

Heavy Vehicle Safety Strategy 2021-25

Submission to the Consultation Draft



30 April 2021

Bus Australia Network



Bus Industry Confederation

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Bus Industry Confederation

About the Bus Industry Confederation

The Bus Industry Confederation (BIC) is an organisation uniting bus and coach operators, bus and coach chassis suppliers and manufacturers, bus and coach body manufacturers and associated suppliers and professional services. BIC's vision is to enhance the sustainability and liveability of Australia's cities and regions by *moving people* using bus and coach transportation. We aim to do this by representing the collective interests of our Members and to assist them in promoting the safety, efficiency and effectiveness of bus and coach transport in Australia.

Our Moving People Objectives

Encourage investment in public transport infrastructure and services.

1. Promote policies and actions that are environmentally responsible.
2. Promote the development of a viable and improved bus and coach industry in Australia.
3. Foster and promote a viable Australian bus manufacturing industry.
4. Protect the business interests of operators, manufacturers and suppliers.
5. Promote public understanding of the contribution made by the bus and coach industry to Australia's economy, society and environment.
6. Ensure the accessibility and mobility needs of Australians are met, regardless of where they live or their circumstances.
7. Promote the use of public transport as a viable alternative to the car.
8. Coordinate and make more effective existing Federal, State and Local Government policies and programs that relate to passenger transport.
9. Ensure that buses and coaches operate safely and effectively.

About the Bus and Coach Industry

The bus and coach industry in Australia carry more than 1.5 billion urban public transport passengers per year and makes up 5 per cent of the total urban passenger task. The coach sector of the bus industry, comprising long distance, tourist and charter operators move more than 1.5 million domestic travellers and makes up 8 per cent of the total non-urban passenger task. The school bus is the second most popular mode for travel to school after the car with about one quarter of all school children traveling to school by bus.

Our Industry, which includes bus operators, bus manufacturers and parts and service suppliers, employs more than 85,000 people nationally.

The *Bus Industry Confederation* (BIC) is the federal and peak body of the *Bus Australia Network* (BAN) comprising of the state associations of New South Wales, Victoria, Queensland, Tasmania, South Australia and Western Australia.



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Purpose of Document

The purpose of this document is to provide a response to the Consultation Draft of the Heavy Vehicle Safety Strategy 2021-25 (Strategy) [<https://www.nhvr.gov.au/consultation/2021/04/30/heavy-vehicle-safety-strategy-2021-2025>].

The Strategy will be supported by an Action Plan, produced annually, which will outline the activities, responsibilities, and timeframes for delivery, that the NHVR will undertake over its five-year life.

The Strategy is aligned to the draft National Road Safety Strategy 2021-2030 (NRSS), which sets out Australia's road safety objectives, key priorities for action, and road trauma reduction targets to 2030.

Responses to the consultation draft close 30 April 2021 and are submissible to: safety@nhvr.gov.au.

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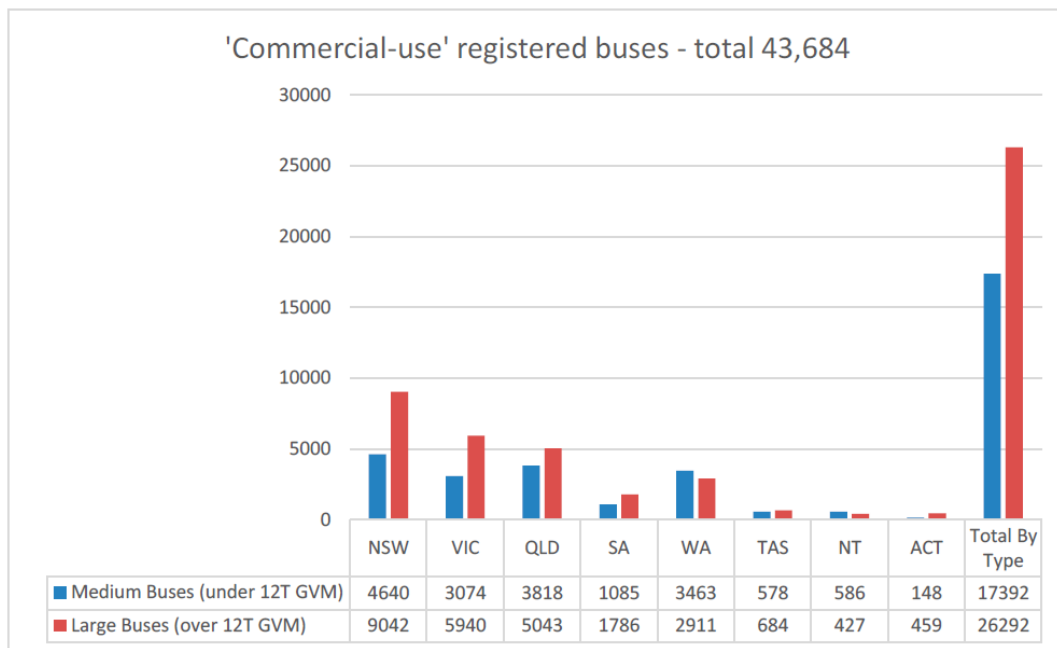
Australia’s bus fleet on the road

