



Submission
Inquiry Into the Increase In
Victoria's Road Toll

Transport Alliance Australia

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Background

Transport Alliance Australia (TAA), formerly the Commercial Passenger Vehicle Association of Australia, is the peak body for owners, drivers and stakeholders in the point to point passenger transport industry. This includes stakeholders from services provided by taxis, hire cars, rideshare, limousines and specialised vehicles.

TAA is a not for profit body established in 2014 with a membership base primarily within Victoria where the association originated as the Victorian Hire Car Association. Expansion in other Australian states and territories is in the advanced stages of planning and implementation with chapters now registered in Queensland and Western Australia and other states pending.

The Commercial Passenger Vehicle (CPV) industry is composed of a number of important businesses that work together to provide point to point personalised passenger transport services 24 hours a day, 7 days a week, all year round, including public holidays.

Cars are our office making the increase in Victoria's road toll of critical importance to our members.

To date in 2019, there have been 243 lives lost on Victoria's roads representing an increase of 24.6% since the previous year.

In this submission, we wish to briefly outline areas particularly relevant to the CPV industry which would improve the safety of vehicles and address causes which may contribute to the increase in Victoria's road toll.

TAA welcomes the opportunity to support this submission in person or to provide further comments in a panel discussion.

Vehicle Safety

There are three main factors which contribute toward vehicle safety and these are design, vehicle age and roadworthiness. These points however are not unrelated. Safety features inherent in the design of vehicles have improved markedly over time and are constantly advancing which is why as cars age they become comparatively less safe than newer models. Similarly, failure to maintain older cars contributes to a decline in their roadworthiness which compromises the safety of the vehicle.

Design

The Australasian New Car Assessment Program, more commonly referred to as ANCAP SAFETY, is Australasia's independent vehicle safety authority. ANCAP star ratings indicate the level of safety a vehicle provides for occupants and pedestrians in the event of a crash, as well as its ability — through technology — to avoid or minimise the effects of a crash.

ANCAP safety ratings are determined based on a series of internationally recognised, independent crash tests and safety assessments – involving a range of destructive physical crash tests, an assessment of on-board safety features and equipment, and performance testing of active collision avoidance technologies.

Vehicles are evaluated against four key areas:

- Adult Occupant Protection (AOP)
- Child Occupant Protection (COP)
- Vulnerable Road User Protection (VRU)
- Safety Assist (SA)

A range of tests and assessments are conducted within each area, with vehicles required to meet minimum score thresholds for each star rating level. The overall star rating of a vehicle is limited by its lowest performing area of assessment. The new Jeep Wrangler which went on sale in Australia in April this year, is 1-star rated. Great Wall Motors dual cab Steed is 2-star rated.

Poorly rated cars are not safe and simply should not be on our roads.

TAA recommends a ban on the importation of 1- and 2-star safety rated vehicles into Australia and to investigate state measures to increase stamp duty on existing 1 and 2 star rated cars to provide incentives for Victorians to purchase safer models.

A further incentive to phase out existing 1- and 2-star safety rated vehicles is to consider a higher registration fee for such cars.

Ideally all registered vehicles should be mandated to meet the pinnacle 5-star ANCAP safety rating and certainly without exception all vehicles being driven for commercial purposes should meet this as a requirement of registration and renewal.

The workplace of all professional and commercial drivers is their vehicle – we should not compromise on the safety of transport workers while on the job. Five-star ANCAP rated vehicles are the safest for its occupants and other road users.

ANCAP safety rating is becoming a critical factor in vehicle selection for private and fleet buyers. The Victorian Government fleet adopted a 5-star ANCAP safety rating as a requirement. It should be encouraged for all fleets to do this.

Vehicle Age

Vehicle age is a factor known to contribute negatively to the outcome of a collision. Analysis of the Australian vehicle fleet shows that while older vehicles (those built 2000 or earlier) account for just 20% of the registered vehicle fleet, they're involved in 33% of fatality crashes. In contrast, newer vehicles (those built 2011-2016) make up 31% of the fleet yet are involved in just 13% of fatality crashes. It is known that the fatality rate is four times higher in older vehicles. This is illustrated in the below figure.

