR) defined standards, including:
  - Planning schedules and rosters within legal limits
  - Ensuring drivers are provided with sufficient time off to recover from or to prepare for the effects of fatigue at work
  - Maintaining up-to-date drivers' work records, including of individual driving hours.

When contracting services, line managers must seek assurance that:

- Consignment and commercial contracts do not cause, encourage, reward or provide an incentive for a driver or any other party in the supply chain (eg scheduler) to break any road transport law
- Contracted heavy vehicle suppliers can demonstrate compliance with NHVR fatigue management requirements, including mandating that the driver of a fatigue-regulated heavy vehicle complete a driver work diary, as part of their fatigue management process – see section 6.2.

Refer to the National Heavy Vehicle Accreditation Scheme (NHVAS), which allows heavy vehicle operators to apply for an accredited fatigue management system.

## 6.2 Driver work diaries

Under the Fatigue Management Regulation, driver work diaries are required when a journey exceeds 100 kilometres from base. Driver work diaries are used to record driver details, which at a minimum must include:

- The vehicle driven
- Whether the driver is operating under standard hours (if the contracted organisation does not have an accredited fatigue management system), basic fatigue management (BFM) or advanced fatigue management (AFM) hours
- The total time of work and the total time of rest in the driver's day.

Appendix C sets out the work and rest requirements for drivers.

Works supervisors must ensure:

- Records are kept for Roads and Maritime employed heavy vehicle drivers
- Roads and Maritime drivers use a driver work diary or electronic work diary (unless an exemption applies – see section 6.2.2)
- Contracted heavy vehicle suppliers use driver work diaries.

Line managers must monitor Roads and Maritime heavy vehicle drivers' compliance by conducting regular audits of drivers' timesheets and driver work diaries.

### 6.2.1 Recordkeeping

For Roads and Maritime employed heavy vehicle drivers, a system of recordkeeping must be in place. Under the HVNL the recordkeeper for an employed driver is the driver's employer, while for a self-employed driver (which includes industry partners and owner-drivers) the driver is their own recordkeeper.

The recordkeeper must keep a copy of the driver work diary information for a period of three years. Appendix D provides a complete list of records to be generated for this procedure.

Under the HVNL, when requested by an authorised officer, drivers must be able to produce their driving record for the last 28 days. Driving records (including rest times) must be maintained irrespective of prescribed driver work diary requirements.

## 6.2.2 Exemptions from driver work diary requirements

There are exemptions from the requirement to have a driver work diary, including:

- A driver who is an employee of a local government authority (council) is not required to carry or fill in a work diary if they only drive within the boundaries of the council for which they work, even if they drive more than 100 kilometres from the driver's base
- A driver who is a person engaged in primary production is not required to carry and fill in a work diary if they drive within a 160-kilometre radius of their base
- The [NHVR](#) may also exempt an individual driver or a class of driver from work diary requirements provided specific conditions are met.

Drivers should check whether an exemption applies to them and, if required by Roads and Maritime, provide evidence of their exemption.

## 6.3 Calculating working time

When calculating working time, drivers of heavy vehicles must consider all tasks before and during a work shift, including driving to work. Persons responsible for scheduling transport services or heavy vehicle operators must ensure:

- Workers have been briefed about protocols for calculating working time
- Contracted drivers are aware of and comply with the Fatigue Management Regulation.

## 6.4 Meeting CoR obligations

Responsible parties must take all reasonably practicable steps to meet CoR obligations. A summary of responsibilities is provided in Table 4.

*Table 4: Key supply chain responsibilities – Fatigue*

Party	Key responsibilities – fatigue
<b>Consignor</b>	<ul style="list-style-type: none"><li>▪ Ensure:<ul style="list-style-type: none"><li>– They do not encourage a driver to breach, or place demands that contribute to a driver breaching, CoR provisions</li><li>– Other parties in the supply chain are aware of any known constraints or hazards that may affect safe transport.</li></ul></li><li>▪ Seek assurance that delivery requirements will not require drivers to exceed regulated driving hours, fail the minimum rest requirements, or drive while fatigued.</li></ul>
<b>Prime contractor, operator, scheduler, manager</b>	<ul style="list-style-type: none"><li>▪ Ensure:<ul style="list-style-type: none"><li>– They do not encourage or reward a driver to breach, or provide an incentive or place demands that contribute to a driver breaching, CoR provisions</li><li>– Rosters and schedules do not cause drivers to breach driving hours or speed limits</li><li>– Scheduling takes into consideration route delays, rest stop locations and conditions</li><li>– Drivers do not work in breach of their work or rest hours or while impaired by fatigue.</li></ul></li><li>▪ Assess that a driver is fit for duty</li><li>▪ Record driver activities, work times and rest times.</li></ul>

