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The Hon Malcolm Turnbull MP  
Prime Minister  
Parliament House  
CANBERRA ACT 2600

Dear Prime Minister

Recent media reports have highlighted what we in the transport industry already know all too well - Australia has a dire road safety problem. In the five years to 2016, **more than 1,000 people were killed in truck crashes**. Our approach to heavy vehicles in this country is core to tackling this issue.

We have heard from many experts across government and academia on what needs to be done to improve road safety, and we thank them for their important contributions. I write to you to as the leader of Australia's largest transport and logistics company, Toll Group, and the former leader of Linfox, the second largest transport company. I've worked in the trucking business since I was 13 years old, and am a second generation industry veteran with my mother having run a highly successful transport business.

I offer you a different perspective to this important discussion on what must be done to improve safety on our roads. I bring you an operator's perspective.

We must begin by addressing six critical areas.

Firstly, we must have one rule book across Australia. Starting with the basics - we are yet to have a consistent definition of what a "heavy vehicle" is. Sometimes it's a vehicle above 12 tonnes (for work and rest hours), sometimes above 12 tonnes and manufactured after 1997 (for speed limiters – except in NSW), and sometimes a vehicle above 4.5 tonnes (mass, dimension and load restraint). Compliance starts with clarity of the rules. A truck should be any vehicle 4.5 tonnes and above. Period.

On the life and death matter of driver fatigue, our current state-based system allows drivers to drive for up to 17 hours in a 24 hour period in Western Australia and up to 18 hours in the Northern Territory – a workday that would be illegal for a driver in any other state. This leaves time for a maximum of only 6 to 7 hours of rest in a 24 hour period – resulting in the physiological equivalent of a blood alcohol concentration of 0.05. We do not accept drunk driving. We should not accept fatigued driving.

Further, the maximum speed limit for trucks between 4.5 and 12 tonne varies from 100 km/h in NSW to 130 km/h in the Northern Territory. Any truck driver making the slightest error in judgement at 130 km/h will certainly have a devastating outcome for the driver and anyone unfortunate enough to be in the vicinity.

It is time for a genuinely national approach to heavy vehicle regulation, including for heavy vehicle driver licensing. A national driver licensing system can stipulate the skills and competencies required to safely drive a heavy vehicle, including how to restrain a load and how to fill out a work diary. A genuinely national system would mean that licence cancellation in one state means cancellation in all states. A targeted strategy will attract new drivers, arrest the decline in competent drivers and provide a career path for driving professionals.

The National Heavy Vehicle Regulator was supposed to deliver one rule book. It hasn't. Western Australia and the Northern Territory have refused to sign up to the national law. And so today Australian road freight operators are subject to multiple and overlapping rules at the local council, state and national level. Let's look to aviation for inspiration on how this can be achieved. This industry is subject to one set of rules. No exceptions. We must follow.

Secondly, we must introduce an operator licensing system. Where operators in maritime, rail and aviation must all demonstrate their safety and competence before they can operate, in road transport virtually anyone with a truck, a driver and an ABN can be a road freight operator. This makes Australia unusual: most comparable countries have an operator licensing system for road transport. For example, in the UK, road transport operators must pass a "fit and proper" person test, prove they have the funds to maintain vehicles, and employ transport managers who understand what compliance looks like.

Third, the solution to the road toll cannot and will not come solely from industry. The community, government, enforcement and road safety bodies must do their part too. Through NTI data, we know that in 93% of fatalities involving a truck, the other party was at fault. Yet national and state road safety strategies are silent on how light vehicle drivers can "share the road" safely with trucks. There is an opportunity to ensure that drivers are educated on driving safely around trucks, such as safe stopping distances and over-taking, as part of licensing schemes.

Fourth, by pulling the right policy levers, government can incentivise and reward safe behaviours from heavy vehicle operators. Discounted registration and stamp duty fees could be offered to operators with sound safety records. Government can also mandate investment in newer, safer more sustainable fleet. Technologies such as autonomous emergency braking systems, lane departure warning systems and electronic stability control can save up to 104 lives per year but are taking too long to become standard in the fleet. The average age of a heavy rigid truck in Australia is 15.7 years. The average age of an articulated truck is 11.9 years. An operator licensing system could stipulate a maximum vehicle age or offer subsidies/incentives to safe operators to deploy these life-saving technologies.

Fifth, mandate telematics, which includes GPS and black box technology, for all new heavy vehicles. Enforcement of the rules is tough in Australia because of the vast distances between towns. There are not enough police to catch every driver and operator that puts other road users at risk. Mandatory telematics on every vehicle will identify operators that systematically and deliberately speed, overload vehicles and push fatigue limits. Removing operators that refuse to do the right thing protects the community and allows good operators to remain competitive.

Finally, we must ensure that operators such as Toll Group are actively engaged in any debate and policy development pertaining to road safety and heavy vehicles. Any discussion on heavy vehicle regulation must draw on private sector expertise to truly understand how we can overcome the obstacles that are holding us back from creating safer roads for our community.

To recap, I call on the government to make the following six points a priority to affect real improvements in driving the road toll down:

- (1) Have one rule book for heavy vehicles and heavy vehicle drivers across the country. No variations, no exceptions. This must cover a standard definition of a heavy vehicle as well as a national approach to: mandatory stationary rest times for heavy vehicle drivers, speed limits for heavy vehicles and a driver licensing system
- (2) Introduce a national operator licensing system
- (3) Enhance community understanding of how to drive safely around trucks, including through the graduated licensing system and education campaigns
- (4) Incentivise and reward safe, modern fleets with life-saving technologies
- (5) Make telematics mandatory for regulatory purposes.
- (6) Draw on private sector expertise from transport operators in any discussion on improving road safety outcomes pertaining to heavy vehicles

I am sending this letter to all Road and Road Safety Ministers across Australia with the view to driving collaboration across governments. As Australia's largest provider of road freight logistics, Toll stands ready to work with all governments to make these six points a reality.

In our view, we don't need any further research, studies and committees. We have immediate, critical opportunities before us today that, when implemented, will save lives. We know what needs to be done. It is time for action.

Yours sincerely,



Michael Byrne  
Managing Director

**CC:**

Hon Barnaby Joyce, Deputy Prime Minister and Minister for Infrastructure and Transport  
Peter Fox, Executive Chairman of Linfox Pty Ltd  
James Chessell, National Editor, The Age and Sydney Morning Herald  
Tony Sheldon, National Secretary Transport Workers Union  
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