



## **Chair of Responsibility Legislation**

The Tasmanian Freight Logistics Council has been advised that the Tasmanian Government has been working towards developing a series of reforms to heavy vehicle road transport laws based on legislation prepared by the National Transport Commission (NTC), in collaboration with the State and Commonwealth Governments. They aim to achieve improved nationally agreed outcomes in terms of road transport safety, productivity, asset protection and environmental reforms.

The first instalment of Tasmania's reforms is contained in the *Heavy Vehicle Road Transport Act No. 19 of 2009* which was passed by both Houses of Parliament in June 2009.

There are Chain of Responsibility provisions in the Act which impose obligations on all parties in the transport chain, and all individuals in the corporate chain of command, to either take reasonable steps to prevent a breach of road transport laws, or to not encourage or coerce others to contravene those laws.

The Chain of Responsibility provisions in the Act will oblige all parties in the chain to take positive steps to prevent breaches of mass, dimension and loading laws, thereby reducing pressures on on-road parties and ultimately leading to improved compliance and safer roads.

The Chain of Responsibility means that anybody – not just the driver – who has control in a transport operation can be held responsible for breaches of road laws and may be made legally liable. In other words, if you use road transport as part of your business, you share responsibility for ensuring breaches of road laws do not occur. So if a breach of road transport law occurs due to your actions, inaction or demands you may be held legally accountable.

The Act provides a nationally agreed model that will, when implemented, remove many of the current regulatory variations between the jurisdictions and enable the Chain of Responsibility requirements to be applied consistently across all jurisdictions.

The Council has been advised that the Act will not come into effect until proper consultation and communication with those affected by the legislation has taken place.

A copy of the Act can be obtained from the Council or can be viewed online at [http://www.austlii.edu.au/au/legis/tas/num\\_act/hvrta200919o2009346/](http://www.austlii.edu.au/au/legis/tas/num_act/hvrta200919o2009346/)

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