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# “Chain of Responsibility” Legislation Fact Sheet 8 – WA Comparison with Heavy Vehicle National Law



## Where does Chain of Responsibility transport law apply?

In the Eastern States refer to the Heavy Vehicle National Law (HVNL), whilst in Western Australia refer to the Road Traffic (Vehicles) Act 2012.

## WHAT IS CHAIN OF RESPONSIBILITY?

If you use road transport as part of your business, you share the responsibility of managing the risk.

This means anyone who has control in the transport chain – including the consignor, loader and receiver – can be held legally accountable if, by their actions, inactions or decisions, they cause or contribute to a breach of the road laws.

## What do I have to do?

Whichever activity you perform in the 'chain', it is important that you take reasonable steps to manage the risk and ensure road safety is not compromised.

You have a legal obligation not to coerce, induce or encourage a breach of the road transport laws.

<b>What is applicable?</b>	<b>WA Law</b>	<b>HVNL</b>
Applies to vehicles exceeding 4.5 tonnes Gross Vehicle Mass (GVM)	✓	✓
Applies to vehicles under 4.5 tonnes GVM (Light Vehicles)	✓	X
Mass, dimension and load restraint offences	✓	✓
Speed offences	X	✓
Fatigue offences	X	✓
Container Weight Declarations (CWD)	✓	✓

<b>Who does it apply to?</b>	<b>WA Law</b>	<b>HVNL</b>
Consignor	✓	✓
Packer	✓	✓
Loader	✓	✓
Scheduler - **Whilst not a defined role in WA legislation, there are provisions to include duties performed by a scheduler	**	✓
Driver	✓	✓
Operator / Manager	✓	✓
Receiver	✓	✓
Corporations, partnerships, unincorporated associations or other bodies corporate	✓	✓
Employers and company directors	✓	✓

## Further Information

For more information about the Chain of Responsibility call Main Roads, Heavy Vehicle Operations on 138 HVO (138 486), or visit [www.mainroads.wa.gov.au](http://www.mainroads.wa.gov.au)

