

Operator information pack

Supporting safe and compliant heavy goods and large passenger service transport operations.

Updated May 2020



OUR REGULATORY ROLE

As a regulator, our role is to improve safety and reduce the risk of harm in land transport. We do this by ensuring compliance with the rules. We manage the entry of all users into the land transport system. Once in the system, we monitor their compliance and safety. If they fail to comply with the rules and put the public at risk, we exit them from the system.

To do our job, we set clear expectations of our regulated parties, and we regularly carry out audits, reviews, and investigations to ensure that they are compliant with the rules.

Waka Kotahi is a firm and fair regulator. In cases of minor infractions involving unintentional non-compliance, we do things like provide more education and training or give people a warning. In cases where there is intentional and serious non-compliance, we take formal action – and this might include suspension or revocation of licences.



Waka Kotahi NZ Transport Agency

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Waka Kotahi NZ Transport Agency

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This publication is also available on the Waka Kotahi website at www.nzta.govt.nz

DISCLAIMER

This guide is provided to assist heavy goods and large passenger service operators by providing information to help improve safety and compliance, supporting a professional transport industry. This is not an exhaustive list of topics, and does not purport to contain nor be the source of the law.

Information can become outdated, especially in print format. The reader must ensure the information contained within the booklet is current. Up to date information can be found at www.nzta.govt.nz.

People applying guidance provided in this booklet must ensure compliance with all relevant legislation and regulations.

For additional information, advice, or support please contact the Safer Commercial Transport team at your local Waka Kotahi Office.

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Operators of heavy goods and large passenger transport services need to comply with a range of rules and regulations. These are designed to assist transport service licence holders run successful and compliant businesses while ensuring safe management practices that protect themselves, their own employees, and other road users.

How compliance helps you

Operators with good safety and compliance standards can also achieve benefits in their wider business.

DO BETTER IN BUSINESS AND IMPROVE YOUR BOTTOM LINE

- Well-maintained fleets are more productive. There's less unscheduled maintenance, less down time and there's reduced maintenance costs too.
- You can catch small problems during preventative maintenance checks and can fix them before they turn into big, costly problems.
- Reliable vehicles and safe drivers means reliable service to customers.
- Well maintained vehicles have lower fuel bills per kilometre travelled – making a considerable cost difference each year.
- It also means that special applications such as for permits are more likely to be approved if we know you are good with compliance.

LOWER COMPLIANCE COSTS

Having high compliance and safety standards actually reduces your compliance costs.

- Companies that insist on safe driving practices receive fewer infringement or offence notices.
- Less likely to be targeted for roadside stops – reducing delays.
- Less frequent visits from regulatory agencies – resulting in fewer audits, less disruption, and less paperwork.
- Potentially lower insurance costs.
- Contributes to obligations to manage risk in work activity under the Health and Safety at Work Act.

HAPPIER, SAFER, MORE PRODUCTIVE DRIVERS

A culture of safety, quality, and compliance flows throughout the business – from the management to frontline staff.

- Staff who feel valued and cared about are more productive.
- There's a reduced risk of crashes, vehicle damage, and personal injury or death.
- Lower staff turnover – resulting in lower hiring and training costs, more efficiency and less down-time.
- Greater ability to retain the benefits of driver experience, loyalty and skill.

GOOD REPUTATIONS

- Recognised as an operator who cares about doing the right thing for their community's road safety.
- Recognised as a good employer.
- Increased ability to win and retain good contracts.

Consequences of non-compliance

Poor safety and compliance standards can impact negatively on operators' wider businesses.

MAINTENANCE IMPACTS

- Your vehicles may be less productive (more breakdowns, unscheduled maintenance and down-time, and repeat visits for CoF inspections).
- Small problems not caught early during routine maintenance checks can turn into big, costly problems.
- Unreliable, disrupted service to customers, impacting repeat business and your company's reputation.

FINANCIAL IMPACTS

- More infringement or offence notices
- Reduced staff productivity and higher staff turnover
- Potentially higher insurance costs
- Less likely to win and retain good contracts
- Possibly restricted access to extra services (such as permits) limiting future contracts and business growth
- Higher fuel bills per kilometre travelled (making a considerable cost difference each year).

COMPLIANCE IMPACTS

- More scrutiny or visits from regulatory agencies – resulting in more audits, disruption, and paperwork.
- Increased likelihood of applications such as for permits being declined.
- Higher risk of being required to have more frequent CoF inspections – increasing disruption and cost.
- Greater chance of being targeted at roadside stops.
- Potential for your transport service licence (TSL) to be revoked and you or your company no longer able to operate a transport service due to serious and ongoing noncompliance.
- Risk of prosecution for any offences.

HEALTH AND SAFETY IMPACTS

- Higher workplace health and safety risks.
- Increased risk of crashes, and vehicle damage or personal injury or death.
- Lack of road-safety culture within the company.
- Loss of driver experience, loyalty and skill.
- Increased staff turnover – resulting in higher hiring and training costs, with less efficiency and more down-time.
- Increased attention from health and safety regulators.

REPUTATIONAL IMPACTS

- Reputation in the community and industry as an operator who isn't doing the right thing for road safety.
- Reputation as a poor performer amongst customers, staff and government agencies
- Potential customers will choose other operators who provide more reliable and efficient services.



Tips for driver safety and compliance

Drivers play a critical role in road safety and compliance, and often can determine the success or failure of a transport business. Much like proactively maintaining vehicles, successful businesses recognise that investing in their people is equally as important. Driver error is the most common cause or contributing factor in crashes where the heavy vehicle is at fault.