Party	Key responsibilities – fatigue
<b>Loading manager, packer/loader</b>	<ul style="list-style-type: none"> <li>▪ Ensure: <ul style="list-style-type: none"> <li>– They do not load a vehicle if the driver does not appear fit for duty</li> <li>– Loading a heavy vehicle will not contribute to the driver driving while fatigued</li> <li>– Vehicle loading or unloading does not cause delays, and drivers are advised of any delays of more than 30 minutes.</li> </ul> </li> <li>▪ Work with other off-road parties to make reasonable arrangements to manage loading and unloading times.</li> </ul>
<b>Driver</b>	<ul style="list-style-type: none"> <li>▪ Comply with fatigue management work and rest requirements</li> <li>▪ Keep an accurate work diary and records as required by law</li> <li>▪ Respond to changes in circumstances (eg delays) and report these to base</li> <li>▪ Report any issue that may affect fitness to operate a heavy vehicle.</li> </ul>
<b>Unloader</b>	<ul style="list-style-type: none"> <li>▪ Ensure: <ul style="list-style-type: none"> <li>– Other parties in the supply chain are aware of any known constraints or hazards that may affect safe unloading</li> <li>– Vehicles are unloaded promptly.</li> </ul> </li> </ul>
<b>Consignee</b>	<ul style="list-style-type: none"> <li>▪ Ensure: <ul style="list-style-type: none"> <li>– They do not encourage a driver to breach, or place demands that contribute to a driver breaching, CoR provisions</li> <li>– Other parties in the supply chain are aware of any known constraints or hazards that may affect safe transport.</li> </ul> </li> <li>▪ Seek assurance that delivery requirements will not require drivers to exceed regulated driving hours, fail the minimum rest requirements, or drive while fatigued.</li> </ul>

See the fact sheet [Fatigue Management and the Chain of Responsibility](#).

## 7 Speeding

Drivers of heavy vehicles must not exceed applicable speed limits and must observe cautionary speeds as signposted and applicable to heavy vehicles (eg steep descents). Travel times must cater for contingencies, loading, unloading and load-checking, as well as rest opportunities.

Appendix E lists questions to consider when scheduling and how to comply with speed requirements.

### 7.1 Speed-limiting and vehicle monitoring devices

Except where a lower speed limit applies, heavy vehicles are limited to a maximum speed of 100 kilometres per hour, and specified heavy vehicles must be fitted with speed-limiting devices in accordance with the [Australian Design Rule 65](#). Heavy vehicles that are required to comply with this requirement include trucks exceeding 12 tonnes GVM and buses exceeding five tonnes GVM.

Line managers must ensure that vehicles over 12 tonnes GVM (or over 15 tonnes GVM for pre-1991 vehicles) owned, operated or contracted for work with Roads and Maritime are fitted with speed-limiting devices in accordance with the [Australian Design Rule 65](#). These devices must be set to limit the maximum speed to 100 kilometres per hour and to function correctly.

In-vehicle monitoring systems (IVMS) should be fitted to Roads and Maritime owned or operated heavy vehicles using a risk-based approach.

Line managers must verify that organisations supplying contracted heavy vehicles provide:

- Evidence that a compliant speed limiter is fitted and working correctly (eg specification of limiter, independent confirmation, test records)
- Where requested, reports about their vehicle and driver compliance, including speeding events and actions taken to address non-compliance.

## 7.2 Meeting CoR obligations

Responsible parties must take all reasonable steps to meet CoR obligations. A summary of responsibilities is provided in Table 5.

