



**Heavy Vehicle Enforcement  
South Australia Police**

**2005 Road Safety Research, Policing and Educational Conference**

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**September 2005**

Economic growth is enhanced by safe and efficient road transport infrastructure. Australian major cities where most consumer demands occur are situated vast distances apart, relying heavily on road freight transport. South Australia relies on road freight to satisfy most of its commodity, product and consumer needs.

The road transport sector in SA currently employs approximately 30,000 people. A doubling of the freight task is predicted within SA by 2020. Of that volume about 80% is predicted to be by road freight. Within SA there is approximately 100,000 km's of road network within a landmass of 984,377 square kilometres. For the year ending 31 March 2001 approximately 46 million tonnes of freight was conveyed by road<sup>i</sup>. This is growing annually.

Vast distances and remote areas provide challenges for community policing, especially the rigors of traffic law enforcement. Many rural highways traverse arid areas with long distances between either roadhouses or towns.

All uniform police officers share some responsibility for enforcement of traffic related legislation and regulations within SA. Police resources are allocated to geographic districts called Local Service Areas (LSA's) where the local police commander is responsible for the provision of all policing services, crime reduction strategies and road safety. Police services delivered include criminal investigations, general policing services and traffic enforcement. Local police are supplemented corporately from specialist areas on a needs basis by the provision of human and physical resources with a variety of knowledge, skills and equipment to assist with both proactive and reactive policing strategies.

The SA road fatality toll for the last few years has remained fairly constant.<sup>ii</sup> In accord with the National Road Safety Strategy and in conjunction with other contributory initiatives the SA Road Safety Strategy and Action Plans aim to reduce the impact of road trauma. Fatality rates in SA for 2003 were 10.2 per 100,000 of population, higher than the Australian average of 8.2. SA aims to achieve a reduction to at least 5.6 per 100,000 of population by 2010. This would require the annual SA fatality rate not to exceed 86. Improved road use behaviour by the impact of legislation, education and enforcement is anticipated to contribute about 22% of that reduction.<sup>iii</sup>

Heavy vehicles are involved in about 16% of fatal road crashes that occur annually in SA. During 2004 in SA a survey revealed that 30% of the heavy transport drivers contacted exceeded 85 hours per week driving. Regulatory controls generally restrict this to a total of 72 hours per week.<sup>iv</sup>

Additional resources are available to assist locally based police. Traffic Support Branch provides a central group of specialists who have a State-wide traffic policing responsibility. Personnel available include major crash investigators, training personnel, traffic intelligence officers, highway patrol officers, and a variety of other police resources. Motor mechanics are employed to assist with vehicle examinations and deliver supportive evidence with regard to lack of compliance to standards.

Police use a variety of specialised instruments to assist in their enforcement endeavours. These include:

- Speed detection equipment (both static and mobile)
- Static Traffic Cameras
- Mechanical vehicle inspection tools
- Mobile data terminals (communications, command and control)
- Radio communications
- Radar detector detection equipment
- Engine management computer readers

The SA Police road safety focus aims to provide crash reduction policing strategies that address:

- Education – Providing communication and awareness of road safety issues, traffic related laws and the negative impacts of road trauma to the community
- Engineering – Understand the contribution vehicles, vehicle dynamics, road and traffic engineering make to crash reduction strategies and have a capacity to identify and report potential road hazards, vehicle defects or determinants of road crash causal factors from investigation of post crash evidence
- Enforcement – Deliver effective and efficient policing services to contribute to effective law enforcement and encourage compliance to road laws.

On road enforcement by either police or transport authorities is expensive to deliver and sustain. There has been considerable acceptance of responsibility for performance-based incentives that contribute to road safety within the road transport sector. This evolutionary move towards increased levels of voluntary compliance, adherence to codes of practice and heavy vehicle accreditation schemes is steadily progressing. Initiatives such as these combine principals of ownership and inducement that aim to provide a value added environment with the benefit of enhanced road safety, while offering capacity to maintain or improve access and productivity. Police and transport agencies play an important role in providing independent audit and verification of the level of compliance and adherence to codes, legislation and accreditation requirements.