Under transport regulations operators are required to proactively manage drivers, particularly work time, logbooks, loading, and speeding. Under health and safety regulations operators are required to ensure that they identify and manage risk proportionately, this includes any risk to their own workforce and other road users from poor driving behaviour. Here are some hints and tips which may help manage driver safety and compliance:

Robust employment processes

Make sure prospective new employees, contractors, and temporary staff are thoroughly checked, including that they have the appropriate drivers' licences and have the necessary skills and attributes required for the job, or alternatively have the ability to achieve this with some training.

Formal induction of new staff

An induction is an ideal time to introduce new employees to your organisation's approach to safety and your requirements.

- Be thorough – don't assume that a new staff members' prior knowledge or experience is enough; the workplace, equipment and systems of each organisation are different.
- Continually check for understanding – does the staff member really understand everything you are telling them?
- Encourage them to ask questions – be sure to cover things that seem common sense to you.
- Involve key people in induction – senior managers, supervisors, health and safety representatives.
- Pace the induction so that staff aren't overloaded with too much information at one time.
- Show them how to perform work tasks – as well as tell.
- Consider the language, culture and literacy needs of each staff member.
- Follow up with visits, demonstrations and training sessions throughout their first year of work.

Build a culture of safety and compliance

Building a safe driving culture requires you to supervise and monitor your drivers, assess their needs and provide training opportunities for them to improve their safe driving skills.

Set clear expectations on standards and behaviour, monitor compliance, acknowledge good performance, and take action on any issues identified. Use effective mentoring and coaching. Management should lead by example.

Safe driving policy

Put in place a safe driving policy. This can improve driver safety and reduce offending by addressing fatigue, distraction (ie mobile phone use), speeding, drinking and promoting the use of safety belts and other safety features.

Health and safety leadership

Demonstrate good health and safety leadership. Make sure you understand the key roles and ensure that duties are carried out under the Health and Safety at Work Act 2015 to provide a safe workplace for your employees, and ensure that any other person who may be affected by the work activity, such as other road users, are not put at risk. See page 13 for more information.

Driver management practices

Have good driver management practices, which typically starts with good communication.

- Ensure drivers are made to feel part of your organisation and share in its success or failure
- Everyone is different. Get to know your drivers, what makes them tick, and what motivates them. If something is wrong you are more likely to notice and be able to respond better.
- Make sure drivers understand how they contribute to the business.
- Involve drivers in the business and keep the communication going. For example, toolbox meetings, newsletters or team training sessions.
- Set clear company rules, policies, and procedures. Make them easy to understand, relevant for your business and meaningful. Review them regularly, and keep them active. Management should lead by example.
- Don't wait until something goes wrong, be proactive instead of reactive.
- Be firm but constructive in dealing with any problems. Use these events to identify gaps or training needs.
- Upskill yourself – ask for help where needed. Industry representatives, business mentors and government agencies all have valuable information that can help.

Practical schedules and rosters

Set achievable schedules and rosters, so that drivers can adhere to the speed limits and work time requirements. Ensure that drivers understand the importance of speed management, taking the required breaks, and completing their logbook correctly. Have proactive systems in place to monitor this and take action where issues are identified.

Also be prepared for unexpected changes such as road closures or other delays. Visit www.journeys.nzta.govt.nz/traffic/ to get the latest information.

Management of supplier and customer expectations

Ensure contracts with suppliers and customers are realistic, and don't place the company under undue pressure requiring unsafe or illegal practices to meet demand.

Correct licenses

Make sure drivers have the appropriate driver licence. Sign up to the Transport Organisation Register Online (TORO) so you can (with your driver's permission) receive updates whenever their licence status changes, for example, if a licence or endorsement expires, or if the licence is suspended or disqualified. Email toro@nzta.govt.nz to obtain a registration pack. See page 18 for more information.

Quickly deal with any offending

Address any offending by your drivers that you become aware of – this is where GPS systems can help. Also make sure you receive notifications of roadside inspections. You can also receive updates from TORO when a driver reaches either 50 or 100 demerit points. Drivers should be encouraged to notify management of any offences or issues while driving company vehicles. Include a reporting requirement in your safe driving policy.

Investing in driver training

Supervise and monitor your drivers, assess their needs and provide training opportunities for them to improve their safe driving skills.

The right training can protect your staff from being involved in serious accidents. Consider what training courses are available, whether for individuals or groups of drivers, and by in-house sessions or through practical courses from professional trainers. This can also help your bottom line, for example sign up to the Safe and Fuel Efficient Driving (SAFED) NZ programme, which promotes and teaches a safe and fuel efficient driving style. The techniques learnt through SAFED NZ can improve driver safety, confidence and performance, and have a positive impact on safety, as well as reducing fuel and maintenance costs. See page 21 for more information.

Using technological advances

Consider technology advances. GPS, in-cab telematics, fatigue detection, electronic logbooks and drive-cams are just some of the ways new technology can help improve safety and efficiency, while allowing a greater level of monitoring.

Safe roads

Choose safe roads. Some roads are safer at higher speeds than others. The safest roads are likely to be straight, divided, have good line-markings, wide lanes and sealed shoulders. Roadsides with no trees or ditches, and roads with few, if any, intersections are also deemed safer. Choose routes that are KiwiRAP 4 or 5 star – see www.kiwirap.co.nz.

Identify rest areas, facilities, and any services needed

Identify rest areas, facilities, and any services needed, and make sure your drivers know how to access these. This might include appropriate rest areas, places for a toilet stop or a meal, accommodation, fuel, service providers (maintenance, repairs, breakdowns, tyres) and anything else relevant for your business.

