

Company Policy-Pol 3060

Speed

October 2018

PURPOSE:

To establish the requirements for speed compliance within CITO Transport.

SCOPE:

This policy applies to all heavy vehicle driving and associated activities of CITO Transport, including the driving of, scheduling, procurement and maintenance of any heavy vehicle. This policy where specified also applies to sub-contractors that operate heavy vehicles to move goods on behalf of CITO.

Objective 2 of this policy applies to all employees driving a CITO vehicle irrespective of its size, irrespective of whether the activity occur during normal working hours or outside of normal working hours and includes employees driving a vehicle not owned by CITO whilst undertaking an activity on behalf of CITO.

OBJECTIVES:

The policy aims to:

1. Ensure that every heavy vehicle owned by CITO is speed limited to a maximum 100km/h;
2. Ensure that CITO vehicles obey all speed limits;
3. Ensure that heavy vehicle drivers are provided adequate time to complete each journey without the need to speed; and
4. Establish the requirements of CITO in relation to taking reasonable steps as an employer, operator, loading manager, scheduler and prime contractor to identify any activity that may influence a driver of a heavy vehicle to exceed a speed limit and eliminate it or if not practicable minimise it.

POLICY:

CITO Transport has obligations under Work Health and Safety legislation to as far as is reasonably practicable, ensure the safety and health of all people associated with its operations. CITO will take all necessary steps to ensure that it meets its obligations to employees and clients and conducts its operations in a safe and responsible manner.

1. Heavy vehicle speed limiting:

All CITO Heavy Vehicles will be speed limited to not exceed 100km per hour.

It is not permissible for an employee to interfere with, tamper or alter a speed limiting device on a CITO vehicle. For clarity this includes bypassing, modifying, disabling or altering components of a CITO vehicle in any way such that the vehicle is able to exceed 100km per hour on level ground. An employee found in contravention of this may have their employment terminated for Serious Misconduct.

Workshop Managers are responsible to ensure each Heavy Vehicle will, at least once per calendar year, have its speed limiting device checked to ensure that it does not allow the vehicle to exceed 100km per hour on level ground.

A check of the speed limiting device will either be conducted by:

1. undertaking a road test of the vehicle on level ground utilising a GPS enabled device; or
2. downloading the engine management software settings of the vehicle and checking its road speed governing value and tyre size ensuring that the same diameter tyres are fitted to the vehicle as is recorded on the engine management system.

A **Corrective Action Form** must be raised (and the matter fully investigated as to why) where any heavy vehicle is found to be capable (on level ground) of exceeding 105km/h or evidence exists that the speed limiter has been tampered with.

2. CITO vehicles to obey all speed limits:

All CITO Transport (CITO) employees are to obey all speed limits. There is no excuse, nor any reason for a vehicle being driven by a CITO employee to speed. Speeding is not condoned nor is it necessary, warranted or safe. CITO will take disciplinary action, including dismissal of an employee found contravening this policy.

As the face of CITO Transport, our drivers (car and truck) are our mobile representatives and how we conduct ourselves on the road has an impact on all other road users. CITO must by law, ensure that we monitor our performance and share with you the responsibility of the conduct of our vehicles on the road.

The community attitude to speeding heavy vehicles in particular is one of zero tolerance and because of the size of your vehicle, everything we do, good or bad is magnified.

CITO employees are required to inform in writing their Supervisor or Manager of any speeding offences (within 7 days) incurred whilst driving a CITO vehicle.

The responsible Supervisor/Manager is to forward any advice received in regard to speeding offences incurred whilst driving a CITO vehicle to the head office HR team.

3. Heavy vehicle drivers are provided adequate time to complete each journey without the need to speed:

CITO will not schedule a heavy vehicle driver to undertake a task that requires or encourages the driver to exceed a speed limit.

Details in relation to scheduling and rostering can be found in CITO's **Rostering and Scheduling Policy**.

Compliance Personnel are responsible for establishing processes to monitor the speed of heavy vehicles, including but not limited to:

- Electronic monitoring of vehicle speed through GPS or engine management systems; and / or
- Establishing average speeds by cross referencing available information such as work diary information, fuel receipts and all other available records of journeys and locations.

Drivers' are advised that disciplinary action may be taken where any heavy vehicle is reported to have exceeded a speed limit by more than 3km/h.