*Table 5: Key supply chain responsibilities – speed*

Party	Key responsibilities – speed
<b>Consignor</b>	<ul style="list-style-type: none"> <li>▪ Ensure: <ul style="list-style-type: none"> <li>– They do not encourage a driver to breach, or place demands that contribute to a driver breaching, CoR provisions</li> <li>– Other parties in the supply chain are aware of any known constraints or hazards that may affect safe transport.</li> </ul> </li> <li>▪ Seek assurance that delivery requirements will not require drivers to exceed speed limits, including for temporary or construction zones.</li> </ul>
<b>Prime contractor, operator, scheduler, manager</b>	<ul style="list-style-type: none"> <li>▪ Ensure: <ul style="list-style-type: none"> <li>– They do not encourage or reward a driver to breach, or provide an incentive or place demands that contribute to a driver breaching, speed limits</li> <li>– Rosters and schedules do not encourage drivers to breach speed limits</li> <li>– Scheduling takes into consideration route delays, rest stop locations and conditions, loading, unloading and load-checking</li> <li>– Vehicles are maintained and proper functioning speed-limiting devices are fitted.</li> </ul> </li> <li>▪ Record driver activities, work times and rest times.</li> </ul>
<b>Loading manager, packer/loader</b>	<ul style="list-style-type: none"> <li>▪ Work with other off-road parties to make reasonable arrangements to manage loading and unloading times</li> <li>▪ Ensure vehicle loading or unloading does not cause delays, and advise drivers of any delays of more than 30 minutes.</li> </ul>
<b>Driver</b>	<ul style="list-style-type: none"> <li>▪ Obey speed limits and road rules</li> <li>▪ Respond to changes in circumstances (eg delays) and report these to base</li> <li>▪ Ensure the vehicle's speed-limiting device is operational, and report and rectify any defects with the device.</li> </ul>
<b>Unloader</b>	<ul style="list-style-type: none"> <li>▪ Ensure: <ul style="list-style-type: none"> <li>– Other parties in the supply chain are aware of any known constraints or hazards that may affect safe unloading</li> <li>– Vehicles are unloaded promptly.</li> </ul> </li> </ul>

Party	Key responsibilities – speed
Consignee	<ul style="list-style-type: none"> <li>▪ Ensure: <ul style="list-style-type: none"> <li>– They do not encourage a driver to breach, or place demands that contribute to a driver breaching, CoR provisions</li> <li>– Other parties in the supply chain are aware of any known constraints or hazards that may affect safe transport.</li> </ul> </li> <li>▪ Seek assurance that delivery requirements will not require drivers to exceed speed limits, including for temporary or construction zones.</li> </ul>

See the fact sheet [Speeding Compliance and the Chain of Responsibility](#).

## 8 Training and competency

Line managers must ensure CoR training requirements are identified for workers who have (or potentially have) responsibilities in the supply chain.

Foundation CoR training must address:

- The worker's CoR responsibilities
- Legislative requirements, offences and penalties
- What workers must do to mitigate breaches of CoR requirements
- Roads and Maritime's requirements to treat a potential breach as a safety occurrence.

### 8.1 Driver competence

Before being allowed to drive a heavy vehicle, a driver must:

- Be verified as competent as per the procedure [Plant operator training and assessment](#), where it applies
- Have an appropriate current licence (licensing classes: light rigid, medium rigid or heavy rigid, heavy combination or multi-combination).

Contracted parties should be verified in accordance with Roads and Maritime procurement and contract management processes.

Drivers must report any changes to licence status or fitness to drive to their line manager who will determine if authorisation to drive will be revoked.

The [Heavy vehicle driver handbook](#) describes driver responsibilities and the rules and regulations that apply to drivers and their heavy vehicles.

## 9 Monitoring, auditing and reviewing

Line managers must ensure heavy vehicle risks and CoR compliance are monitored, audited and reviewed. This should be based on an assessment of risk but as a minimum on a yearly basis. CoR conformance should be included as part of a manager's scheduled WHS governance and assurance activities.