Support driver health and wellness

Healthy drivers are safer, more productive and reliable, with less business disruption and lower medical costs. Consider a wellness programme encouraging exercise, good nutrition, and work-life balance. Take action where you suspect a driver has a medical, health, or impairment issue that could affect their driving. For more information see page 31.

Tips for vehicle safety and compliance

Transport operators must ensure that any vehicles they put onto the road are safe and compliant, providing a safe environment for the driver, as well as minimising risk for other road users.

Here are some tips on how to achieve a good vehicle safety and compliance standard.



Choose vehicles appropriate for the task

Choose vehicles with the best safety features that are fit for the purpose intended

Do a walk-around inspection of your vehicle

As part of your (or your driver's) pre-trip routine do a complete walk around check and make sure any defects are fixed before hitting the road. Check out our guide to conducting pre-trip inspections on pages 22-24.

Make sure the correct TSL label is displayed whenever the vehicle is on the road

Any goods service vehicle or large passenger service vehicle must display a TSL label. The TSL label is evidence of who is operating the vehicle. If you sell or dispose of a vehicle, make sure you remove your TSL label from the window.

Make sure the correct TSL number is provided to the CoF inspector

This is most easily done by way of a TSL label displayed in your vehicle. Where a trailer only is being inspected and it is being towed by an unrelated truck (for example where the mechanic has used his own towing vehicle) make sure the inspector has the correct TSL number for their inspection records.

Get familiar with the CoF inspection process and the requirements that vehicles must meet to pass a CoF.

The requirements are published in the *Vehicle inspection requirements manual* (VIRM) which can be found online at: <http://vehicleinspection.nzta.govt.nz/virms/in-service-wof-and-cof>.

What to do if you disagree with your CoF result

If you disagree with a decision made at your CoF inspection, you should raise the issue as soon as possible by firstly discussing your concerns with the inspector or CoF station manager. You may be asked to provide evidence that the vehicle meets the standard. If still not resolved you can escalate this as a complaint to Waka Kotahi at <https://nzta.govt.nz/contact-us/complaints/>.

Keep up a preventative maintenance programme

This should include a defect report system that proactively identifies faults and fixes them straight away.

If you would like some advice on setting up a preventative maintenance programme, contact the Road Compliance team at your local Waka Kotahi office.

Commercial maintenance and inspection services

If you use a commercial maintenance and inspection service offered by a third party, make sure that your service provider has a clear understanding of your expectations, and you in turn have a clear understanding of what the service provider needs from you.

Keep good records of your CoF, maintenance and roadside inspection results

Job sheets, invoices for parts and servicing, fault records, repair records, any certificates, and any other documents relating to any work done on your vehicles. You can use these to track costs and performance, and as evidence of your maintenance program.

Keep track of important dates

Note important dates such as expiry for CoF, permits, components such as draw bars/beams, and annual vehicle licensing and set up a reminder system. Electronic calendars (often free), a manual diary, or whiteboards are good ways to do this. For larger or more complicated fleets there are software packages that can help track this sort of information.

Build a culture of continuous improvement

Where there is good communication between drivers, managers and maintenance staff, and feedback about vehicle condition is encouraged and acted on.

Familiarise yourself with the types of faults that may be found at roadside inspections

These are outlined in the *HMV categorisation of defects* handbook, which can be found on Waka Kotahi's website at: www.nzta.govt.nz/resources/hmv-categorisation-defects

Raise any concerns straight away

If you have any concerns with a decision made at your roadside inspection, raise this with the Commercial Vehicle Safety Team area manager as soon as possible and this will be dealt with under their dispute resolution process. Contact information and a copy of the dispute resolution process can be found online at: www.police.govt.nz/advice-services/driving-and-road-safety/commercial-vehicle-safety-team-cvst

Advise of faults straight away

Make sure that your drivers advise you of any faults found at a roadside inspection, and ensure these are promptly fixed.

Take action on compliance notices

Where Police identify faults that are not safety critical, the officer may use their discretion to issue an Infringement Notice (posted out to you later) and offer compliance. Make sure that the fault is fixed and provide evidence to the Police following the instructions included with the Infringement Notice. The Police will consider waiving the fine if they are satisfied the issue has been resolved promptly. For more information visit www.police.govt.nz/advice-services/infringement-services/compliance

Receive an email copy of the checksheet each time one of your vehicles has a roadside inspection

Do this by sending your TSL number and email address to info@nzta.govt.nz or phone 0800 108 809.

Don't forget to also let us know if your email address or any other contact details change.

Ensure your vehicles are loaded correctly and securely

Make sure drivers and anyone else who is to load vehicles, or may be asked to check load security, is appropriately trained and has the required knowledge and skills. This includes being familiar with the truck loading code www.nzta.govt.nz/assets/resources/roadcode/truck-loading-code/docs/tlc.pdf

Ensure weights are within legal or permitted limits

Not only does this make sure your vehicle is compliant, it also makes sure the vehicle can perform as designed - particularly important in an emergency situation. Overweight vehicles can reduce the life of the road.

Consider using technology advances

Electronic systems can provide information on just about anything that can be measured. For example, fuel consumption, idle times, service schedules, pre-trip inspections, critical system monitoring, loading, and fault reporting. Technology in this field is constantly developing, and where used appropriately can assist safety, compliance and efficiency.

Road user charges (RUC)

Have a system to make sure RUC distance licences are current and updated before the maximum distance is exceeded. Make sure the RUC vehicle type is correct (or sufficient fees have been paid) particularly when operating on a permit. More information on RUC can be found online at www.nzta.govt.nz/vehicles/licensing-rego/road-user-charges

Monitoring compliance

Waka Kotahi, along with Police, monitor compliance and will act where non-compliance is identified, particularly where this could affect road safety. Some of the areas we monitor include:

- Driver infringements and offending
- Faults identified at CoF
- Faults identified at roadside inspections
- Permit compliance
- RUC compliance
- Weight compliance
- Crashes
- Complaints and other information received.