According to the ABS Motor Vehicle Census (2019), the number of registered buses was 105,331. This figure is based on ADR definitions of an omnibus having more than 9 seating positions (including the driver) and being a C Class vehicle (equipped to seat no more than 12 adults including driver with a gross vehicle mass (GVM) of up to 4.5 tonne. The bus and coach industry however considers a commercial-use bus being with a GVM of 4.5 tonne and above with a seating capacity (including the driver) of 12 seats or more. Based on this industry understanding of a bus, the number of registered buses on the road as of 31 January 2019 was 43,684 (see Figure 1.1).

The most recent Motor Vehicle Use Survey (ABS 2020) states the average number of kilometres travelled by a bus per year as being 24,600; over 1 billion travelled annually by commercial-use buses.

Figure 1.1 ‘Commercial-use’ registered buses – under and over 12 tonne

Note: Based on BIC analysis of ABS 2019 not including small (mini) buses under 4.5 tonne GVM or buses 26 years of age or older.



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Partnerships

The Bus Industry Confederation (BIC) is a strong supporter of national consistent regulation, the development of national law and its implementation and enforcement via the National Heavy Vehicle Regulator (NHVR).

Industry has, from the establishment of the NHVR's Bus Industry Taskforce (2011), made the point that buses are not trucks and to treat them under one category heading of "heavy vehicles" is problematic and this continues to be the case. Unfortunately, the separation of bus from truck has not happened in some instances and as a result, the bus and coach industry has ended up with some national laws that have little relevance to the practical operations of bus and coach services, or the risks associated with operating such services.

The nature of the bus industry where services must be provided on time or risk leaving people stranded, have not been fully considered when federal and state jurisdictions have addressed heavy vehicle issues and the national law.

The BIC contends that these issues have emerged largely due to a lack of focus during the development of national model legislation due to:

- limited involvement of public transport bureaucrats (from each Jurisdiction) in the consultation process.
- not considering that the long distance, tour and charter sector of the bus and coach industry operates to service its customers, (people), and therefore operates within a completely different paradigm than trucking freight (a freight delivery can, with consequences, be delayed and provided say the next day, whereas delaying a coach service a day means people are left stranded).
- understanding of the specific public transport task undertaken by the bus and coach industry and community and government expectations regarding the timely delivery of these services.
- consideration and recognition of existing accreditation and regulatory requirements (in each state) that are required to operate a bus or coach, unlike the trucking industry.
- the overall better safety record of the bus and coach industry.

A 'one size fits all' approach has been introduced to heavy vehicles over time that does not fit the operational reality of the bus and coach sector. This can be seen from the variations to the legislation that has emerged in different states for various aspects of the bus and coach operations, e.g. current fatigue exemptions, varying mass limits and vehicle regulation such as varying rear overhang requirements.

Recommendations to government

As per the aspirations of the Strategy, the BIC supports greater collaboration with regulatory authorities and a proactive approach to influencing policy changes. The BIC suggests that dedicated resources be allocated to each of the following aspects of the Heavy Vehicle National Law and regulations to ensure they are suitable for the bus and coach industry.

- The recognition of bus as distinct from heavy vehicles in the Heavy Vehicle National Law (HVNL).
- Emergency and Unplanned Services.
- Work Diaries.
- AFM, BFM and Standard Hours.

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- Rest Breaks.
- Counting Time.
- PBS Network Access.
- Vehicle Mass and Loading.
- Chain of Responsibility.
- Vehicle Inspections.
- Data Capture and Analysis.
- Registration.
- Vehicle Standards.

With changes proposed to the HVNL, the BAN recommends that the NHVR meet with the bus industry on a regular basis via a Taskforce. The upcoming transitioning of HVNL regulatory services to the NHVR in NSW and Queensland provides further reason for a bus industry Taskforce to reconvene.

General comments on partnerships

The bus and coach industry is arguably the most heavily regulated sector in the heavy vehicle industry. Generally, this regulation occurs via state-based transport legislation rather than Heavy Vehicle National Law (HVNL).

Therefore, any partnership programs that develop national regulation needs to recognise the extensive regulation that already applies to bus and coach operators in different states around Australia. It is important that any national regulation developed be broad enough to recognise such legislation, or it runs the risk of imposing different but comparable regulations on an already heavily regulated sector.

The main issues regarding national regulation for the bus and coach industry include:

- buses, bus drivers and operators are already heavily regulated by the states and we strongly advocate for no second tiers of nationally based regulation
- road access issue of routes approved by individual permit are not being added to the Approved Route lists so all buses of the same type can use the “permitted” route
- PBS is not generally found to be workable for buses/coaches.