# Roles and responsibilities

Role	Responsibilities
<b>Roads and Maritime</b> (through its managers from the Executive to the front line) must:	<ul style="list-style-type: none"> <li>▪ Comply with the HVNL and ensure that systems are in place to manage potential WHS risks in relation to heavy vehicle operations</li> <li>▪ Identify, assess and manage WHS risks in supply chain operations and ensure compliance with CoR requirements</li> <li>▪ Consult regularly with other parties in the supply chain to identify risks or issues that may contribute to HVNL breaches.</li> </ul>
<b>Designers</b> must:	<ul style="list-style-type: none"> <li>▪ Ensure that when planning and designing heavy vehicle routes, road systems and highway networks, risks are eliminated so far as is reasonably practicable, and if it is not reasonably practicable to eliminate risks to health and safety, to minimise those risks so far as is reasonably practicable</li> <li>▪ Share information, eg through health and safety in design reports and documents.</li> </ul>
<b>Line managers (including project managers)</b> must:	<ul style="list-style-type: none"> <li>▪ Identify CoR activities that relate to the supply chain</li> <li>▪ Identify and implement the CoR training requirements for personnel who undertake CoR responsibilities as part of their work.</li> <li>▪ Identify, assess and manage risks associated with heavy vehicle operations</li> <li>▪ Ensure or have processes in place to ensure that: <ul style="list-style-type: none"> <li>– Heavy vehicle drivers are fit for work, trained and competent</li> <li>– Industry partners have formal processes in place to manage CoR responsibilities, and CoR compliance is reviewed in contracts</li> <li>– CoR risks are identified, assessed and controlled.</li> </ul> </li> <li>▪ Ensure processes are in place: <ul style="list-style-type: none"> <li>– To confirm that Roads and Maritime and contracted heavy vehicles comply with CoR requirements and this procedure</li> <li>– For monitoring, auditing and reviewing CoR compliance.</li> </ul> </li> <li>▪ Seek assurance that activities that are part of the supply chain have risk controls in place to comply with CoR requirements</li> </ul>
<b>Works supervisors</b> must:	<p>Ensure:</p> <ul style="list-style-type: none"> <li>▪ Driver work diaries are carried and completed</li> <li>▪ Heavy vehicle checks and inspections are undertaken.</li> </ul>
<b>Operators, managers/schedulers</b> of a road transport business must:	<p>Ensure:</p> <ul style="list-style-type: none"> <li>▪ Rosters and schedules do not cause drivers to exceed work or rest requirements or speed limits</li> <li>▪ Speed limiters are compliant</li> <li>▪ Vehicles do not exceed mass or dimension limits</li> <li>▪ Appropriate restraint equipment is provided and loads are appropriately restrained</li> <li>▪ Records of drivers' activities, including work times and rest times are kept</li> <li>▪ Reasonably practicable steps are taken to ensure a driver does not work while fatigued.</li> </ul>

Role	Responsibilities
<b>Loading managers, packers/loaders must:</b>	<ul style="list-style-type: none"> <li>▪ Ensure: <ul style="list-style-type: none"> <li>– Loading and unloading operational procedures are in place</li> <li>– The load does not cause the vehicle mass and dimension limits to be exceeded</li> <li>– The load is placed in such a way that it does not become unstable or unsafe, move, or fall off the vehicle</li> <li>– Documentation about the vehicle's load is true and accurate</li> <li>– Goods packed in a freight container do not cause the container's gross weight or safety approval rating to be exceeded</li> <li>– Load information is provided to freight services providers.</li> </ul> </li> <li>▪ Not load if the driver appears fatigued, and seek instruction from the responsible manager if this occurs.</li> </ul>
<b>Consignors/senders, consignees/receivers must:</b>	<p>Ensure that a driver:</p> <ul style="list-style-type: none"> <li>▪ Does not exceed permitted work and rest hours</li> <li>▪ Has minimum rest periods</li> <li>▪ Complies with speed limits</li> <li>▪ Does not carry goods that exceed vehicle dimension limits or mass limits</li> <li>▪ Refuses to carry any goods that are not appropriately secured</li> <li>▪ Does not drive while fatigued.</li> </ul>
<b>Drivers must:</b>	<ul style="list-style-type: none"> <li>▪ Have a current licence</li> <li>▪ Be fit to work and operate a heavy vehicle</li> <li>▪ Report any changes to their licence status or fitness to drive a heavy vehicle</li> <li>▪ Respond to changes in circumstances (eg delays) and report these to base</li> <li>▪ Check and report on issues requiring maintenance</li> <li>▪ Comply with: <ul style="list-style-type: none"> <li>– Regulated work and rest hours</li> <li>– Applicable speed limits and observe cautionary speeds as signposted and applicable to heavy vehicles.</li> </ul> </li> <li>▪ Carry and complete their work diary, and produce it when requested by an authorised officer</li> <li>▪ Ensure: <ul style="list-style-type: none"> <li>– Loads are secured and restrained</li> <li>– The vehicle does not exceed mass or dimension limits</li> <li>– Required equipment fitted to the vehicle (eg emission control systems) is not tampered with.</li> </ul> </li> </ul>