Operators with poor safety and compliance standards can expect increased scrutiny from government agencies and may find access to some services either restricted or declined.

Permitting compliance – operator safety check

Permits allow an operator privileged access to operate outside the normal rules. Safety and compliance are minimum requirements for heavy vehicle permit holders

When assessing a permit application (dimension or mass) Waka Kotahi will, among other checks, look at an applicant's compliance history. Breaches of conditions on previously issued permits, RUC compliance, traffic offending, and vehicle compliance may be investigated during the permitting process. Where operators have a poor compliance record the permit may be issued with restricted conditions, issued for a shorter time period, or in some cases applications may be declined or existing permits revoked.

The sustainability of the permit is in the hands of the operator. If the permit conditions and legal requirements, particularly in respect of safety are adhered to, there will be no risk to the permit.



For more information go to
www.nzta.govt.nz/commercial-driving/permits

Chain of responsibility

The chain of responsibility is about shared responsibility.

It means that all the people who influence drivers' behaviour and compliance can be held accountable if that influence results in non-compliance with traffic rules and laws.

In addition to transport operators, the other people in the chain include from those consigning the goods, those receiving the goods, and company directors. Everyone involved can be held accountable and there are significant penalties that can apply.

A person is part of the chain of responsibility if their actions or decisions affect road transport operations. This could include a person who:

- consigns goods
- packs goods
- loads goods
- operates and/or drives a vehicle moving goods
- plans the pick-up and/or delivery of goods
- dispatches the vehicle moving goods
- receives goods.

A person is part of the chain of responsibility if their actions or decisions affect road transport operations.

The chain can also include third parties (eg transport users or customers).

WHAT ARE INFLUENCING BEHAVIOURS?

Behaviours that could lead drivers or operators to breach the rules or laws include:

- causing or influencing a driver to exceed speed limits
- causing or influencing a driver not to comply with work time or rest time requirements
- causing or influencing a driver not to comply with logbook requirements (includes a failure to maintain a logbook or falsifying logbook records)
- causing or requiring a driver to operate a vehicle that exceeds its maximum gross weight.

WHAT ARE THE PENALTIES?

A person convicted of a chain of responsibility offence can be fined up to \$25,000.


Health and Safety at Work Act 2015

A healthy and safe workplace starts with identifying and understanding what your work-related health and safety risks are; particularly those that have the potential to cause people serious injury or illness. It then involves doing what is reasonable, what is practical and what you are able to do to eliminate or, where they can't be eliminated, minimise those risks. This is what we refer to as proportionate risk management.

Your focus should be on managing your business's most significant risks before managing less serious risks. Your work activities should be reviewed on an ongoing basis to identify any new risks that need to be managed.

HSWA is consistent with transport regulations requiring transport operators to do what is reasonably practicable to ensure the health and safety of their own workers, and anyone else who may be put at risk by the work activity. This includes ensuring you have safe vehicles and safe and healthy drivers.

It is important that companies and individuals understand their roles, duties, and key principles under HSWA and ensure they discharge their duties properly.



Health and safety leadership is critical. It requires a focus from the top just like any other business risk, and managing it well is good for both your business and workers.

PERSON CONDUCTING A BUSINESS OR UNDERTAKING (PCBU)

Typically this is the registered company, or in the case of a sole trader the individual who owns and runs the work activity. A PCBU has the **primary duty of care** to ensure **so far as reasonably practicable** the health and safety of workers and others.



WHAT DOES REASONABLY PRACTICABLE MEAN?

Reasonably practicable means that which is or was at a particular time, reasonably able to be done taking into account relevant matters including:

- the likelihood of hazard or risk occurring
- the degree of harm that might result
- what the person knew or ought to have known about the risk and ways it could be eliminated or minimised
- the availability and suitability of ways to eliminate or minimise the risk
- the cost to eliminate or minimise the risk (including whether the cost is grossly disproportionate to the risk).

OFFICER

An officer is someone in a specified governance role such as a director or partner, or someone in a governance position that significantly influences the management of the business, such as a CEO. An officer must exercise **due diligence** to ensure the PCBU complies with its duties. This means exercising all care and skill expected of any reasonable person in the same position.



For more information go to <https://worksafe.govt.nz/managing-health-and-safety/>

Safe speed

ROAD TO ZERO STRATEGY

We need to build a safe road system that is designed for people. This means doing our best to reduce crashes, but acknowledging that crashes will continue to happen. When crashes occur, we can prevent serious harm through safe vehicles, safe speeds and forgiving road design. Transport operators must manage excessive speed in their operation.



While speed limits must be complied with, it's not just about travelling more slowly; it's about finding an optimal balance between safety and efficiency for the sake of all road users. Appropriate travel speeds will have a minimal effect on average travel times, but a significant effect on reducing:

- the chance of a crash occurring
- the amount of damage and severity of the impact
- the resulting trauma while increasing survivability
- running costs while increasing profitability.

It's important your drivers know the importance of safe speed for both business productivity and safety. A few extra k's can make a huge difference to the result in a crash.