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Safety in the workplace and on the roads

National Bus Safety Strategy

A need for a National Bus Safety Strategy was identified at the BIC's Annual Conference in 2019. A national approach would agree a bus safety strategy that would remove duplication, pick up good ideas already in place and agree a national package that delivers national benefits to address the myriad of issues that bus operators deal with on a daily basis that impact on road safety, driver safety, passenger, personal and community safety.

Outlined below are ten key national recommendations for government to ensure bus safety.

1. A national minimum bus safety accreditation framework that is mutually recognised by all jurisdictions.
2. A national bus safety data set that is collected by police and accident investigators that will better reflect what is happening on the road for accidents, injuries and fatalities involving buses, pedestrians and other vehicles.
3. A national and uniform school bus safety signage and lighting standard and road user education program (noting that the BIC has prepared a draft standard and is awaiting the NHVR to arrange a review via such by the respective state jurisdictions).
4. A national bus specification safety standard for government contracted services.
5. A national approach to seat belts on buses.
6. A national approach to bus driver penalties and sanctions for driver abuse and violence.
7. A national standard for driver protection on buses and driver training in dealing with violence and abuse.
8. A national bus stop standard for passenger security and protection.
9. Recognition of public transport as an essential service so no passengers are left behind as a result of industrial action.
10. A national bus safety awareness campaign.

Recommendation for government

The BIC would welcome any support and or input the NHVR could provide to allow any or all of the above ten key safety recommendations to be actioned.

Fatigue management

The BAN acknowledges that there is a primary duty to ensure that a driver must not drive a fatigue-regulated heavy vehicle on a road while impaired by fatigue and supports risk-based fatigue regulations. The current regulations do not account for the operating environments of different heavy vehicle sectors. This is certainly the case in relation to the bus and coach industry.

The Bus and Coach sector is broadly made up of:

- Regular passenger services that operate according to approved shifts and rosters.
- Long Distance Tourist and Charter (LDTC) that operate according to approved shifts and rosters to provide single seat or group transport to various destinations.

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These shifts and rosters are generally generated by computer programs that consider the current work and rest options as well as the needs of the passenger.

Roster and shift records are also maintained by the bus company in line with their state regulator requirements, making, for example, the need for the driver to carry a Work Diary largely redundant. The BAN supports recommendations from the National Transport Regulation Reform Review [Oct 2020] to move away from on-road enforcement via Work Diaries to an audit type approach directed at higher risk operators. However, the BAN would not support mandating of electronic records as many smaller operators, particularly in rural and regional Australia, lack the resources and sophistication to implement electronic systems. It is important that manual records be legally retained for such operators, whether this be written rosters and schedules or Work Diaries.

The BAN acknowledges that in every industry there are higher risk operators and therefore supports creating a positive environment including compliance that changes the behaviour and culture of these operators. The BAN notes that more and more bus and coach operators are using a variety of electronic tracking and fatigue monitoring devices. For the regulator, minimum requirements for the electronic systems should include:

- a record of the driver's work and rest times
- maintenance in a systematic manner for a relevant time period
- the ability to provide to the NHVR or police on request.

Recommendations for government

The HVNL needs to be drafted to accommodate technological change and better ways of managing fatigue. This means a law that sets fatigue management goals and parameters, with more flexibility on how work and rest hours are recorded.

Driver distraction, fitness for duty, training and competency are also factors that bus and coach operators assess as part of their safety management systems. The BAN supports the development of further initiatives in these areas to provide a greater awareness of the importance of these factors to both the operator and driver.

In summary, the BAN considers the key outcomes of any amendments to the HVNL to be:

- simplifying the current prescriptive rules around counting time
- focusing fatigue compliance on higher-risk operations
- allowing more flexibility for operators with risk and safety management systems
- embracing technology and mechanisms other than Work Diaries for compliance purposes
- including health assessments as a tool in combatting driver fatigue
- creating awareness of the human factors that affect fatigue.

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Creating positive change in behaviours and culture to improve safety

Health and well-being of bus drivers

Bus and coach drivers constitute the frontline staff of the bus and coach industry and are valuable assets, being greater in scale than all other roles in the industry combined. Based on industry surveys and data collated from ABS, the BIC estimates there are 65,000 bus drivers employed throughout Australia. Drivers make up approximately 80% of the entire labour force in a bus and coach operation, noting that drivers can often take on other roles in an organisation (eg. cleaning, etc).

Bus and coach drivers are aged 56 years on average, as compared to 40 years for the Australian workforce as a whole. Further, there is some level of bimodality in the age profile, with a greater number than average aged between 45-54 years and also above 60. One of the major challenges for the industry is the high proportion (82%) above 45, and the relative difficulty in recruiting the younger generation, with just 7% of the workforce less than 35 years old.

