

Factsheet

Chain of Responsibility Legislation Overview

The introduction of 'Chain of Responsibility' (CoR) into road transport law on 27 April 2015 marked a milestone for road safety in Western Australia. This legislative change recognises the responsibilities that others have in the transportation of goods by road, beyond that of just the driver and operator.

Why has the chain of responsibility legislation been introduced?

The Chain of Responsibility legislation was passed by the Government of Western Australia in May 2012. The laws have been introduced in the interests of national consistency in order to:

- improve road safety;
- reduce damage to infrastructure;
- promote a 'level playing field' for industry;
- improve deterrence and enforcement; and
- improve business efficiency and compliance

The legislation extends the legal liability to others in the transport chain. If you use roads in the transport of goods, you share the responsibility of managing risk and it applies to all vehicles regardless of size.

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.

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

Viewing the legislation?

The Road Traffic (Vehicles) Act 2012 and the Road Traffic (Administration) Act 2008 are accessible on the State Law Publishers website:

https://www.legislation.wa.gov.au/legislation/statutes.nsf/main_mrtitle_12926_homepage.html

https://www.legislation.wa.gov.au/legislation/statutes.nsf/main_mrtitle_4471_homepage.html

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