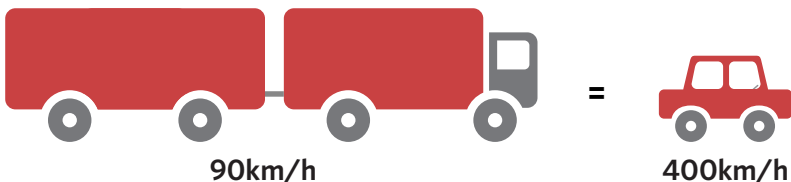
Road to Zero: NZ's road safety strategy 2020-2030

www.transport.govt.nz/multi-modal/keystrategiesandplans/road-safety-strategy

YOU CAN'T BEAT THE LAWS OF PHYSICS

Kinetic energy is the destructive force that causes damage and injuries in a crash. The amount of kinetic energy is dependent on the vehicle's mass and speed. As trucks and buses are heavier, they have a lot more kinetic energy than a normal passenger car travelling at the same speed. For example, **a typical truck and trailer unit travelling at 90km/h can have the same destructive force as a passenger car travelling at over 400km/h.** The amount of kinetic energy quadruples when speed doubles, so even a small increase in speed can make a huge difference to the outcome of a crash..

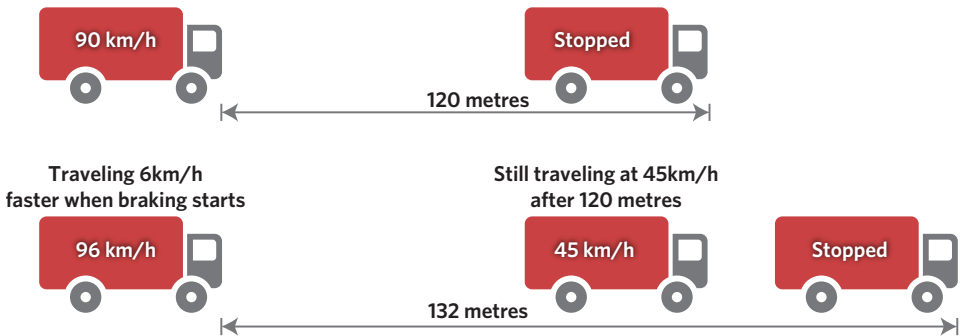
These vehicles have the same kinetic energy



SMALL INCREASES IN SPEED CAN MAKE A BIG DIFFERENCE

In a simple example, a heavy vehicle travelling at 90km/h could take up to around 120 metres to come to a complete stop in good conditions. This includes driver perception, reaction and stopping time. That's longer than a rugby field. Add another 6km/h to the initial speed and the stopping distance increases by another 12 metres. But perhaps more important, at the same point the slower vehicle would have come to a complete stop (perhaps narrowly avoiding a crash) the faster vehicle would still be travelling at around 45km/h. This is the equivalent amount of kinetic energy as a passenger car travelling about 250km/h.

Add in some other factors, like less than perfect brakes, a wet road, a tired driver or driver who isn't paying full attention, poor visibility – and things quickly start adding up. This results in a longer stopping distance, a reduced ability to avoid a crash and a faster impact speed causing more damage and trauma.



Small increases in speed make a big difference to the destructive power in a crash as well as increased stopping distance.

THE HUMAN BODY IS VULNERABLE

As speed increases, drivers are less likely to recognise unexpected or developing danger and the time available to react and take action is reduced. The severity of injuries in a crash is directly related to the speed of the vehicles involved at impact, whether or not speeding was a factor in causing the crash. When a vehicle crashes, it undergoes a rapid change of speed, but the occupants keep moving at the vehicle's previous speed until stopped, either having been thrown from the vehicle and hitting an external object; having smashed into the vehicle interior; or having been restrained by a safety belt or airbag. Vehicles are much safer than they used to be. Our roads are continually upgraded to make them safer. But while improvements are constant in these areas there's one weak link that can't be upgraded – the human body.

Speed may not always cause the crash, but it always affects the outcome.

TAKE CARE ON CORNERS

Excessive speed for the corner is by far the most common contributing factor in heavy vehicle rollover crashes. In a corner forces are pulling the vehicle sideways towards the outside of the bend. Once the sideways forces are greater than the natural stability of the heavy vehicle it will begin to roll. The amount of sideways force quadruples when speed doubles, so even a small increase in speed can significantly affect cornering stability.



TORO – Transport Organisation Register Online

WHAT IS TORO?

The Transport Organisation Register Online (TORO) is a free, independent, internet-based resource that enables holders of Transport Service Licences (TSL) to check that only licensed drivers are driving their company vehicles. It also allows TSL holders to monitor their drivers' licence status and activities. TORO users must however obtain the written consent of each driver they wish to monitor.

HOW DO I JOIN TORO?

TORO services are provided free of charge. If you would like to join TORO, send us an email to toro@nzta.govt.nz and we will send you an information and registration pack.

HOW IS TORO DIFFERENT FROM DRIVER CHECK?

TORO provides a higher level of information. Information about driver licence restrictions, passenger endorsement expiry, and demerit points are not provided to Driver Check users. TORO is also free.

IF I AM ALREADY WITH DRIVER CHECK, CAN I SWITCH TO TORO?

Yes. Send an email with your TSL number to toro@nzta.govt.nz noting that you are a current Driver Check user and wish to transfer to TORO. Note that you must obtain a new consent from each driver.

WHAT INFORMATION DOES TORO PROVIDE?

- The licence classes and endorsements that a driver holds
- The status of the driver licence
- Details of any conditions on a driver's licence
- If a driver's P, V, I or O endorsement is about to expire
- If a warning letter has been issued because they have exceeded 50 demerit points
- If a suspension letter has been issued because they have exceeded 100 demerit points

You can also view and maintain your own company list of drivers – adding new drivers and removing drivers who are no longer associated with the firm.

WHERE CAN I FIND MORE INFORMATION?