The necessity for consistent, effective targeted road safety enforcement has been discussed at many forums in Australia in recent years. The level playing field concept where the same level of compliance applies to all transport operators has been widely discussed amongst the road transport sector and road safety stakeholders.

There is a percentage of road transport sector drivers, operators and other participants who routinely flout adherence to road safety requirements arguably gaining some competitive advantage over those who strive to comply (at least to minimum regulatory requirements) often incurring considerable implementation costs to do so. The enforcement challenge is to focus and deliver appropriate police resources to target participants that demonstrate habitual non-compliance and poor road safety outcomes.

In September 2005 Transport SA (Department for Transport, Energy and Infrastructure) activated a network of 11 Safe-T-Cam sites at strategic locations on major highways within SA. These are networked to the NSW RTA Safe-T-Cams. SA Police work together with both agencies utilising this resource to assist in targeting opportunities.

South Australia Police introduced a 'Heavy Vehicle Enforcement Liaison Group' which is chaired by police and includes Transport SA Safety Compliance Inspectors, Workplace Services Inspectors and Heavy Vehicle Examiners/Accreditation/Permits Inspectors. This group meets every month to discuss heavy transport compliance and enforcement issues particularly relating to targeted enforcement.

An example of the nature of outcomes from this group is best depicted by a case study of transport company 'A2B'<sup>1</sup>, a SA based line-haul operation that delivers perishable market produce between Adelaide and the Sydney markets. This company owns about a dozen of its own articulated fleet and also sub contracts about the same number of vehicles to carry their consigned freight. They had over the years acquired a notorious reputation amongst the various agencies. The company reveals a poor crash history, high workcover claims, an appalling driver road law compliance history including operating fast trucks with fatigued drivers.

Police had over several months targeted and sustained focus upon vehicles being driven on behalf of company A2B. Feedback from a variety of sources indicated this tactic was impacting operations of the company, but it was in itself not achieving the levels of compliance or on road behavioural changes

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<sup>1</sup> A2B – A fictional name assigned for this article and does not relate to any individual, company or entity operating with a similar name or title.

that were sought. It was evident that there continued to be a sustained pattern of non-compliant and high risk strategies undertaken by drivers employed by company A2B (or sub-contracting for them) that the operators were either complicit in sustaining, or that safety outcomes were either overlooked or disregarded.

The group collated the evidence amassed to date relevant to Company A2B and met with their management team. The meeting included the participation of a representative of the SA Road Transport Association who was available to assist the operator as an advocate, they were also encouraged to bring legal counsel if they desired. The objective of the meeting was to inform the operators of Company A2B their concerns disclosed by enforcement activity, workplace practices, injuries and crash records. The initial meeting also clearly demonstrates to the operators the close working relationship between the relevant enforcement agencies. The message delivered is always that on-road compliance and worksite safety outcomes are closely linked and require management and direct intervention by the operators.

A plan was formulated and offered to the operators where Workplace Services Inspectors initiated a worksite inspection and audit of the company. This objective was to encourage safety conscious work outcomes. Police assisted Workplace Services by attending during the worksite inspection process. The purpose of this activity has been to assist the operator to identify and review processes to enable them to instigate appropriate strategies to significantly reduce or eradicate work practices resulting in inappropriate safety outcomes.

Prior to the initial worksite inspection and for a couple of months thereafter police disclosed ongoing on road offences including tampering with speed limiters, Safe-T-Cam avoidance, speeding, drug use and flagrant disregard towards driver fatigue management.

Two follow up visits to provide direction and assistance with remedial countermeasures have taken place. On road interceptions of the company trucks and their sub-contractors have revealed significant improvement. Some sub-contractors and employee drivers employment with the company was terminated. Many operational practices have changed delivering both transparent and beneficial safety enhancements.

