Transport Safety Management System Procedure 05 HV Safety and Road Worthiness

1. Context

Unsafe or poorly maintained and operated heavy vehicles pose a greater risk of accident and injury. Poor maintenance and resulting breakdowns can also place added stress on parties in the Chain of Responsibility in relation to other CoR compliance elements, such as mass (taking increased loads on subsequent journeys to make up for journeys cancelled due to mechanical breakdown), speed and fatigue (seeking to 'make up' for journeys lost due to mechanical breakdown).

To be considered roadworthy, a vehicle must comply with the Heavy Vehicle National Law (HVNL) and the Heavy Vehicle (Vehicle Standards) National Regulations (HV(VS)NR) applicable in the participating state where Transport Activities are being conducted and the relevant Australian Design Rules (ADRs). These contain mandatory requirements for the safe design, construction, and equipment of heavy vehicles.

2. Scope

This procedure applies to all Clenton's Transport's operations, transport activities and associated persons and contractors, including:

- Employees involved in the Chain of Responsibility (CoR);
- Contractors and supply chain partners whose activities are directed by, or may impact upon Clenton's Transport's operations and employees; and
- Contracted drivers of heavy vehicles driving for, or on behalf of Clenton's Transport.

3. Primary Duty

Parties in the CoR have an obligation to ensure all transport equipment is properly maintained, safe, roadworthy and 'fit for service'.

4. Specific HVNL COR Duties

Any heavy vehicle used to carry goods by road must meet all relevant heavy vehicle standards and Australian design rules and be maintained in a safe and roadworthy condition at all times.

Those responsible for a heavy vehicle safety and roadworthiness must ensure that proper and routine inspections are carried out and any necessary maintenance and repairs are conducted in a timely manner.

5. Acronyms, Definitions and References

ADR: The Australian Design Rules (ADRs) are national standards for vehicle safety, anti-theft and emissions. The ADRs are generally performance based and cover issues such as occupant protection, structures, lighting, noise, engine exhaust emissions, braking and a range of miscellaneous items.

ATM: Aggregate Trailer Mass - The total mass rating of the trailer (unhitched) when it's carrying the maximum load recommended by the manufacturer.

CoR: Chain of Responsibility.

Contractor - as referred to in this procedure is any person not directly employed by Clenton's Transport undertaking transport activities on behalf of Clenton's Transport.

CoR Parties are described in the Transport Safety Policy of our Safety Management System and include Registered Operator, Prime Contractor, Transport Operator, Consignor/Consignee, Loading Manager, Loader and Unloader, Scheduler, Packer, and responsible persons.

Executive Officer of a corporation means a director of the corporation or any person, by whatever name called, (director or not), who is concerned, or takes part, in the management of the corporation. This includes for example owners, directors, managers, and operators.

GCM: Gross Combination Mass – the maximum loaded mass of a motor vehicle and any vehicles it may lawfully tow as specified by the registration authority or otherwise as stated by the motor vehicle's manufacturer.

GVM: Gross Vehicle Mass – the maximum loaded mass of a vehicle as specified by the registration authority or otherwise as stated by the vehicle's manufacturer.

HVNL: Heavy Vehicle National Law.

Heavy Vehicle – a vehicle with a Gross Vehicle Mass over 4.5 tonnes.

NHVAS: National Heavy Vehicle Accreditation Scheme.

Transport activities under HVNL means activities, including business practices and making decisions, associated with the use of a heavy vehicle on a road.

References for this procedure include:

Heavy Vehicle National Law (NSW) No 42a

Heavy Vehicle (Registration) National Regulation (NSW)

Heavy Vehicle (Vehicle Standards) National Regulation (NSW)

6. Procedure

Clenton's Transport and its contractors, as required under HVNL, will ensure the following measures are implemented throughout the supply chain relating to the management of Vehicle Safety compliance.

6.1 Record Keeping Requirements

6.1.1 Documented evidence will be maintained to demonstrate the effective operation of the Maintenance Management System, by retaining pertinent records in accordance with HVNL and the NHVAS Maintenance Management Standard. **All records are to be retained for three (3) years.**

6.1.2 Clenton's Transport will ensure all records including:

- Non-Conformance / Corrective Action Reports;
- Incident Investigations;
- Training; and
- Internal Reviews,

are maintained and filed, in either hard copy or using the electronic record system, so as to be readily available from time to time for management and / or audit purposes.

6.1.3 A comprehensive asset register of nominated vehicles, will be maintained and updated quarterly or as changes occur.