The BIC's industrial relations arm, the Australian Public Transportation Industrial Association (APTIA), commissioned a bus and coach driver health and wellbeing survey in 2013. The results of that survey indicated that:

- drivers have a poor understanding of weight management and there is subsequently or even correlated, that poor dietary choices are indicated for many workers. A poor diet results in increased weight, and increased risk of disease and illness
- there is an ageing, and predominantly male workforce which presents a number of health issues and risks. The Australian population is becoming an ageing population and industries such as public transport are appealing to the older workforce. It is therefore imperative that companies are proactive in managing their older workforce
- individuals who are in poor physical condition and of an older age are more prone to injuries occurring in the workplace or in the community. This may result in lost time at work resulting in increased stressors for a company.

The results of the 2013 survey also indicated that whilst life satisfaction and job satisfaction is mostly strong, there are substantial mental health concerns. These include the use of social support, anger and hostility, workplace bullying, assault and harassment, and experience of negative life events. All of these issues will influence an individual's psychological capacity to deal with others in the workplace, and deal with the stressors of work, as well as bring a positive frame of mind to their individual life choices.

The survey also found that individuals returning to work from illness and injury require a supportive physical and social environment. Procedures are required to be in place to enable an individual to return to work via a graded and sustainable manner. Having suitable employment in place will assist with a safe return to work. Individuals will recover quicker if they are returning to a supportive workforce. Staff that remain off work for longer than required will result in increased sick leave and reduced productivity.

The role of a bus driver can be a relatively isolated and 'lone working' environment, however a significant amount of time can be spent in the depot where social inclusion should be encouraged. Procedures need to be in place to assist with any forms of bullying, discrimination or harassment and staff are required to be available to discuss any issues or concerns relating to wages, anger and contentment.

Having a lack of procedures or policies in place may result in instances of bullying not being reported,

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leading to increased absenteeism and possibly, increased WorkCover claims.

Body and mental demands of driving

There are a number of physical, cognitive and psychological impacts (or demands) placed on the human body when driving heavy vehicles. Alarming, there is growing evidence of dehydration in “older” bus drivers. Dehydration seems to occur in older drivers who also consume medicinal drugs.

Physical Demands

1. Constant sitting.
2. Constant bi-lateral, upper limb movement.
3. Frequent uni-lateral movement.
4. Frequent rotation of the neck.
5. Constant plantar flexion and dorsiflexion of the right foot.
6. Control Precision — The ability to quickly and repeatedly adjust the controls of a machine or a vehicle to exact positions.
7. Multi-limb Coordination — The ability to coordinate two or more limbs (for example, two arms, two legs, or one leg and one arm) whilst sitting or standing.
8. Reaction Time — The ability to quickly respond (with the hand, finger, or foot) to a signal (sound, light, picture) when it appears.

Cognitive Demands

1. Far Vision — The ability to see details at a distance.
2. Depth Perception — The ability to judge which of several objects is closer or farther away from you, or to judge the distance between you and an object.
3. Near Vision — The ability to see details at close range (within a few feet of the observer).
4. Problem Sensitivity — The ability to tell when something is wrong or is likely to go wrong. It does not involve solving the problem, only recognizing there is a problem. Problem sensitivity also includes the ability to recognise any safety concerns or hazards.
5. Spatial Orientation — The ability to know your location in relation to the environment or to know where other objects are in relation to you.
6. Oral Comprehension — The ability to listen to and understand information and ideas presented through spoken words and sentences.
7. Reaction Time — The ability to quickly respond (with the hand, finger, or foot) to a signal (sound, light, picture) when it appears.

Psychological Demands

1. Constant interaction with customers.
2. Stressors associated with negotiating traffic hazards.
3. Maintaining timeliness of bus routes.
4. Break times.

Stressors include: Poor cabin ergonomics, rotating shift patterns, inflexible running times, increase in traffic, and violent or demanding passengers.

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Examples of healthy driver schemes

The following recommendations will be dependent on the practicalities of implementation. Some of these recommendations can potentially be offered on a smaller scale.

Physical

- 1000 step pedometer – Teams are put together within the company. Each day, individuals will document the number of steps taken during the day and will compete between other teams. This will promote ‘healthy’, competition between staff members, motivation for exercise and improvement in cardiovascular fitness. Competitions could run for a period of 6 to 8 week with a prize/voucher made available for the winning team.
- Health notice board – ‘Recipe of the month, diet tips, ‘fact of the month’. (‘Leadership’ team allocate an individual to complete the board on a fortnightly basis’.) Provides social interaction within the team as well as health education. Having a noticeboard available will promote social inclusion and means that drivers working during ‘unsociable’ hours will not be affected.
- Purchase a Nintendo Wii to be installed to the main television with physical games to be played. This will promote exercise in a fun and sociable environment as well as healthy competition. Security measures would be evaluated at the time of implementation.
- Free fresh fruit being made available. This can be utilised in conjunction with the smoothie maker promoting healthy eating.
- Liaise with healthy eating outlets at interchanges and meal break areas to source healthy affordable options. This could then be advertised in the depot with specific meal suggestions and discounts to encourage the drivers to frequent them.
- A physiotherapist to be arranged to visit the worksite and prescribe specific exercises relevant for bus drivers. This would then be developed in the form of a poster presentation and leaflets which can be taken out on bus routes to facilitate bus drivers completing exercises during their breaks whilst on ‘long shifts’.