The need for independent verification of compliance and persistence in targeting is considered essential to success. Good intelligence to sustain interception of targets is also invaluable to maximise efficient enforcement resource deployment.

The most recent follow up contact with company A2B has revealed that they have within 12 months identified significant cost benefit subsequent to their embracement of change towards a culture with a safety focus. Massive savings on fuel and tyres have already contributed to the success of this turnaround. This initiative (and similar) have occurred in SA preceding long awaited legislative changes to assist.

'Chain of Responsibility' legislation seeks to address casting the scope of responsibility for on road safety performance beyond the driver and operator. This concept where others who through their actions or inactions are in a position to influence the drivers safe conduct on a journey are held accountable, will soon become law in SA and ultimately across the nation. Initially this principal will apply to mass, dimension and loading offences. It is envisaged that this will evolve to include speeding and fatigue management modules as well. Penalty provisions will include enhanced powers to conduct investigations to support prosecution of 'chain of responsibility' related offences. These will include provisions for corporate multipliers to ensure that penalties may substantially impact and evoke change to inappropriate work practices beyond the driver and operator.

A topical issue within SA has been impacts imposed upon heavy transport drivers due to delays at Distribution Centres of major retail outlets affecting on road behaviour. Queuing requirements at major distribution centres appeared problematic. Consultation with the SA Road Transport Association and other stakeholders resulted in a series of presentations and consultation with senior management teams from three major distribution centres during June – August 2005, seeking achievable solutions to improve vehicle and load turnaround that would deliver on road benefits to drivers. This consultative approach is considered to positively contribute towards achieving both short and longer term benefits to road safety.

Road safety and transport regulations, traffic laws and compliance measures are constantly changing. The challenge for enforcement, particularly police operational on road enforcement is to always remain relevant in its significant contributions to road safety. It is necessary for police to ensure that meaningful outcomes and performance indicators contributing to road crash and road trauma reductions are achieved. This is about sensible use of resources and best practice planning strategies and use of accurate and timely intelligence.

SA Police traffic enforcement significantly focuses upon 'The Fatal Five' identified from SA road crash statistics as major contributors to both the number and severity of road crashes. These comprise:

- Speed
- Fatigue

- Seat Belts
- Impaired driving (Alcohol or Drugs)
- Vulnerable road users (Pedestrians, motorcycle riders and cyclists)

South Australia Police have formed the Traffic Tactical Investigations Group to investigate issues that are determined to negatively impact upon road safety.

*“The enforcement response must be tailored, but this requires resources, skill and time. Enforcement can also be more focused by developing risk based enforcement strategies, for example by concentrating enforcement efforts on high risk firms.”*

The SAPOL Traffic Tactical Investigations Group focus upon the road freight transport sector and target certain drivers and operators. The number of personnel allocated to this Group is dynamic and staffed according to identified task needs. This Group is supported by the permanent allocation of a Field Intelligence Officer from the Traffic Intelligence Section. TAC group members comprise experienced Traffic Operations Unit Highway Patrol staff with an average 19 years experience of traffic law enforcement.

Data accessible to the TAC Group and other police is collated from a wide variety of sources. These include industry contacts, informants, criminal history, traffic offence history, road crashes, traffic volumes, vehicle classifications, information on culture and practice, driver and operator preferences and route selection. Safe-T-Cam traffic camera journey information and checking station sightings can assist. A monthly Intelligence Circular authored by the Traffic Tactical Investigations Group and specific to heavy vehicle enforcement issues is distributed under ‘In Confidence’ cover to police both intrastate and interstate. This publication has received wide acclaim due to its timely and accurate relevance to in field enforcement officers.

A management process has been developed which allocates responsibility and accountability. Operators and drivers determined to be high risk are identified by content provided within intelligence target packages produced by the Traffic Intelligence Section who have collated, analysed and formed assumptions from the available data.