# Definitions

Term	Definition
Chain of responsibility (CoR)	CoR means that every person in the supply chain has a responsibility to ensure the safe and legal transport of goods. This places legal obligations on all parties who operate in the transport supply chain.
Container Weight Declaration (CWD)	A CWD is a written declaration of the weight of a container and its contents.
Driver	Driver refers to the person driving a regulated heavy vehicle, and includes: <ul style="list-style-type: none"> <li>▪ An employed driver – who is employed by someone else to drive a regulated heavy vehicle</li> <li>▪ A self-employed driver – who is not an employed driver.</li> </ul>
Driver work diary	A written document that contains a record of the driver's work and rest history as required under the HVNL. An electronic work diary is an alternative to the written work diary.
Executive	Roads and Maritime's Chief Executive and executive directors.
Gross combination mass (GCM)	The greatest possible sum of the maximum loaded mass of a motor vehicle and any vehicles that it may lawfully tow at one time, as specified by the vehicle manufacturer on a plate affixed to the vehicle.
Gross vehicle mass (GVM)	The maximum loaded mass of a vehicle as specified by the vehicle manufacturer on a plate affixed to the vehicle.
<a href="#">Heavy Vehicle National Law</a> (HVNL)	The national law that regulates the use of heavy vehicles throughout Australia (in NSW the <i>Heavy Vehicle National Law</i> (NSW)).
NHVR	National Heavy Vehicle Regulator.
Parties in the supply chain	A party may include any person who can influence or control the heavy vehicle transport chain, such as: <ul style="list-style-type: none"> <li>▪ Corporations, partnerships, unincorporated associations or other bodies corporate</li> <li>▪ Employers of heavy vehicles and their directors</li> <li>▪ Consignors/senders and consignees/receivers of goods for transport</li> <li>▪ Exporters and importers</li> <li>▪ Primary producers</li> <li>▪ Drivers of heavy vehicles (including a bus driver or an owner-driver)</li> <li>▪ Prime contractors</li> <li>▪ Operators of a heavy vehicle</li> <li>▪ Schedulers of goods or passengers for transport, and the schedulers or allocators of heavy vehicle drivers</li> <li>▪ Loaders and unloaders of goods</li> <li>▪ Loading managers (loading/unloading supervisors) or managers of premises where loading or unloading occurs.</li> </ul>
Supply chain	The activities supporting transport, including driving, packing, loading, scheduling, transportation and receiving of goods.
Worker	Any person who carries out work in any capacity for Roads and Maritime – that is, Roads and Maritime employees (including labour hire workers, apprentices and trainees); professional services contractors and consultants; contractors, subcontractors and their employees; outworkers; students gaining work experience; and volunteers.

# References

## Roads and Maritime references

Doc no	Name
RMS 17.510	<a href="#">Heavy vehicle operations – Chain of Responsibility framework</a>
TBA	Procedure <a href="#">Working with mobile plant</a>
PN066P31	Procedure <a href="#">Drugs and alcohol</a>
PN066P04	Procedure <a href="#">Fatigue</a>
RMS 15.208	Fact sheet <a href="#">Dimension Requirements and the Chain of Responsibility</a>
RMS 15.353	Fact sheet <a href="#">Fatigue Management and the Chain of Responsibility</a>
RMS 15.210	Fact sheet <a href="#">Heavy Vehicle Roadworthiness, Vehicle Registration and Driver Licensing</a>
RMS 15.206	Fact sheet <a href="#">Loading Requirements and the Chain of Responsibility</a>
RMS 15.207	Fact sheet <a href="#">Mass Limits and the Chain of Responsibility</a>
RMS 15.209	Fact sheet <a href="#">Speeding Compliance and the Chain of Responsibility</a>
RMS 07.353	<a href="#">Heavy vehicle driver handbook</a>

## External references

Title	Source	Type
<a href="#">Heavy Vehicle National Law (NSW)</a>	NSW legislation	Legislation
<a href="#">Heavy Vehicle (Fatigue Management) National Regulation (NSW)</a>	<a href="http://www.legislation.nsw.gov.au">www.legislation.nsw.gov.au</a>	
<a href="#">Heavy Vehicle (Mass, Dimension and Loading) National Regulation (NSW)</a>		
<a href="#">Heavy Vehicle (Vehicle Standards) National Regulation (NSW)</a>		
<a href="#">Load Restraint Guide: Guidelines and performance standards for the safe carriage of loads on road vehicles</a>	National Transport Commission <a href="http://www.ntc.gov.au">www.ntc.gov.au</a>	Guide
<a href="#">Vehicle Standard (Australian Design Rule 65/00 – Maximum road speed limiting for heavy goods vehicles and heavy omnibuses) 2006</a>	Office of Parliamentary Counsel <a href="http://www.legislation.gov.au">www.legislation.gov.au</a>	Legislation
<a href="#">Assessing fitness to drive for commercial and private vehicle drivers</a>	Austroads <a href="http://www.onlinepublications.austroads.com.au">www.onlinepublications.austroads.com.au</a>	Guide
<a href="#">Chain of responsibility checklist</a>	National Heavy Vehicle Regulator <a href="http://www.nhvr.gov.au">www.nhvr.gov.au</a>	Checklist
<a href="#">Chain of responsibility – Your role</a>	National Heavy Vehicle Regulator <a href="http://www.nhvr.gov.au">www.nhvr.gov.au</a>	Guide