To find out more go to www.nzta.govt.nz/toro/about.html or phone 06 953 7027.

INFORMATION FOR DRIVERS

Do I have to sign up for TORO?

There is no legal requirement for you to give consent to your employer to access your information via TORO. If you do not wish to provide your consent, please talk to your employer about any alternatives.

What happens to my consent form?

Your employer must give you a copy of the signed consent form, and hold the original on your personnel file. They must keep the consent form on your file for 6 months after you leave their employment. From time to time Waka Kotahi will audit TSL holders and as part of the audit ask to see their TORO consent forms.

What is the law that enables Waka Kotahi to release information via TORO?

Section 199(4) and 199(6) of the Land Transport Act 1998 specify that certain information from the driver licence register can be released to people other than the licence holder. In addition, some of the information not covered by the Land Transport Act 1998 can be released under the Privacy Act 1993, if you consent to that release.



TORO is a free,
independent way
to help ensure
driver licences
are current and
valid

TSL labels

TSL labels confirm who is operating the vehicle and that the operator is correctly licensed. You must ensure that a valid TSL is displayed when – and only when – you are operating the vehicle. That way only safety events you are responsible for will be recorded against your TSL number.



Keep a record of the unique serial number on each TSL label and the plate or fleet number of the vehicle it is displayed in, so you know where all your labels are. The TSL label is a valuable commodity and should be protected against theft, misuse, or unauthorised access. If any of your TSL labels have been misused, advise Waka Kotahi.

TSL labels replace the requirement to display TSL numbers and business locations on the outside of vehicles. TSL labels are not required on trailers.

Large passenger service vehicles (buses) and vehicle recovery service vehicles (tow trucks) must display TSL labels on the inside of the windscreen, as close as practicable to the bottom of the passenger's side so they are visible from the outside. Goods service vehicles must display TSL labels as described above, or alternatively in the side window behind the passenger seat.

TSL MAINTENANCE

A TSL belongs to the named person or company and cannot be transferred, leased, or assigned to anyone else. The TSL must relate to the entity (individual or company) operating the vehicle.

It is important to ensure Waka Kotahi has current information relating to your TSL. Prior to, or within 14 days of any changes being made you must notify Waka Kotahi of:

- name changes
- address changes (including residential address in the case of a person in control)
- changes in person or persons having control of the service
- changes in company status (eg merger, dissolution).

New person or persons in control must undergo an assessment of their fitness and propriety before being approved to hold that position. There must be at least 1 person in control who holds (or is deemed to hold) the relevant certificate of knowledge of law and practice – www.nzta.govt.nz/resources/factsheets/47/index.html

TSL labels can be obtained from Waka Kotahi at no charge. Changes can be notified and more TSL labels ordered by calling 0800 822 422 or via email at: tsl@nzta.govt.nz. Please include the TSL number and name.

SAFED NZ

Safe and Fuel Efficient Driving New Zealand (SAFEDNZ) is a driver development course for truck, bus and coach drivers. There are two separate courses; one for truck drivers and one for bus and coach drivers. SAFED NZ helps organisations **reduce fuel and maintenance costs**, reduce CO2 emissions and **improve safety**.

A fuel efficient driving style is closely linked with improved road safety. Adopting simple fuel efficient driving techniques gives drivers more time to identify hazards and react to them.

SAFED NZ is a comprehensive one-day, off-the-job driver development course. It teaches safe and fuel efficient driving techniques through a combination of theoretical and practical exercises. It is generally delivered on a 2:1 ratio (two drivers with one instructor).

By developing the skills of your truck, bus and coach drivers, you will benefit through:

- reduced fuel costs
- increased productivity and vehicle use
- improved resale value of fleet
- reduced running costs
- potential reductions in insurance premiums.

WANT TO KNOW MORE?

Visit www.safednz.govt.nz.

SAFED NZ has been developed and implemented by:



Walk around inspection

The driver walk around inspection diagrams (on the next two pages) illustrates a typical walk around check that drivers should carry out prior to each trip.

This inspection should take no longer than it takes for an engine to reach operating temperature from cold. A well trained driver will be able to efficiently carry out a driver walk around inspection in a logical order, using a systematic approach. Well trained drivers will also be able to recognise faults, report faults and take the appropriate action.

THE ADVANTAGES OF A DRIVER WALK AROUND INSPECTION

It is important that your drivers understand the importance of a walk around check. They benefit both the business and other road users. Advantages can include:

- reducing the risk of an accident, injury or death
- ensuring the vehicle is safe to use
- identifying and reporting minor faults before they become major ones
- reducing risk to other road users
- clean checksheets at roadside inspections
- reduced infringement or offence notices.

WHEN SHOULD A DRIVER WALK AROUND INSPECTION BE CARRIED OUT?

Driver walk around inspections should be carried out:

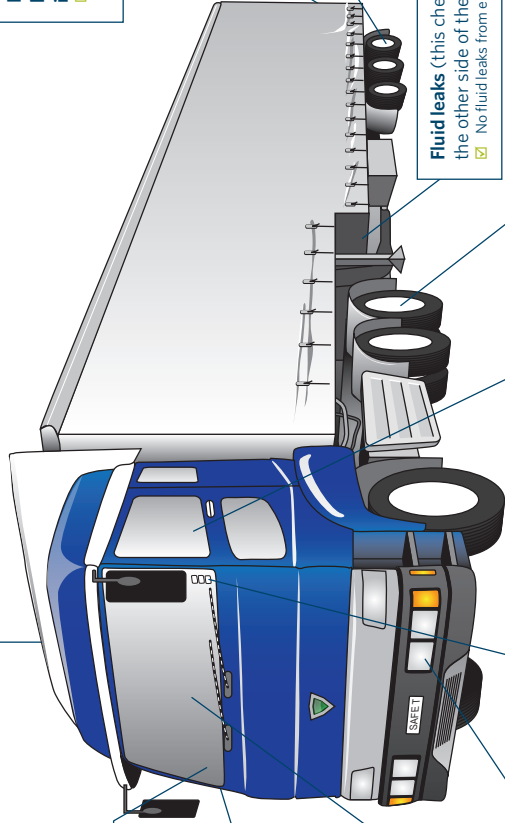
- at every on-duty start time
- after every rest stop
- after every load and off load
- before leaving an insecure depot/warehouse
- after an emergency stop
- at regular intervals if travelling on uneven surfaces, steep slopes, winding roads, etc.