At each regulated heavy vehicle service Workshop Personnel are responsible for reviewing (where available) the engine management system for excessive speed.

A **Corrective Action Form** must be raised (and the matter fully investigated as to why and documented action/s taken to prevent it re-occurring in the future) where any heavy vehicle is reported to have exceeded 115km/h.

4. Taking reasonable steps as an Employer, Operator, Loading Manager and Scheduler:

In addition to the requirements of this Policy CITO Transport and our employees are required at law to take Reasonable Steps (see definition below) in relation to preventing heavy vehicle speeding.

At least once every 12 months Compliance Personnel will undertake a Risk Assessment, seeking to address the risks of a driver of a heavy vehicle exceeding a speed limit as a result of the actions or inactions of CITO as:

- an employer of heavy vehicle drivers;
- an Operator of heavy vehicle drivers;
- a Loading Manager of heavy vehicle drivers;
- a Scheduler of heavy vehicle drivers; and
- a Prime Contractor of heavy vehicle drivers.

Details of CITO Risk Assessment requirements can be found in CITO's Risk Management Policy

RESPONSIBILITIES:

Senior Management:

Senior Management is responsible for:

- the allocation of responsibilities and funding to facilitate this policy.

Compliance Personnel:

For the purpose of this Policy Compliance Personnel have the responsibility to:

- establish processes to monitor vehicle speeds; and
- oversee the implementation of a comprehensive and regular risk assessment process.

Managers & Supervisors:

Managers and Supervisors are responsible for:

- forwarding any advice received in regard to speeding offences incurred whilst driving a CITO vehicle to the head office HR team.

Schedulers:

Schedulers are responsible for:

- ensuring that any schedule set does so without the need to speed and in accordance with the **Rostering and Scheduling Policy**.

RESPONSIBILITIES - Workshop Manager:

Workshop Manager is responsible for:

- ensuring that at least once per calendar year all heavy vehicle speed limiter devices are checked and calibrated appropriately; and
- Raising an **Opportunity for Improvement** where any heavy vehicle is found to be capable of exceeding 115km/h or evidence exists that the speed limiter has been tampered with; and
- At each prime mover service Workshop Personnel are responsible for reviewing (where available) the engine management system for excessive speed. A **Corrective Action Form** must be raised (and the matter fully investigated as to why) where any heavy vehicle is found to have exceeded 115km/h.

All:

All employees who drive a company vehicle or a personal vehicle on company business are responsible for:

- obeying all speed limits; and
- reporting in writing any speed related offences incurred whilst operating a CITO vehicle to a Supervisor or Manager within 7 days.

DEFINITIONS:

Heavy Vehicle – Any Prime Mover or Rigid truck that is capable of exceeding 12 tonnes gross vehicle mass.

Reasonable Steps – A requirement at law that:

- (1) a person MUST take all reasonable steps to ensure that a specified thing does not cause the driver of a heavy vehicle to exceed a speed limit that applies to the vehicle will be satisfied if the person —
 - (a) identifies which aspects of the specified thing might cause the driver of a heavy vehicle to exceed a speed limit that applies to the vehicle; and
 - (b) assesses the level of risk that such aspects will cause the driver of a heavy vehicle to exceed a speed limit that applies to the vehicle; and
 - (c) identifies what he or she can reasonably do to eliminate or minimise that risk; and
 - (d) repeats the steps referred to in paragraphs (a), (b) and (c) on becoming aware of a new or changed risk that the specified thing may cause the driver of a heavy vehicle to exceed a speed limit that applies to the vehicle, or on an annual basis (whichever is the soonest); and
- (2) In proceedings for an offence against a court may, in determining whether things done or omitted to be done by the person charged constitute reasonable steps, have regard to—
 - (a) the nature of the risk that the person was purporting to address; and
 - (b) the likelihood of the risk eventuating and the degree of harm that might result if the risk did eventuate; and
 - (c) the degree to which the person could have minimised the risk; and
 - (d) the expertise and knowledge of the person in relation to the risk and the minimisation of the risk; and
 - (e) the ways in which the risk may in fact have been minimised; and
 - (f) the cost of minimising a risk; and
 - (g) any other matter the court thinks fit.
- (3) Nothing in regulation limits the ways in which a person may take all reasonable steps in relation to a particular matter.