Mental

- Access to Employee Assistance Program – to provide workers with the counselling support to manage their personal problems and any incidences which may come about at work.
- ‘Relaxation, de stress area.’ Enable individuals to relax and ‘de stress,’ especially during split shift breaks. Having access to a ‘lounge area,’ will enable individuals to rest and relax and provide comfort until the remainder of their shift commences.

Rehabilitation (recovery from illness and injury).

- Maintaining exercises taught from physiotherapist.
- Workplace Employee Assistance Program – including promotional material – to increase awareness of services available to staff.
- Bullying and harassment training provided to staff and handouts provided.

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Recommendations for government

Together with the 10 key safety recommendations from the National Bus Safety Strategy (p. 8), the BIC would welcome any support and or input the NHVR could provide to allow the development and implementation of an updated health and well-being program for bus drivers, noting that the BIC published such a guide in 2012 and this document could be used as the basis for an updated program (refer <http://www.movingpeople.com.au/LiteratureRetrieve.aspx?ID=189002>).

The BAN also seeks support for a national pilot program to implement health, well-being and safety schemes in large bus operations across Australia.

Modern and safer bus fleet

Safety technology on buses

Buses and coaches are in the business of *moving people* and as such, the development, manufacture and use of safety technology is of paramount concern for the bus and coach industry. In Australia, buses and coaches have traditionally been provided to market with the latest safety and emissions equipment that was available at their time of manufacture. This has partly been due to chassis and bus builders opting to promote safety within this people moving market, but also that the major purchases of buses are the large government fleets and these customers have always specified the highest safety and emissions standards. Therefore, safety features have often been introduced into the market a decade or more ahead of legislation. For example, ABS was commonly fitted to buses from the early 1980's and Electronic Braking System (EBS) with disc brakes was available from around the year 2000.

The bus and coach industry is arguably the most heavily regulated sector in the heavy vehicle industry. Generally, this regulation occurs via state-based transport legislation rather than Heavy Vehicle National Law (HVNL). The BIC provided a response [Dec 2020] to the Productivity Commission's National Transport Regulatory Reform Review [Oct 2020] which examines the impact of recent reforms to transport safety regulation and what possible further reforms might lead to a safer and more productive transport sector. The BIC offers, as support to our response to this Strategy, the current transport regulatory reform review and the submission provided by the BIC which can be downloaded [here](#).

In general terms, buses, bus drivers and operators are already heavily regulated by the states and we strongly advocate for no second tiers of nationally based regulation on safety. The impacts of imposing any new safety requirements need to be assessed to ensure that there is no duplication of requirements or the need for existing complying organisations to meet different requirements in respect of safe vehicles and associated safe technologies that: a) are already in use or b) an enhancement of technology already in use.

Safety regulations – Heavy Vehicle National Law (HVNL)

HVNL should recognise that 'one size does not fit all' when it comes to heavy vehicle law – different sectors have different needs. There needs to be recognition of the difference between truck and bus and the task undertaken including technical issues with vehicles and contracted operations – including specific recognition of existing national minimum safety standards for accreditation for buses and coaches.

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HVNL should embrace stronger performance and risk-based approach that:

- provides operational flexibility
- is less prescriptive
- offers performance based /alternative compliance approaches for operators to meet the law. This should include:
 - incentives to do so and recognise good compliance performance
 - greater acceptance of technology as a compliance tool.
- HVNL should not prescribe the technology, only the compliance performance outcome, and establish an appropriate alternative compliance enforcement regime that allows on road enforcement resources to be better targeted and for good operators to get on with the job.
- HVNL for buses should be considered in the context of the future passenger task and the transport network of our growing cities and regions. HVNL should not be isolated from these broader societal outcomes which seek to provide solutions for traffic congestion and cleaner air.
- HVNL should become more focussed on the use of technology to manage legal access by different productive vehicles using the road network – the current arrangements are inadequate in managing and monitoring access.

Many of the hazards and safety factors in transporting passengers are quite different from the freight task. For example, the personal health of drivers, drug effected passengers and violence and abuse, are not currently dealt with in HVNL. For this reason, for many years state-based passenger transport regulatory requirements have existed outside the scope of HVNL.

A move to industry standards and codes of practice would allow HVNL to more accurately reflect the risks found in one sector of the heavy vehicle industry, which may be absent in others.

The BIC already has an extensive list of industry codes or Advisories on a range of safety, technical and operational issues. These can be downloaded from the BIC website: <http://ozebus.com.au/solutions-for-moving-people/guidelines>. It should be noted that the process used to develop these Advisories includes review and or active input, from both state and national regulators.

Safety standards

The BIC supports a common and consistent approach to safety for buses and coaches. A consistent (minimum) set of safety standards which would assist purchases by bus and coach businesses and the procurement of buses and coaches and services through government or private tenders/contracts. In overseas markets, the use of standardised bus and coach specifications are common and often results in standards and safety systems being introduced to the market ahead of regulation.

