

# Chain of responsibility Driver



COMPLIANCE AND ENFORCEMENT IN THE TRANSPORT INDUSTRY  
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## Compliance & Enforcement (C&E)

The C&E reforms are a framework for the regulation of the heavy vehicle industry and other participants in road transport. Their general objectives are to improve compliance outcomes for road safety, infrastructure and the environment, while minimising the adverse impacts of road transport on the community. They also help create a level playing field for industry by making it more difficult for those that operate outside of the law to gain a competitive advantage.

### What is the chain of responsibility?

The chain of responsibility means that anybody, not just the driver and operator, who has control in a transport operation can be held responsible for breaches of road laws and may be legally liable. In other words, if you use road transport as part of your business, you share responsibility for ensuring breaches of road laws do not occur.

If a breach of road transport law occurs due to your action, inaction or demands, you could be legally accountable.

Put simply this means: Control = responsibility = legal liability

### What are my responsibilities?

As a truck driver, your responsibilities include ensuring that:

- Your vehicle does not exceed mass limits.
- Your vehicle and load do not exceed dimension limits.
- Your load is appropriately restrained.
- You do not exceed the speed limit.
- You do not tamper with any equipment required to be fitted to the vehicle.
- Driving hours regulations (time spent working) are adhered to.
- Required rest breaks are taken.
- Records of your work and rest hours are made.
- You do not drive while impaired by fatigue
- You carry and complete your work diary, if required.

### What do I need to do?

As a driver, you need to make sure that your conduct does not compromise road safety or involve breaking the law.

You should know your vehicle's mass. Examples, of ways you can do this include:

- Keeping weighbridge dockets issued to the vehicle you are driving.
- Using on board scales to check your weights.
- Keeping any loading documentation that shows the weight of your load.

You must not exceed the regulated hours for working. Remember that these are maximum hours. You should always rest when tired and have adequate sleep to prevent fatigue.

You should make sure that your vehicle does not exceed legal dimensions.

Your load should be checked to ensure it is properly restrained, even if you are not the person who loaded the vehicle. You should check the adequacy and condition of restraining equipment (chains, ropes, straps etc).

You should make sure you observe the speed limit at all times.

## Special defence for drivers?

Drivers and operators will have access to a limited defence for mass overloads. This is only if they weighed the vehicle before the journey or they are in possession of sufficient and reliable evidence from which the weight could be calculated.

## Where can I find out more information about C&E?

Visit the RTA website [www.rta.nsw.gov.au](http://www.rta.nsw.gov.au) (including information on heavy vehicle driver fatigue reforms.)

Visit the National Transport Commission website [www.ntc.gov.au](http://www.ntc.gov.au)

Email the RTA on [compliance\\_and\\_enforcement@rta.nsw.gov.au](mailto:compliance_and_enforcement@rta.nsw.gov.au)