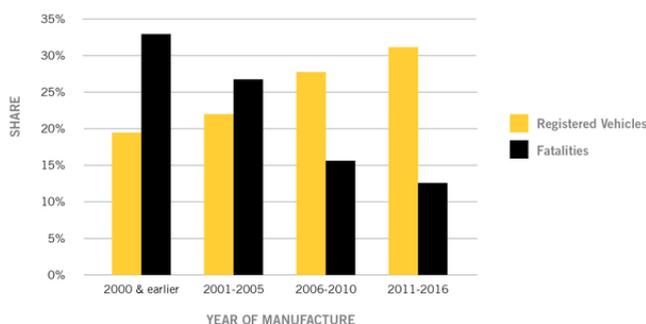
The average age of Victorian cars is 11 years and the average age of vehicles involved in fatal crashes is 12 years. ANCAP standards have become more stringent with time as more vehicle safety features are developed. Older vehicles which were rated highly for safety on the date of manufacture would not rate equivalently under current safety standards.

Incentives should be provided to replace older vehicles with newer safer models either by exploring ways of making newer cars more affordable and perhaps incentivising vehicle turnover by applying increased registration fees to older cars or introducing regular roadworthy certification as a condition of registration.



Fatalities vs. Registered Vehicles*

2015 AUSTRALIAN VEHICLE FLEET
(Passenger cars & SUVs)



Average age of vehicles = 9.8 years

Average age of vehicles involved in fatal crashes = 12.9 years

The oldest vehicles (built 2000 or earlier) accounted for 20% of the fleet, but were involved in 33% of fatalities.
The newest vehicles (built 2011-2016) accounted for 31% of the fleet, but were involved in 13% of fatalities.

In 2015, the rate of fatal crashes per registered vehicle for the oldest vehicles was 4 times higher than that of the newest vehicles.

SOURCE: Australian Bureau of Statistics Motor Vehicle Census (31 January 2016).
*Occupant fatalities in passenger vehicles and SUVs only.

AUSTRALIA

In the context of the commercial passenger vehicle industry, the government once regulated for and set age limits on commercial passenger vehicles. Since the CPV reforms of 2017, this is no longer the case although some taxi booking service providers such as 13CABS, have introduced a 6-year vehicle age limit for those wishing to join their network. Uber applies a 9-year age limit to vehicles on their platform. These conditions however are quite separate from any government policy or expectation surrounding safety standards of commercial vehicles for which there are now none.

TAA recommends that the government regulates vehicle age limits for cars operating in the commercial passenger transport industry and also considers this criterion for any other vehicles being used for commercial purposes, such as delivery vans. Safety should not be compromised for high-use vehicles, nor for those transporting passengers who place their trust in both driver and car to deliver them safely to their intended destination.

Vehicle Roadworthy Certification

All the available vehicle safety features in existence will not prevent a collision if the brakes fail. Responsible car ownership should be encouraged and proper maintenance of vehicles on our roads should be enforced as a priority. All vehicles should submit annually to a roadworthy check by a VicRoads Licensed Vehicle Tester. This should be a condition of registration.

In the commercial passenger vehicle industry, it is not uncommon for taxis and hire cars to travel in excess of 150,000 kms per annum and many rideshare vehicles are also on our roads for over 60 or 70 hours per week.

Currently, all Victorian commercial passenger vehicles are required to provide, upon request, evidence of a valid roadworthy certificate or RedBook safety check conducted within the 12 months immediately prior. Surprisingly however, this is not a condition of CPV licence renewal but may form part of a random check or inspection by the regulatory authority. With over 76,000 CPVs on Victorian roads and

only a handful of industry compliance officers the likelihood of discovery of those vehicle owners not meeting these requirements is small.

TAA recommends that an annual roadworthy certificate is presented as a condition of CPV licence registration and annual renewal. No proof of roadworthiness, no commercial passenger vehicle licence. This is straightforward and simple.

If vehicle safety and maintenance is to be prescribed through regulations applied to the industry then a process should be put in place to ensure full compliance is achieved for the safety of the travelling public. Subsequent enforcement of this point would not be necessary if a valid roadworthy certificate (RWC) is required to be produced as part of the registration and renewal process.