This register includes:

- Name of the registered owner of the vehicle;
- Year, type, and make of vehicle;
- Vehicle State of registration;
- Registration number;
- VIN / Chassis Number;
- Engine Number;
- Concessional Mass Limits (C.M.L.);
- Manufacturers G.V.M. / G.C.M. or A.T.M;
- Tare weight;
- Kerb weight (operational);
- Vehicle identification e.g. fleet number (optional);
- Accreditation label's serial number;
- Date of inclusion to the Maintenance Management System and or exit.

6.2 Daily Vehicle Safety Inspections

6.2.1 The Daily Vehicle Safety Inspection must be completed prior to the first trip of the day or in the case of an extended journey, after a major relevant rest break. If the vehicle is not used, then no record is required.

6.2.2 All heavy vehicles will carry a Daily Vehicle Safety Inspection sheet in the cabin at all times.

6.2.3 The drivers will be responsible for completing the Daily Vehicle Safety Inspection by following the Daily Vehicle Safety Inspection Checklist and sign the appropriate space to acknowledge the vehicle to be safe to operate within the limits of the visual inspection. Any

trailers in the combination will be included in the inspection and recorded on the same form.

6.2.4 The driver is to ensure that the inspection can be completed with safety. Note: Vehicles must not be parked in such a position that may compromise the safety of the driver, load or vehicle.

6.2.5 The Daily Vehicle Safety Inspection sheets may contain the following headers:

- Date;
- Driver's name (surname and first name);
- Driver's licence number (may also include a declaration their licence is current and not expired, cancelled, disqualified, or suspended);
- Vehicle Identifier (prime mover and/or trailer registration number/s or fleet number/s);
- Speedo and fuel (may also include AdBlue);
- Driver confirms and acknowledges he/she is Fit for Duty;

6.2.6 Any fault found that the driver considers may compromise safety and to be of a serious nature must be reported to the Clenton's Transport immediately.

6.2.7 The driver is then to follow instructions given by the Clenton's Transport to ensure prompt repair is organised. The type of faults that would be typical of this category are, but not limited to:

- Braking faults or issues
- Steering faults or issues
- Suspension faults or issues
- Wheel, tyre and hub faults or issues
- Loss of turning indicators or brake lights
- Loss of headlights (at night)
- Loss of critical clearance lights (at night)
- Loss of wipers (in rain conditions)
- Turntable not locking effectively

6.2.8 Any defects or faults found during the Daily Vehicle Safety Inspection, or during the journey, and not rectified immediately, must be recorded on a Fault Record Sheet and submitted to the Clenton's Transport for assessment and appropriate repairs.

6.3 System to Record and Report Vehicle Faults

6.3.1 The Maintenance Management System must ensure there are provisions to record and report vehicle faults on both the hauling and trailing equipment. Use of an approved form documents the method of identifying, assessing and actioning reported faults from any source and a qualified delegate determines the priority placed on repairing that fault.

6.3.2 The Driver is to ensure the heavy vehicle has an "On-Road Vehicle Fault Report Book" on board at all times the vehicle is in use. Any faults found by the Driver, or any other person (that are not fixed straightaway) are to be recorded on the On-Road Vehicle Fault Report book. The Driver must clearly and legibly outline or describe the nature of the fault/s.

6.3.3 Any fault that may compromise safety, or is of a serious nature, must be reported (initially by telephone) to the <Supervisor/Workshop> as soon as possible / practical. The driver is

to follow instructions given by the <Supervisor/Workshop> and record it in the On-Road Vehicle Fault Report Book. Deferral of reported vehicle faults CANNOT apply to any "safety critical fault" that would compromise the safety and roadworthiness of the vehicle.

6.3.4 Each record should show:

- Date and time of recorded fault;
- A succinct outline or description of the fault/s;
- Name of the person recording / reporting fault;
- Name of the Supervisor/Manager fault report to including date and time;
- Type of vehicle e.g. prime mover, trailer, dolly;
- Vehicle identification e.g. registration number and fleet number;
- Mechanic's name and signature to verify completion, including a comments section for remarks;
- Any associated Work Order and Invoice Numbers;
- Date repair completed.

6.4 System for Identifying Faults, Assessing Severity and Remedying Them

FAULT REPAIR – CATEGORISATION:

Appropriate action would include the following options:

6.4.1 **Minor Fault (Low Risk):**

- Recorded details on the On-Road Vehicle Fault Report form for assessment or repair at the next service. Applies in cases where the safety risk is not imminent and serious.
- Where a fault has been recorded and a decision has been made that no repair is needed, the person making that decision must document the reason for the decision. The personal details of whom made the decision, including the date, must also be documented.