In the United States a Standard Bus Procurement Guidelines RFP was developed by the American Public Transportation Association (APTA) in October 2013. This US system employs a range of options or alternatives within the standard and these are designed so that innovation is not constrained.

As a standardised specification is not currently available, there are instances where buses and coaches are sold that are not fitted or offered with higher order safety systems, but as these buses are still AD compliant, purchasers can be led to believe that they are purchasing the *safest* vehicles available.

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Examples of current safety technology in buses and coaches

Considering the latest innovations, plus the historically available systems, a coach in 2021 would typically have:

- Disk brakes, EBS, ESC and traction control along with Forward Collision Warning (FCW)
- Collision Warning and Emergency Brake (CWEB)
- Lane Keeping Support (LKS)
- Adaptive Cruise Control (ACC)
- Dynamic Steering (VDS)
- Enhanced roll over safety on coaches and intercity buses
- Driver Alert System (DAS) on coaches.
- Passenger Door Safety Systems.
- Suppliers also offer a range of other driver monitoring systems examples being:
 - Alcohol locks
 - Active Tyre pressure monitoring
 - Real time driver monitoring
 - Geofencing
- There are also retrofit programs underway such as driver assist systems.

The majority of the above safety systems are being implemented into the bus and coach fleet ahead of regulation, therefore where possible, the BIC utilises industry advisories and guides to help ensure a consistent approach in the application of such systems.

Industry Advisories and Codes

The BIC has developed and published an extensive list of industry Codes and Advisories on a range of safety, technical and operational issues. The rationale for the development of these Codes and Advisories can be summarised as follows:

- to address the issue of bus safety features being introduced well ahead of regulation and or ADR's, such as bus and coach safety standards for issues such as passenger door safety, bus school light national standards and fire mitigation.
- to allow the BAN to have a nationally consistent approach to bus and coach-based maintenance and safety management systems, such as the Tyre Safety Advisory and the relevant processes detailed in the Bus Fire Mitigation Advisory.
- to allow the BAN to have a nationally consistent approach to bus and coach operational safety as detailed in the BIC Fire Evacuation Protocol Advisory, Incident Management Guidelines and Accessible Transport Standard Compliance - Guidelines for Bus Operators.
- to allow the BIC to align with Action Number 9 from the National Road Safety Strategy 2011-2020 to:
promote the market uptake of new vehicle technologies with high safety Commonwealth and as detailed in the NRSS Implementation Report of 2017¹.

All of the BIC Advisory and Codes can be downloaded from the BIC website:

<http://ozebus.com.au/solutions-for-moving-people/guidelines>.

¹ National Road Safety Strategy 2011-2020 Implementation status report November
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It should be noted that the process used to develop these Advisories includes review and or active input, from both state and national regulators.

Recommendations for government

Development of industry advisories and codes of practice

As outlined, the BIC has a number of Advisories and Codes that have allowed the BAN to implement consistent vehicle standards and operational processes that have been successful in setting higher levels of safety across the industry.

Therefore, the BIC would strongly support the notion that the NHVR continues to promote the development of Industry Advisories and Codes.

National Bus and Coach Safety Standard

The BIC also believes that a common and consistent level of safety for all new buses and coaches could be achieved through the development of a set of negotiated and agreed national bus specifications.

These specifications would be known as the *National Bus and Coach Specification Advisory*. The Advisory would provide guidance to procurement of buses and coaches of required safety standards under Australian Design Rules, to meet unique state-based vehicle standards (where applicable) and Industry best practice in specifying a bus or coach for passenger services.

The primary aims of a bus specification advisory is:

- establish agreed and consistent minimum bus (vehicle) safety standards in consultation with all jurisdictions and relevant parties. ²
- not to reduce the options available or tailoring of specifications required for specific bus operations or purposes for governments, operators and manufacturers.
- to capture the operational systems and features that the Australian bus industry uses to provide safe, efficient and comfortable buses and coaches and provide this information in one document accessible to all bus operators.
- specify the safety requirements and outcomes that are called for in the larger government and private sector procurement contracts and allow these types of safety outcomes to be used by all of the industry when purchasing new buses and coaches.

A key issue to be addressed is the need for a bus specification advisory to be consistency across jurisdictions.

In some instances, bus safety requirements employed by some sections of the bus industry or by procurers of bus and coach services are in excess of national regulation, whilst at the same time some state-based regulations are commonly “cherry picked” to achieve a perceived optimum safety outcome even in states where such regulation is not applicable. This can result in vehicles being over specified for their purpose and cost of vehicles increased.

² Standardised bus and coach specifications are already in use in the United States, the European Union, the United Kingdom and other individual countries to meet the specific operational requirements and regulation in those countries.

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Currently many larger bus supply contracts require compliance to existing BIC safety related advisories, such as the BIC Bus Door Safety Advisory And BIC Bus Fire Mitigation Advisory. Ideally requirements detailed in these advisories need to be standardised for all new bus and coach purchases.