A further point relevant to the CPV industry is the two-tiered standard currently existing in terms of what suffices as an acceptable vehicle safety inspection.

Prior to the CPV reforms of 2017, all vehicles were required to have an RWC conducted by a VicRoads Licensed Vehicle Tester. Among other things, an RWC involves a detailed inspection of at least a couple of hours duration where the car is lifted on a hoist to inspect the undercarriage, tyres are removed for thorough examination of the brake pads and discs, the car is driven to assess the way it handles on the road and an emissions test is also conducted. An RWC commonly costs in the order of a couple of hundred dollars, commensurate with the level of effort and time involved in conducting a comprehensive review of the vehicle.

Also acceptable under the regulatory requirements of the CPV industry and purported to be equivalent to an RWC is a RedBook safety check. A typical RedBook inspection may be carried out by mobile service providers or at a service centre and commonly takes around 15 minutes to complete. The car is not tested for road handling, it is not lifted onto a hoist and the wheels are not removed, which is the only way known to conduct a thorough check of the brakes and brake componentry. There is certainly no hoisting capability with RedBook mobile services.

At best, a RedBook inspection can only be described as a superficial examination from a standing position around the vehicle. The cost for a RedBook inspection is less than a third of an RWC. There should be only one acceptable standard for a vehicle safety check. It should be the gold standard an RWC. Anything less is a serious compromise in passenger and driver safety.

There must be detailed criteria and prescribed methodology for conducting a vehicle safety check in order to achieve uniform safety standards across all vehicles in particular commercial passenger vehicles.

Human Error

Reportedly 90% of accidents are a result of human error and through certain measures which seek to change driver behaviour, these errors can be minimised.

In the 1970s the Australian road toll was over 4,000 per year yet it is now around 1,200. Measures which have helped to reduce the number of lives lost on our roads have included breath testing, seatbelts, infant/child car seats, speed cameras, safer vehicles, better road engineering etc. However, for there to be further improvement in these numbers we need a cultural change to reduce road trauma.

Driver Training

Driver training and testing is generally conducted once as a young adult and never revisited. There should be incentives in place for individuals to partake in further driver training such as defensive driving courses, perhaps by way of fee discounts on vehicle registration, insurance or licencing.

Consideration should also be given to provision of further driver education in the school system and workforce in particular as part of safety policies surrounding fleet management and operation of commercial vehicles. Government and corporates could lead in this area to instigate a much needed change in mindset on the continued need for training and reinforcement of good driving practices.

Driver Fatigue

Fatigue is a contributing factor in 16-20% of all road crashes in Victoria. It is dangerous and potentially deadly. Within the commercial passenger vehicle industry, driver fatigue is becoming an increasing problem and one which puts both drivers, passengers and other road users at significant risk.

Deregulation of the CPV industry in 2017 has seen an explosion of commercial passenger vehicles on our roads. There has been an approximate doubling of taxis (unbooked CPVs) from 5,500 to over 11,500 and a staggering increase in hire cars from 2,500 to around 65,000 currently and climbing, with no real evidence of a proportionate increase in demand.

In such an oversupplied market, driver income declines considerably and there is the tendency that workers will extend their shift to generate further revenue. Driver takings are plummeting such that it is not uncommon now for workers to be on the road in excess of 12 hours at a time.

Some taxi Booking Service Providers have implemented time restrictions on drivers when logged on to their dispatching platform. However, there is nothing that prevents a person doing a 12 hour shift in a taxi followed by a few extra hours as a rideshare driver, on one or more platforms. Or alternatively, taxi drivers log off the platform and continue working independently, seeking passengers through the rank and hail market which is not under the control of the taxi Booking Service Provider. Now with added flexibility for involvement in the industry there is also an increasing number of drivers who work a full day in employment elsewhere and then jump into a taxi or rideshare to make a little extra cash on the side.

Also there is no longer a requirement for taxi drivers to belong to a Booking Service Provider. They may operate independently without oversight. All forms of employment included, there are many drivers working in excess of 12 hours in a 24 hour period with an insufficient rest break of less than seven hours. Studies show that this leads to fatigue and increased risks associated with driving.

There needs to be greater oversight in this area by government and by the Booking Service Providers and there should be some level of co-ordination across all platforms to prevent drivers switching Booking Service Providers or continuing to drive independently and working to dangerous levels of exhaustion.