6.4.2 **Condition to be Deferred / Monitored (Medium Risk):**

- Applies in cases where the safety risk is not imminent and serious. Record details contained within the On-Road Vehicle Fault Report form are to clearly indicate what is to be deferred or monitored, at what interval, and by whom. When a fault is deferred, the person making the decision must be identified on the record.
- This decision is made after the nature of the fault has been determined, and if agreed, the fault does not compromise the roadworthiness of the vehicle and is not a safety critical element. All faults not repaired immediately must be documented within the On-Road Vehicle Fault Report form.
- Where a decision is made to monitor the condition of a fault, the decision to monitor is recorded. The system must specify the time frames at which monitoring will occur and the upper limits for when a fault is repaired (e.g. at the next scheduled service, or 1,000km when parts are received etc.).
- Only the Workshop Manager of the Approved Repairer, in consultation with the <Supervisor/Manager>, is authorised to defer repairs or approve the monitoring of faults. Drivers may defer low risk minor repairs through consultation with the <Supervisor/Workshop>.

6.4.3 **Major or Safety Related Fault (High Risk):**

- Applies where there is an imminent and serious safety risk. A driver reporting a major or safety fault to the <Supervisor/Workshop>, may through consultation, determine the fault requires immediate repair. In this case, <Supervisor/Workshop> will direct the driver on the appropriate course of action. The driver shall record what action they have been directed to take on the *Fault Record Sheet*.
- Alternatively, any fault the driver identifies and considers may compromise safety or be of a serious nature should be reported to the <Supervisor/Workshop> immediately. The driver is then to follow instructions given by the <Supervisor/Workshop> to ensure a prompt repair is organised. All due consideration will be made to safely transport the vehicle for repair.
- Several safety critical components (high risk) on a heavy vehicle are the:
  - Brakes – the brakes operate effectively and are correctly adjusted, including serviceable airlines;
  - Couplings – fifth wheel and other towing devices must be in a serviceable condition and provide the necessary load carrying capacity;
  - Steering and suspension – is in good working order and allows the driver to effective control the vehicle;
  - Wheels, tyres and hubs – must be of a suitable type and condition and provide the necessary load carrying capacity, speed rating and control of the vehicle, including inflation, tread integrity and wheel security.
  - Loss of turning indicators / brake lights;
  - Loss of headlights (at night);
  - Loss of critical clearance lights (at night);
  - Loss of windshield wipers (in rain conditions).
- Major grounded – this sub-category of a major defect notice applies where the nature of the defect is so severe that the vehicle must be fixed on site or towed or carried from the point of inspection for repair. Defective brakes, steering, suspension and tyres are risks that can severely affect the vehicle's stability, braking and steering performance that may result in the driver losing control of the vehicle.
- The condition of the fifth wheel coupling (turntable) and other towing devices is also important to prevent trailers decoupling or detaching and being damaged.

6.5 Periodic Maintenance Schedules Identifying Service Periods and Tasks

6.5.1 The National Heavy Vehicle Inspection Manual (NHVIM) and Manufacturers (OEM) specifications and wear limits are to be used to determine roadworthiness.

6.5.2 The <Supervisor/Workshop> is to ensure each vehicle (including trailers and dollies) are to have a thorough inspection conducted at least annually. A record of this inspection is to be retained for audit purposes. This inspection will be carried out in conjunction with each C Service and as such, a record of a "C" service is also a record of a roadworthiness compliance inspection.

6.5.3 All services are done in accordance to the manufacturer's recommendations, operational experience, Industry Best Practice, or on the recommendation of an Approved Repairer.

6.5.4 Clenton's Transport has adopted the following Service Schedules that must be strictly adhered to. Any variances must not exceed the specified parameters. All services must be carried out by a suitably qualified and experienced person (e.g., qualified mechanic).

6.6 Service Schedules

Maintenance Schedules are based on the manufacturer's recommendations, assessed risk, operational experience and on the recommendations of the mechanic.

Prime Mover	Service	Due	Variance
	A	20,000 km's	+/- 2,000 Km's
	B	40,000 km's	+/- 5,000 Km's
	C	Annually	+/- One Month

NOTE: "C" Service on Prime Movers / Rigids do not have a kilometre time frame as it is a compulsory annual inspection regardless of mileage.

Trailer/Dolly	Service	Due	Variance
	A	20,000 km's	+/- 2,000 Km's
	B	40,000 km's	+/- 5,000 Km's
	C	Annually	+/- One Month

C Annually +/- One Month

NOTE: "C" Service on Trailers / Dolly's do not have a kilometre time frame as it is a compulsory annual inspection regardless of mileage.