A bus safety specification advisory would:

- allow government to work with industry to agree a set of bus and coach vehicle standards and core safety outcomes that are aligned with the operational activities for buses and coaches
- ensure best safety and productivity practices for bus and coach types
- document the details of where and how such specifications exceed ADR regulation, and agree which state based best practice regulations and industry codes and practices should be adopted nationally
- provide industry and regulators with an agreed consolidated reference document that contains information on the systems and standards that are to be the base of all bus and coach safety specifications
- encourage consistency of standards across the industry to maximise efficiency through economies of scale, standardize bus and coach specifications and vehicle options and minimise negative price effects
- assist all operators to make informed decisions regarding safety when purchasing new buses and coaches
- identifying where over -regulation exists, allow national regulators to develop work programs for ADR development and where appropriate, harmonise with EU regulations to align with industry best practice.

Bus Maintenance and Roadworthiness Inspections

The NHVR stated Strategy is to establish a national heavy vehicle inspection framework to identify and target operators who do not maintain heavy vehicles appropriately.

In response to this strategy, the BAN provides the following strategy comments.

1. The truck and freight industry does not have a requirement for mandatory annual roadworthy inspections in all states. In addition, trucks generally have internally sourced inspections, whereas buses and coaches have external independent inspections. The data suggests that this probably contributes to higher accident and fatality rates for the truck and freight industry.
2. As a result, the BAN considers that significant improvements in safety could be achieved by independent annual roadworthiness inspections, as witnessed by the significant safety gains in the bus and coach industry since inspections began. We believe that a standard Code of Practice should be developed outlining the process for independent annual roadworthy inspections. This requirement should apply to all heavy vehicles.
3. The BAN considers that preventative compliance action by the regulator can improve the risk management practices of operators. This is something that has been happening for many years in the bus and coach sector. For example, bus and coach operators are required to have management information systems and vehicle maintenance management systems, and such requirements are independently audited on a regular basis. This has given rise to an excellent safety record within the bus and coach industry, compared to other heavy vehicle sectors.
4. In developing any national strategy, the extensive regulation that already applies to bus and coach operators in different states around Australia needs to be first considered. It is important that any national inspection strategy recognises existing state-based requirements, or there is the risk of imposing different but comparable regulations on an already heavily regulated sector.

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5. If Codes and Standards are to be developed as part of any strategy, it is imperative that the NHVR consults both with the BAN and with the state government agencies that administer transport laws. In addition, existing BAN codes and advisories need to be considered as part of any such process. This will help to minimise the risks of duplicating requirements or overregulating a particular risk.

Reducing the average age of Australia's bus fleet

The reality is, 23% of the Australian bus fleet is 17 years or older and operate with Euro III or less emission standards (see Figures 1.2 and 1.3).

Route and school bus services procured by or operated by state and territory governments have operated at service levels that result in very low vehicle kilometres travelled each year by a bus and therefore the vehicles full life cycle, if maintained to specification, can be up to 25 years. This has over many decades seen buses, as a generalisation, providing route and school services proceed through a service life cycle that begins with a new bus providing high patronage urban passenger services and ends with lower patronage services in regional and rural areas. Many vehicles over 15 years also act as replacement service vehicles and used for charter purposes. This approach has maximised the return on investment in the vehicle out to 25 years of age.

Coaches operating in the long distance and tourism market tend to be newer to provide superior levels of passenger comfort and attract customers and are a small percentage of the overall passenger task and fleet on the road.

Some states and territories have average age of fleet and maximum age requirements as outlined in Table 1.1. The reality is, 23% of the Australian bus fleet is 17 years or older and operate with Euro III or less emission standards. This reflects a large percentage of the fleet performing the passenger task in vehicles that have poor emission performance and offer very little in the way of modern comfort features for passengers compared with new buses.

Fleet utilisation and return on investment for governments is best delivered through high levels of service delivery and frequency.

The age of the Australian bus and coach fleet is a matter requiring a coordinated national approach between federal, state and territory governments. The expenditure or cost of investment in low emission buses to achieve an average fleet age of 12 years will lower bus emissions and improve bus safety.

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Figure 1.2 Buses on register by age

Note: Based on BIC analysis of ABS 2019 not including small (mini) buses under 4.5 tonne GVM or buses 26 years of age or older.

