

Factsheet

Chain of Responsibility Legislation

Cars, Utes, Vans (Light Vehicles)

What is the 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 can be held legally accountable if, by their actions, inactions or decisions, they cause or contribute to a breach of the road laws.

Why does it apply to light/passenger vehicles?

Every year, debris falling from unsecured loads causes road closures and disruptions, incurs thousands of dollars in damages to vehicles and property, and can be a major contributor to serious crashes.

In promoting road safety for all users of the road network in Western Australia, the new legislation will apply to all vehicle types.

For example goods transported by road from a hardware store or garden centre would be covered by the legislation.

Who is covered by the chain of responsibility?

If you are involved in any of the following road transport activities, you are a party in the 'chain of responsibility' and may be deemed liable in the event of a breach of the road laws:

- *Consigning* – a person or company commissioning the carrying of goods
- *Packing* – placing goods in packages, containers or pallets
- *Loading* – placing or restraining the load of the vehicle
- *Driving* – the physical act of driving a vehicle
- *Operating* – operating a business which controls the use of a vehicle
- *Receiving* – paying for the goods/taking possession of the load

What do I need 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.

Always remember:

- The security of your load, your life and the life of others relies on proper load restraint.
- Use a vehicle and suitable restraint equipment appropriate for the type of load you are carrying.
- Position the load correctly.
- Use good quality restraint equipment, maintained in good condition.
- Check your load restraint immediately before leaving and during the trip.
- You are driving under different, more difficult conditions when you are carrying certain types of loads.
- Failure to restrain a load correctly on a vehicle may result in legal action being taken against any persons involved, including a fine of up to \$1000-\$5000.
- Load restraint should meet the performance standards detailed in the [Load Restraint Guide](#).
- The safe loading of vehicles is vitally important in preventing injury to people and damage to property.

Further Information

For more information about the Chain of Responsibility call Main Roads Heavy Vehicle Services Helpdesk on 138 486 or visit www.mainroads.wa.gov.au

The [National Transport Commission](#) has produced a Load Restraint Guide that can be viewed on their website.