The Service Schedules are to be reviewed by the Clenton's Transport at least annually in the month of Clenton's Transport, and in consultation with Approved Repairers, where appropriate.

6.7 Approved Repairer

6.7.1 When Approved Repairers are used for repairs and scheduled maintenance, the personnel are to be qualified or suitably experienced.

6.7.2 A record of all services or repairs completed by the Approved Repairer must be documented on the Services Sheet or Fault Record Sheet, and to include any associated Work Order / Invoice numbers. Each service record is to identify the type of service completed (e.g. A, B or C).

6.7.3 At the end of each month, open faults or scheduled services not completed or closed are emailed to the Clenton's Transport of the Authorised Repairer for review and appropriate action. Any areas of nonconformance are recorded and reported to the Clenton's Transport for implementation of an appropriate corrective action.

6.8 Inspection for Roadworthiness Compliance

6.8.1 A Roadworthiness Compliance Inspection will be completed in conjunction with the Annual Service (C Service) at least every 12 months. An Annual Service record is equivalent to a record of a Roadworthiness Compliance Inspection. Trailing equipment is also to be included for annual roadworthy inspections.

6.8.2 The Roadworthiness Compliance Inspection must be performed by a service provider who is either a qualified mechanic or an Approved Repairer.

6.8.3 The <Supervisor/Manager> must be immediately informed if any defects found by a mechanic or Approved Repairer are considered safety related or deemed unroadworthy during this inspection. These defects must be recorded and repaired under instruction from the <Supervisor/Workshop>. All other faults (i.e., not safety or unroadworthy related) found during this inspection and not attended to, should be recorded and reported in accordance with the fault reporting procedures contained in this procedure.

7. General Responsibilities

Owner/Employer/Prime Contractor

The Owner/EMT is responsible for exercising 'due diligence' in providing the information, resources and expertise necessary for risk management activities associated with Maintenance management requirements under HVNL are implemented, undertaken and monitored and maintained.
In meeting 'due diligence' requirements, they are required to familiarise themselves with the Maintenance related hazards and risks associated with the business and its transport activities, the selected controls and monitor the effectiveness of the process.

Managers and Supervisors

Managers and supervisors are responsible for implementing this procedure in the areas and operations over which they have control. Managers are required to ensure that the organisation's assessments are made, record keeping requirements are met, systems are monitored in real time, warnings and alerts are actioned, and that the information obtained is reviewed and acted upon. Managers are also required to monitor the effectiveness of the processes in place.

Employees

All persons and contractors operating for or engaged in Clenton's Transport's transport activities are required to adhere to this procedure.

Contractors

Contractors, as well as complying with their HVNL duties, are also responsible for undertaking their own risk management activities. They are to comply with maintenance management requirements and duties, in accordance with legislative requirements of the HVNL. How they will achieve this is to be described in their Transport Safety Management Plan, Safe Work Method Statements or equivalent.
Compliance reporting and relevant information is to be provided to Clenton's Transport as part of their contractual arrangements.
All maintenance management issues identified by the management system and assessment process, are to be provided to Clenton's Transport's contact point. Contractors must also comply with Clenton's Transport's procedures. Any concerns are to be reported to Clenton's Transport's contact at the earliest opportunity for review.

8. CoR Role Responsibilities – Heavy Vehicle Safety & Roadworthiness

Transport Operator Responsibilities

The transport operator must ensure that:

- Vehicles are functioning and maintained regularly to ensure the highest levels of safety in relation to vehicle standards and maintenance;
- Vehicle Standards and Maintenance Policy and associated procedures are implemented, actively utilised, monitored and reported to the Owner(s)/Board/Executive;
- Any person scheduling a heavy vehicle journey or setting any time for pick up, journey or delivery ensures workers are provided with:
    - Reasonable time for any necessary for Daily Vehicle Safety Inspection and any minor maintenance rectifications required; and
    - Procedures to respond to any journey delays due to mechanical breakdown or fault;
- There is a system implemented to permit notification of any interruptions or delays to any scheduled heavy vehicle movement and for making appropriate scheduling adjustments or alternative arrangements;
- Vehicles with repair requirements that may compromise safety are withdrawn from use immediately;
- Vehicle faults and maintenance requests are dealt with promptly and efficiently;
- Terms of engagement (at any level) including as to scheduling and payments tied in whole or part to meeting schedules, do not force, encourage, induce or reward any driver to use a vehicle with known mechanical faults that may impact on safety;
- There is a system implemented to ensure no demand is placed on any driver in relation to any pick-up, delivery or transit time which would force, encourage, induce or reward any driver to use a vehicle with known mechanical faults that may impact on safety; and
- All elements of the CoR system relating to the roadworthiness of any heavy vehicle is monitored on an ongoing basis and reviewed on a regular basis to ensure continued compliance.