Title	Source	Type
<i>Prime contractors</i>	National Heavy Vehicle Regulator	Information sheets
<i>Employers</i>	<a href="http://www.nhvr.gov.au">www.nhvr.gov.au</a>	
<i>Operators</i>		
<i>Consignors</i>		
<i>Loaders/Unloaders</i>		
<i>Loading managers</i>		
<i>Packers</i>		
<i>Schedulers</i>		
<i>Consignees</i>		

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# Appendices

## A Dimension limits for heavy vehicles

The dimension limits for heavy vehicles are set out in the [Heavy Vehicle \(Mass, Dimension and Loading\) National Regulation \(NSW\)](#).

**The load is part of a vehicle's dimensions.** For the purposes of the HVNL and the [Heavy Vehicle \(Vehicle Standards\) National Regulation \(NSW\)](#), the permissible length, width or height of a vehicle includes its load.

Dimension	General requirements
<b>Length</b>	<ul style="list-style-type: none"><li>▪ A single heavy vehicle (which includes trucks and trailers) must not be longer than 12.5 metres</li><li>▪ A heavy vehicle combination must not be longer than 19 metres, except for a:<ul style="list-style-type: none"><li>– B-double where the maximum length is 25 metres (a B-double may be up to 26 metres if the prime mover is fitted with a front under-run protection system (FUPS) and meets specified cabin strength requirements, and the prime mover is not designed to carry goods)</li><li>– Road train, which may be up to 53.5 metres</li></ul></li><li>▪ A vehicle carrier with two or more partly or completely overlapping decks may be up to 25 metres</li><li>▪ An articulated bus may be up to 18 metres</li><li>▪ A bus other than an articulated bus may be up to 14.5 metres.</li></ul> <hr/> <p><b>Restricted access for long vehicles</b></p> <p>B-doubles longer than 19 metres, road trains, vehicle carriers exceeding 19 metres, and buses (including articulated buses) exceeding 12.5 metres must travel only on approved routes in NSW or under a specific permit issued by the NHVR. Approved routes in NSW are published on <a href="#">Roads and Maritime interactive maps</a>.</p> <hr/>
<b>Width</b>	<ul style="list-style-type: none"><li>▪ A heavy vehicle must not be wider than 2.5 metres.</li><li>▪ When measuring the width of a vehicle the following items fitted to the vehicle are to be disregarded:<ul style="list-style-type: none"><li>– Rear-vision mirrors, signalling devices and side-mounted lamps and reflectors</li><li>– Anti-skid devices mounted on wheels, central tyre inflation systems, and tyre pressure gauges</li><li>– Permanently fixed webbing assembly-type devices, including, for example, curtain-side devices, if the maximum distance across the body (including any part of the devices) does not exceed 2.55 metres.</li></ul></li></ul> <hr/>
<b>Height</b>	<ul style="list-style-type: none"><li>▪ A heavy vehicle must not be higher than 4.3 metres</li><li>▪ A vehicle built to carry cattle, horses, pigs or sheep and other livestock may be up to 4.6 metres in height</li><li>▪ A vehicle with at least two decks for carrying vehicles may be up to 4.6 metres in height</li><li>▪ A double-decker bus may be up to 4.4 metres in height.</li></ul> <hr/> <p><b>Restricted access for over-height vehicles</b></p> <p>Vehicles exceeding 4.3 metres but not exceeding 4.6 metres in height must travel only on approved routes in NSW.</p> <p>Where an operator wishes to operate a vehicle over 4.6 metres in height or wishes to operate a vehicle over 4.3 metres in height on a route which is not an approved over-height vehicle route, a specific permit issued by the NHVR must be obtained. Approved routes in NSW are published on <a href="#">Roads and Maritime interactive maps</a>.</p> <hr/>