The number of consecutive hours worked in any form of employment without a reasonable period of rest time must be monitored and considered. Clear guidelines and a well-defined chain of responsibility is needed to ensure safe practices are adopted and breaches do not occur, particularly for independent drivers who are not likely to impose any time restrictions on their own driving behaviour.

Driver Distraction

In recent years, technology has come to dominate every aspect of our lives, so too it has crept into our vehicles either as portable mobile, wearable or fixed on-board devices.

Technology connects us to our social networks and to our families, but it is not limited to communication – it is a car control panel, a navigation tool, it provides entertainment (podcasts, music etc), news and increasingly it is a tool used in business to secure immediate work and engage clients.

We are increasingly distracted by technology not only because it exists but because much of the behaviour surrounding device use is often habitual and perceived as demanding immediate attention. This is compounded if the reason for using a device while driving is to earn a living, as this could potentially increase the urgency of a response or interaction with a device at inopportune moments.

For those who work on our roads, accidents are a daily reality. The use of screens in vehicles poses an enormous risk to road users. Just 4 seconds of inattention can lead to tragedy. The estimates of device use and, in particular, mobile phone use, as a contributor to safety related incidents has increased substantially.

A recent Monash University study showed drivers were distracted on average every 96 seconds. Drivers are doing everything from checking their phones and changing settings on their car navigation to eating and drinking and even applying make-up and brushing their hair. They are not looking at the road.

Distracted drivers are no doubt a hazard on our roads yet driver distraction as a safety issue is poorly understood when compared with other road safety risk factors and is deserving of further investment in research.

There is some discussion surrounding technology used by commercial drivers and the requirement to use several devices as part of their usual work. It has been proposed that future legislation may need to consider these drivers separately to accommodate their needs to allow them to perform their job.

However, it would be difficult to support this view without a review of statistics relating to road trauma due to periods of inattention as a result of specific interaction with and use of technology by commercial drivers. Assessment of the risks and establishment of methods to reduce these may lead evidence-based modifications to the road rules rather than having reforms driven simply by virtue of accommodating a given class of worker or industry.

It may be that in-vehicle safety systems will be developed to enhance our concentration on the driving task. It may be that technology will be developed that improves interactions with devices thereby reducing the risk of distraction. However, until such a time that these become a reality to sufficiently mitigate the risks involved or reduce driver distraction, the rules must be prescriptive and definitive without exception. Clarity and consistency are key to reducing confusion regarding the law and achieving compliance.

Safety should always take priority. There should be zero tolerance for technology use in vehicles. Rules must be set in place that manage the distraction regardless of the cause. This would be the preferred position from an enforcement perspective, particularly since commercial passenger vehicles no longer have mandated identifiable registration plates or livery. New technology to detect the use of phones in cars show promise for stopping the increasing problem, and introduction in Victoria, as is recently the case in NSW, should be considered.

Summary

TAA recommends the following measures to aid in the reduction of Victoria's road toll -

1. Mandated 5-star ANCAP rating for fleet vehicles and those used for commercial purposes in particular within the passenger transport industry.
2. A ban on importation of 1- and 2-star safety rated vehicles and an incentivised phasing out of existing vehicles through higher registration fees.
3. Mandated vehicle age limits for high use commercial vehicles and those within the passenger transport industry.
4. Incentivised turnover of older vehicles through the introduction of conditional vehicle registration on the production of roadworthy certification or by increased registration fees.
5. Compulsory annual RWC safety checks for all vehicles as a condition of registration and CPV licencing.
6. Prescribed detailed criteria and uniform methodology for conducting vehicle safety checks related to assessing the roadworthiness of vehicles on our roads in particular those being used for commercial purposes within the passenger transport industry.
7. Consider further driver training as part of fleet management practices and encourage advanced training and refresher courses for all drivers ongoing.
8. Greater government oversight and better coordination across Booking Service Providers in the commercial passenger vehicle industry to manage fatigue and introduce clear guidelines and a well-defined chain of responsibility to ensure safe practices are adopted.
9. Introduction of technology to detect mobile phone use while driving and enforcement of zero tolerance policies.