Approved Repairer Responsibilities

- Ensure Clenton's Transport's company vehicles are serviced and maintained in accordance with the NHVAS Maintenance Management Scheme;
- Review *Fault Record Sheets* submitted by drivers and determine the appropriate corrective action;
- Record specifics of repairs carried out on submitted *Fault Record Sheets* and detail corrective action taken. A sign off, including the name of the person who carried out the repair, and a date of the repair, signifies appropriate repairs and testing has been completed;
- Link any associated Work Order and/or Invoices with the submitted *Fault Record Sheet*; and
- Report any evidence of tampering with a company fleet vehicle.

Scheduler Responsibilities

The scheduler must ensure that:

- Driver rosters or pick-up and delivery schedules include time to conduct Daily Vehicle Safety Inspections and any minor maintenance rectifications that may be required;
- Contingency plans are developed to deal with scheduling issues and problems with meeting deadlines;
- Drivers are able to report delays or other problems;
- Consignors and/or Consignees are advised of any concerns about requested delivery times; and
- They resolve or appropriately escalate maintenance-related issues promptly.

Loading / Unloading Manager Responsibilities:

The loading/unloading manager must ensure that:

- Loading and unloading practices do not delay unnecessarily a driver which would create a need for them to take unnecessary risks to complete any further scheduled activities;
- Requests are not made of a driver that may result in, encourage, or provide an incentive to cause the driver to make or continue a journey without adequate supplies, including fuel and water; and
- They notify the driver and/or scheduler immediately of any loading delays or potential missed timeslots.

Loader/Unloader Responsibilities

The loader/unloader must ensure that the load is:

- Loaded/unloaded at the agreed loading time; and
- Loaded/unloaded in a timely manner, with adequate supplies of materials that may contribute to the roadworthiness and/or safety of the vehicle.

Consignor/Consignee Responsibilities

The consignor/consignee must ensure that:

- No additional payments or incentives are offered or paid to any responsible person to breach the law;
- No pressure directly or indirectly is put on the driver to operate a vehicle that presents a risk to safety; and
- Contracts include requirements for vehicles to be roadworthy and maintained.

Driver Responsibilities

The Driver must:

- Conduct Daily Vehicle Safety Inspection on the heavy vehicle prior to the first trip of the day or in the case of an extended journey, after a major relevant rest break;
- Rectify, report or tag out any maintenance issues that present a risk to safety;
- Communicate any concerns about the scheduling, journey or any other potential or actual issues or delays to the transport company promptly; and
- Inform their supervisor if they believe the vehicle is not roadworthy or has missed the regular maintenance schedule.

9. Training and Education

9.1.1 For training purposes, a person who is a sub-contractor has the same connotation as a Clenton's Transport employee or staff member.

9.1.2 All new staff will undergo Clenton's Transport's Induction training, and training on this procedure (where applicable) prior to starting their duties within the business.

9.1.3 Internal education and participation in industry workshops, conferences and any other relevant educational programs pertaining to heavy vehicle safety, roadworthiness and other transport safety / CoR related topics will be recorded on the Training Record Form. The training record will record the employee's name, the actual date of training, and the training subject reference or title. The Trainee must sign the Training Record Form as acknowledgement the training has been undertaken and completed. This information will be updated in Clenton's Transport's Training Register.

10. Related Policies

This procedure has been developed in conjunction Clenton's Transport's Roadworthiness Management Policy and the overarching Transport Safety Policy. It is consistent with the requirements of HVNL legislation.

11. Supporting Forms/Record Keeping

Forms generated by this procedure and other related records are listed below.

Title or group of documents	Location	Responsible Party or Role	Minimum Retention Period
Service Schedule Register			
Trailer Service Checklist			
Truck Service Checklist			
Mandatory Daily Vehicle Check			
Service Tracking Report			
Hazard Reports			

12. Procedure Quality Control

Policy:	Policy 05 Roadworthiness Policy
Compiled By:	
Groups Consulted:	
Approved By:	
Date:	12/20
Review:	12/21
Filename:	TSMS Procedure 05 HV Safety and Road Worthiness Operator.docx