Intelligence analysis about emerging patterns by individuals, groups or organisations is then provided to a management team at Traffic Support Branch who determine prioritisation of police resources.

A target package that has been authorised for action is then provided to the Traffic Tactical Investigations Group. The management team would generally provide parameters to indicate timeframe, feedback requirements, resources and priority to the task. The Group investigators determine shifts, locations and tactics to locate and process targets. Enforcement action could result in a number of outcomes, including the grounding of a driver (for up to 24 hours) and the issuing of Infringement notices, court prosecutions, seizure and forfeiture of property, referral to drug diversion counselling and vehicles being defected (major/minor).

Issues:

- Chain of Responsibility offences
- Speeding vehicles
- Safe T Cam avoidance
- Registration number plate tampering/obscuring
- Identified significant non-compliance to ADR 65 Speed Limiting provisions – tampering, bypass and devices
- Located illicit drugs – possession for sale
- Located illicit drugs – personal use
- Located additional regulation log books
- Located radar detectors
- Located weapons
- Located Cash
- Located 'Chop Chop' Illicit tobacco product
- Dangerous Goods (mixed DG cargo with food produce)
- Brakes of prime movers wound off
- Evidence of poor vehicle maintenance
- Seat belts removed
- Brake and cabin lights isolation switches
- Hinged registration number plates
- Tampering and removal of compliance plates
- Grinding off of trailer identifiers – stolen trailer re-identity
- Poor adherence to fatigue management regulations and guidelines
- Prevalence of recidivist offenders
- Links with organised crime

TAC group police frequently conduct mechanical examinations (involving climbing in, around and under the vehicle) at the roadside interception in an attempt to locate any equipment modifications suspected to contribute in non-compliance to ADR 65 or examine for vehicle roadworthiness.



Many causal factors may contribute to the frequency and occurrence of the issues listed above routinely discovered by police. Those mentioned here are not exhaustive and are mentioned to evoke discussion.

- Profit motivation (how much is enough?)
- Fierce competition (low margins)
- Poor business acumen (know your costs)
- Perception of Risk (likelihood of being caught?)
- Risk Taker culture (a proportion of risk takers – law breakers)
- Workplace culture (reluctance to change?)
- Drug addiction (frequency of use, more you take – more you need)
- Communication (Knowledge of changing regulatory requirements)
- Driver standards (shortage of skilled drivers)

SAPOL considers the TAC Group (Task Force) approach demonstrates a relatively low cost strategy that provides best use of resources. The TAC Group targets high-risk drivers and operators. Legislative provisions that support chain of responsibility investigations are anticipated to be implemented in early 2006.

South Australia Police shall continue to work together with Transport SA and other enforcement agencies to pursue road crash reduction strategies targeting those within the transport chain who may negatively and routinely influence unsafe on road performance.

## REFERENCES

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<sup>i</sup> Australian Bureau of Statistics: <http://www.abs.gov.au>

<sup>ii</sup> Transport SA Road Crash Statistics  
[http://www.transport.sa.gov.au/safety/road/road\\_use/roadcrash.asp](http://www.transport.sa.gov.au/safety/road/road_use/roadcrash.asp)

<sup>iii</sup> Australian Transport Council - National Heavy Vehicle Safety Action Plan 2003-2005 Pg 8  
Strategic Objective 3 – More effective speed management

<sup>iii</sup> South Australian Road Safety Strategy 2001-2010 Pg 4

<sup>iv</sup> Dr Angela Baker et al; SA Truck Driver Fatigue Study - Centre for Sleep Research, University of South Australia, June 2004

<sup>v</sup> Arie FREIBERG, Professor of Criminology, The University of Melbourne, "Achieving Compliance Through Strategic Enforcement" Pg 14 For NTC Conference 7/8 March 2002.