A responsible driver will take the time to understand why it is important to inspect each item and recognise when an item is due for retesting, servicing, replacing or renewing.

Driver pre-trip walk-around inspection guide

Before moving off check

- Steering for excessive free movement
- No apparent air leaks from brakes
- All switches and warning lights operate correctly
- Heating and ventilation system operate correctly
- Sufficient fuel to complete trip



Horn and speedometer

- Working correctly

Labels

- CoF label is displayed on the windscreen and is current
- Certificate of loading is displayed and is visible to the driver

Vision

- Forward vision is clear of any obstructions (including on dashboard)
- Wipers work correctly
- Windscreen clean and not cracked
- Wiper blades not damaged
- Washer fluid container full
- Windscreen washers work correctly
- Sunvisor is clean and not cracked
- Rear-vision mirrors are intact, clean and correctly adjusted

Lights and indicators

- All lights work correctly including hazard lights
- Lenses are clean and not cracked

Licences

- Registration licence is current and displayed
- Road User Licence is current and displayed
- Correct TSL label displayed

Door and seatbelts

- All doors open and close fully ready to use
- Fire extinguishers serviced and ready to use
- Seatbelts working correctly

Fluid leaks (this check must also be carried out on the other side of the vehicle)

- No fluid leaks from engine, fuel system or waste water tank

Hubodometer

- Fitted and not damaged
- Recording correctly
- Easily readable

- Reflectors, tow coupling, load anchors, tail lights, indicators and air hoses**
- All fitted, working correctly, clean and not damaged

Wheels and tyres (this check must also be carried out on the other side of the vehicle)

- Tyres are correctly inflated and not damaged
- Wheel nuts are tight
- Wheels not damaged
- No cuts or bulges in tyre sidewalls
- Adequate tread depth

Driver pre-trip walk-around inspection guide

Before moving off check

- ✔ Steering for excessive free movement
- ✔ No apparent air leaks from brakes
- ✔ All switches and warning lights operate correctly
- ✔ Heating and ventilation system operate correctly
- ✔ Sufficient fuel to complete trip

Horn and speedometer

- ✔ Working correctly

CoF label

- ✔ Displayed and current

Vision

- ✔ Forward vision is clear of any obstructions (including on dashboard)
- ✔ Wiper blades not damaged
- ✔ Washer fluid container full
- ✔ Windscreen washers work correctly
- ✔ All clean and not cracked

Lights and indicators

- ✔ All lights work correctly including hazard lights
- ✔ Lenses are clean and not cracked

Interior

- ✔ No obstruction to exits
- ✔ Seats are secure and not damaged
- ✔ Seat belts work correctly
- ✔ Interior lighting works correctly
- ✔ Audio/television system working correctly
- ✔ Floor coverings in good condition and secure
- ✔ Hand and assist rails in place and secure
- ✔ Parcel racks secure
- ✔ Required warning signs and passenger information displayed clearly
- ✔ Emergency equipment carried with appropriate signage
- ✔ Fire extinguisher serviced and ready to use
- ✔ School bus signs displayed (if required)
- ✔ Certificate of loading is displayed and visible to the driver and passengers

Rear-view mirrors

- ✔ Intact, clean and correctly adjusted (on both sides of the vehicle)

Reflectors

- ✔ Fitted, clean and not damaged

Fluid leaks

- ✔ No fluid leaks from engine, fuel system or waste water tank

Hubodometer

- ✔ Fitted and not damaged
- ✔ Recording correctly
- ✔ Easily readable

Wheels and tyres

- ✔ Tyres are correctly inflated and not damaged
- ✔ Wheel nuts are tight
- ✔ Wheels not damaged
- ✔ No cuts or bulges in tyre sidewalls
- ✔ Adequate tread depth

Door and exits

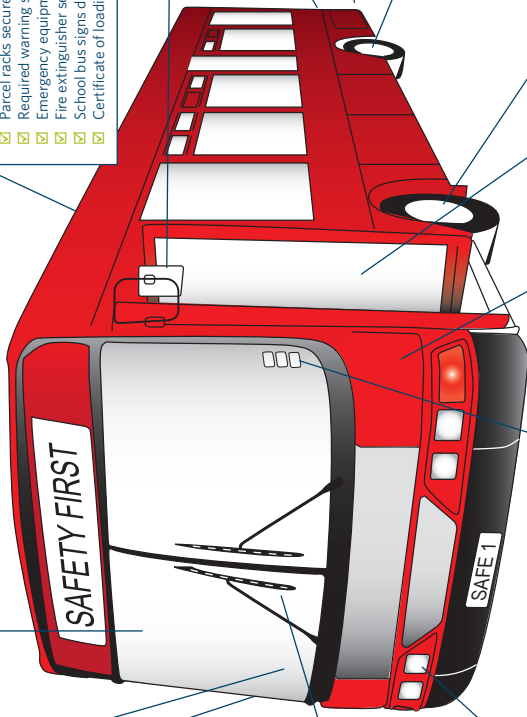
- ✔ All doors open and close fully
- ✔ Emergency exit clearly marked and free of obstacles

Exterior

- ✔ Bus clean
- ✔ No unreported panel damage
- ✔ Locker doors closed and secure

Licences

- ✔ Registration licence is current and displayed
- ✔ Road User Licence is current and displayed
- ✔ Correct TSL label displayed



Fatigue

Operators must manage the work environment so that fatigue does not become a factor in workplace accidents and incidents, including vehicle crashes. This can include minor incidents such as a clipped mirror or broken tail light, through to major damage, injury, or death.