## B Assessing the adequacy of loading and load restraint arrangements

When assessing whether load restraint obligations have been appropriately addressed, consider the following:

- Have all relevant loading and load restraint requirements been identified?
- Are the restraint methods outlined in the [Load Restraint Guide](#) being used? If not, why not?
- If the load restraint methods being used are different to those set out in *the Load Restraint Guide*, have they been assessed and certified by an appropriately qualified person?
- Have we communicated our needs with respect to the use of appropriate methods of load restraint to the people providing transport services? How has this been done?
- Has a system for regular inspection of vehicles and restraint equipment (such as straps, chains, anchor points, tensioners, chocks, curtains and gates) been established?
- Do drivers, maintenance staff and supervisors have a clear and simple process for checking equipment and raising a defect (or request for work) where restraint equipment may be unsafe or unserviceable?
- Has consultation been held with drivers about loading obligations? Do drivers know what to do if they attend a pick-up point and the load is not appropriately restrained?
- Are drivers supported if they refuse to carry a non-compliant load?
- Do supervisors understand and promote a 'safety and compliance' approach?
- How much training and support is provided to drivers (and to packers, loaders and supervisors) about load restraint obligations?
- In respect of consultation, training and support, and vehicle monitoring:
  - How do we respond to what we are hearing from drivers and staff?
  - Is the training and support effective?
  - If we have monitoring systems, what happens when poor load restraint practices and other non-compliance is detected?
- What form of recordkeeping is maintained in respect of each of these matters? Are the records retained for at least three years?
- Who has responsibility for the ongoing review of the measures used to ensure compliance?

See the fact sheet [Loading Requirements and the Chain of Responsibility](#).

## C Work and rest requirements

These requirements are set out in Schedule 1 of the *Heavy Vehicle (Fatigue Management) National Regulation (NSW)* and are based on:

### Standard hours – work and rest hours requirements for SOLO DRIVERS

Time	Work	Rest
In any period of ...	A driver must not work for more than a maximum of ...	And must have the rest of that period off work with a minimum rest break of at least ...
5½ hours	5¼ hours work time	15 continuous minutes rest time
8 hours	7½ hours work time	30 minutes rest time in blocks of 15 continuous minutes
11 hours	10 hours work time	60 minutes rest time in blocks of 15 continuous minutes
24 hours	12 hours work time	7 continuous hours stationary rest time <sup>4</sup>
7 days	72 hours work time	24 continuous hours stationary rest time
14 days	144 hours work time	2 x night rest breaks <sup>5</sup> and 2 x night rest breaks taken on consecutive days

### Standard hours – work and rest hours requirements for TWO-UP DRIVERS

Time	Work	Rest
In any period of ...	A driver must not work for more than a maximum of ...	And must have the rest of that period off work with a minimum rest break of at least ...
5½ hours	5¼ hours work time	15 continuous minutes rest time
8 hours	7½ hours work time	30 minutes rest time in blocks of 15 continuous minutes
11 hours	10 hours work time	60 minutes rest time in blocks of 15 continuous minutes
24 hours	12 hours work time	5 continuous hours stationary rest time <sup>4</sup> or 5 hours continuous rest time in an approved sleeper berth while the vehicle is moving
52 hours	<sup>6</sup>	10 continuous hours stationary rest time
7 days	60 hours work time	24 continuous hours stationary rest time and 24 hours stationary rest time in blocks of at least 7 continuous hours of stationary rest time
14 days	120 hours work time	2 x night rest breaks <sup>5</sup> and 2 x night rest breaks taken on consecutive days

<sup>4</sup> Stationary rest time is the time a driver spends out of a heavy vehicle or in an approved sleeper berth of a stationary heavy vehicle

<sup>5</sup> Night rest breaks are 7 continuous hours stationary rest time taken between the hours of 10 pm on a day and 8 am on the next day (using the time zone of the base of the driver) or a 24 continuous hours stationary rest break

<sup>6</sup> Not specified in the regulation



**Basic fatigue management (BFM)** provides options for when drivers can work and rest provided the risk of working long hours and night hours is properly managed.