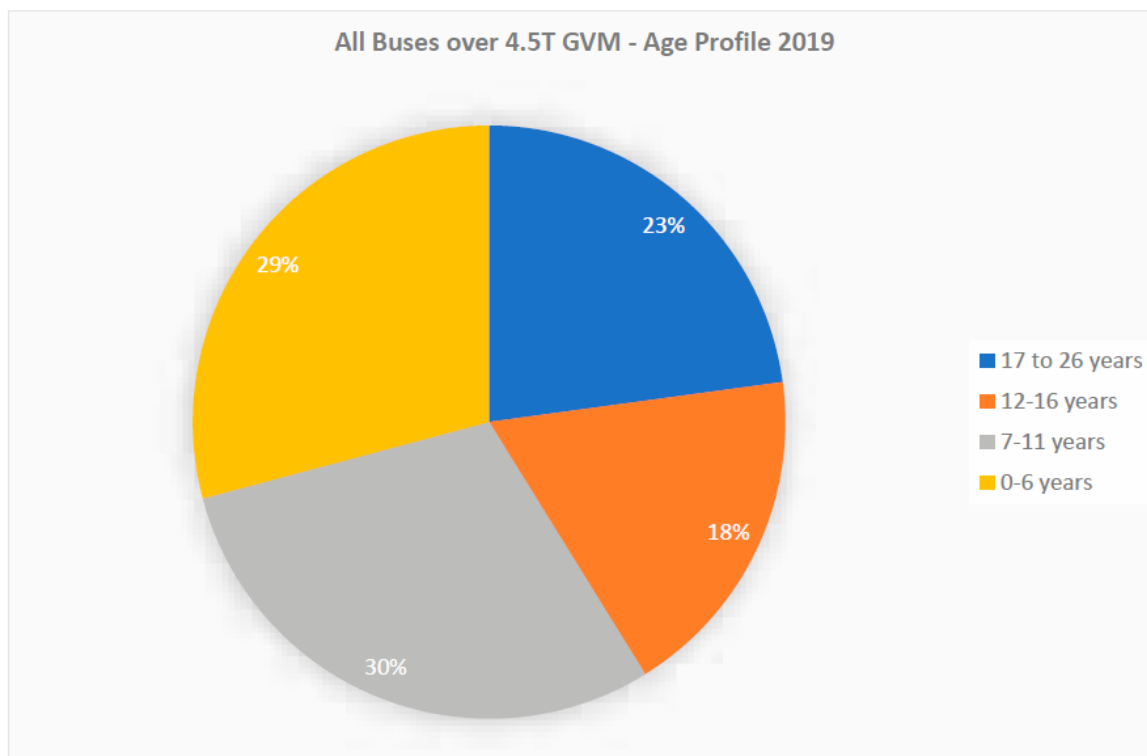
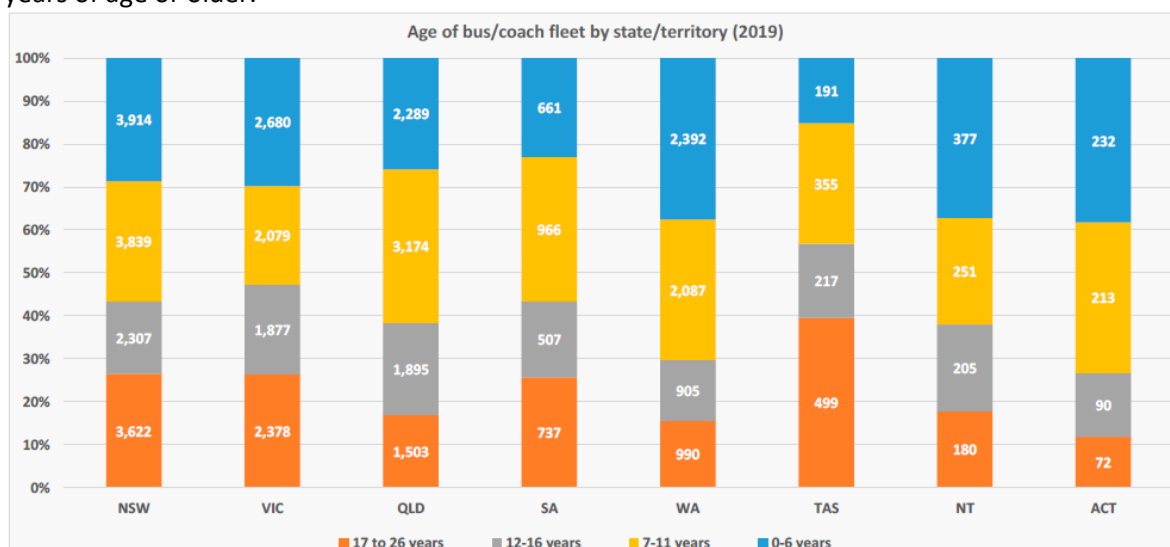


Figure 1.3 Buses on register by age and state/territory of registration

Note: Based on BIC analysis of ABS 2019 not including small (mini) buses under 4.5 tonne GVM or buses 26 years of age or older.



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Table 1.1 Average and maximum age requirements for buses by state/territory and service type

State	Service Type	Average Age	Maximum Age
New South Wales	All	12 years	25 years
Victoria	All	None	None ⁵
Queensland	Open/Regional/Local classifications	None	25 years
South Australia	All	None	25 years
Western Australia	All		
Tasmania	General access route	12 years	20 years
	School fare paying		20 years
	School non-fare paying		25 years
	School <25 seats		10 years
Northern Territory	All		
Australian Capital Territory	All		

Recommendation for government

The BAN would support any national approach aimed to achieve a national average bus fleet age of 12 years.