#### **Basic fatigue management (BFM) work and rest times for SOLO DRIVERS**

Time	Work	Rest
In any period of ...	A driver must not work for more than a maximum of ...	And must have the rest of that period off work with a minimum rest break of at least ...
6¼ hours	Six hours work time	15 continuous minutes rest time
9 hours	Eight and a half hours work time	30 minutes rest time in blocks of 15 continuous minutes
12 hours	11 hours work time	60 minutes rest time in blocks of 15 continuous minutes
24 hours	14 hours work time	Seven continuous hours stationary rest time <sup>7</sup>
7 days	36 hours long/night work time <sup>8</sup>	<sup>9</sup>
14 days	144 hours work time	24 continuous hours stationary rest time taken after no more than 84 hours work time and 24 continuous hours stationary rest time and two times night rest breaks <sup>10</sup> and two times night rest breaks taken on consecutive days

#### **Basic fatigue management (BFM) work and rest times for TWO-UP DRIVERS**

Time	Work	Rest
In any period of ...	A driver must not work for more than a maximum of ...	And must have the rest of that period off work with a minimum rest break of at least ...
24 hours	14 hours work time	No limit has been set
82 hours	No limit has been set	10 continuous hours stationary rest time <sup>7</sup>
7 days	70 hours work time	24 continuous hours stationary rest time and 24 hours stationary rest time in blocks of at least seven continuous hours of stationary rest time
14 days	140 hours work time	Four nights rest breaks <sup>10</sup>

**Advanced fatigue management (AFM)** accreditation brings a risk management approach to managing driver fatigue. Rather than setting work and rest times, AFM offers flexible hours as long as the fatigue risks of those hours are offset by sleep, rest and other management practices in a compliant fatigue management system. A driver operating under an AFM accreditation must comply with the maximum work time and minimum rest time requirements set out in the AFM accreditation certificate. The AFM accreditation cannot permit a driver to drive for more than 15 and a half hours in a 24-hour period.

<sup>7</sup> Stationary rest time is the time a driver spends out of a regulated heavy vehicle or in an approved sleeper berth of a stationary regulated heavy vehicle.

<sup>8</sup> Long/night work time is any work time in excess of 12 hours in a 24-hour period or any work time between midnight and 6 am (or the equivalent hours in the time zone of the base of a driver).

<sup>9</sup> Not specified in the regulation

<sup>10</sup> Night rest breaks are 7 continuous hours stationary rest time taken between the hours of 10 pm on a day and 8 am on the next day (using the time zone of the base of the driver) or a 24 continuous hours stationary rest break.

## **D Records**

The following records are generated from the processes described in this procedure:

- Driver work diaries
- Heavy vehicle register
- Medical assessment
- Driver licences
- Contract exhibits relating to CoR compliance
- Heavy vehicle maintenance register
- Safe work method statements (SWMS)
- CoR audits
- Vehicle compliance reports
- Traffic Management Plan
- WHS Management Plan or CoR Management Plan.

## E Assessing the adequacy of speeding compliance arrangements

When assessing whether speeding compliance obligations have been appropriately addressed, consider the following:

- Do activities affect the time available to drivers to:
  - conduct an appropriate pre-trip check of the vehicle
  - travel to a pick-up or delivery point
  - ensure correct loading
  - adhere to all applicable speed limits
  - cope with likely traffic contingencies
  - meet deadlines while travelling at a speed that is within the appropriate speed limit and is safe for the conditions?
- How have appropriate travel times from depot to pick-up to delivery and return been determined?
- What contingency plans are in place to respond to a driver being delayed (by traffic or breakdown or queuing or loading time or other foreseeable cause)?  
Are arrangements in place for pick-up or delivery times to be renegotiated where the driver is delayed?
- How likely is it that drivers will be held up in queues or will be subject to delays caused by the loading or unloading process?
- What consultation has been held with drivers about driving times, causes of delay and contingency planning?
- How much training and support has been provided to drivers (and to schedulers, packers, loaders and supervisors) about speeding compliance and driving at a speed safe for the conditions?
- Has the use of vehicle monitoring devices to check speed been considered? What technology is available for this purpose? How much would it cost to implement?
- In respect of consultation, training and support, and vehicle monitoring:
  - How do we respond to what we are hearing from drivers and staff?
  - Is the training and support effective?
  - If we have monitoring systems, what do we do when we detect over-speeds and other non-compliance?
- What form of recordkeeping is maintained in respect of each of these matters? Are the records retained for at least three years?
- Who has responsibility for the ongoing review of the measures used to ensure compliance?
- Are there any applicable industry codes of practice registered with the NHVR that may assist in complying with speeding compliance obligations?

See the fact sheet [Speeding Compliance and the Chain of Responsibility](#).

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## Feedback

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