Fatigue is more than being tired – it's physical or mental exhaustion to the extent people are no longer effective or safe at work. Fatigue is recognised as a significant hazard in the workplace, and like any workplace hazard, the priority must be to eliminate it. If this cannot be done, then steps must be taken to minimise the risk. Fatigue cannot simply be ignored. Everybody has a responsibility to ensure that no driver is allowed to drive while fatigued.

Fatigue negatively impacts a drivers' mental ability, including things like attention, vigilance, reaction time, situational awareness, judgement, and decision making. It also impacts operational performance, including things like lane positioning, steering, speed management, and following distance. A driver who is fatigued is less able to judge how tired they are, meaning they are at risk of continuing to drive not realising how badly their performance is affected. This can have fatal consequences. Commercial vehicle drivers and their employers need to be aware of fatigue, how to recognise it, and how to prevent it.

INDICATORS OF FATIGUE



RESTLESSNESS



BLINKING
FREQUENTLY



YAWNING



EXCESSIVE SPEED
CHANGES



BRAKING TOO LATE



FORGETTING LAST KMS



DROWSINESS



CENTRE-LINE DRIFT

Experiencing these symptoms should indicate to a driver that their performance is already affected by fatigue and they need to take a break of at least 15 minutes to reduce their fatigue levels. Ideally breaks should be taken before drivers reach the point of experiencing these symptoms. That is why having a well-designed schedule with appropriate breaks is important.

THE CAUSES OF FATIGUE

Body clock factors

- Working when you would normally be asleep
- Sleeping when you would normally be awake.

Sleep factors

- Getting less than the normal amount of sleep
- Getting poor sleep.

Work factors

- Working very long or extended hours
- No time to recover from work
- Unrealistic schedules that don't allow enough break time
- Safety cultures that discourage speaking up about fatigue.

Health factors

- Medical sleep problems
- General health and lifestyle issues
- Stress levels.

Being tired makes you more prone to mistakes.

Tiredness related collisions are

3 TIMES MORE LIKELY

to result in death or serious injury



Take a break

TIPS FOR MANAGING FATIGUE

In addition to the tips for driver safety and compliance on page 5 here are some ideas that may help improve fatigue management.

Make sure you and your drivers understand and comply with work time rules and rest time requirements

- Reinforce the legal requirements with drivers, why they are important, and provide education where needed.
- Monitor and take action where issues are identified.

Involve your drivers

They can help identify and work out how to manage work risks as they have useful operational knowledge.

- Make sure drivers know they can make suggestions, ask questions or raise concerns.
- Make sure drivers know the signs and symptoms of fatigue so they know what to look out for
- Foster a positive safety culture so that looking out for, and speaking up about fatigue is encouraged and valued.

Set achievable schedules and rosters

This is so that your drivers can adhere to the speed limits and work time requirements, and are not pressured to drive when fatigued. You also need to consider other work duties might add to fatigue such as administration, loading or unloading, depot/yard work, and servicing and maintenance duties.

Provide appropriate work environment, tools, and facilities

Provide access to facilities such as toilets, showers, healthy meals, and accommodation where appropriate. Consider things like vehicle cabins, seating, controls, equipment, and low noise levels to support driver health and comfort.

Educate and support life management skill development

Obesity, heart disease, diabetes, and sleep disorders can be common in the transport industry and have an impact on fatigue.

Operators can promote better health management and take action where they suspect a health issue is having an effect of safety performance. Make sure drivers get adequate time off for rest and are encouraged to have plenty of good quality sleep, eat healthy meals, get some exercise, and get professional medical help where necessary.

Check that drivers are not taking medication that might contribute to fatigue

Some prescription medication can cause drowsiness. Encourage drivers to check any prescription medication for warnings and talk to their pharmacist or doctor. There may be alternatives available.

If they need to take medication that causes drowsiness you will need to consider what work duties they are safety able to perform. See page 33 for more information how medication can affect driver safety.

Be aware of other employment and ensure this is taken into consideration

If a driver has other employment make sure they are recording all work time in their logbook and their total work time is accounted for when considering if they are legally able to, and safe to drive.

Monitor and manage logbook records

- Have a system to collect driver's logbooks regularly (within 14 days) and make sure drivers comply. Check for omissions and errors (this could be random or periodic), and compare against other records to check accuracy (eg GPS, fuel, or loading records).
- Take action where problems are found and keep a record of this.
- File logbook pages by book and page number and make sure you have a complete record.

Employers must keep logbook records for 12 months and be able to produce them to an enforcement officer if asked.

For additional information including a downloadable drivers booklet: <https://nzta.govt.nz/commercial-driving/commercial-safety/work-time-and-logbook-requirements/>

Use technology

GPS, in-cab telematics, fatigue detection and electronic logbooks can improve safety and efficiency by allowing a greater level of monitoring for fatigue.



For more information on managing fatigue go to:

- www.nzta.govt.nz/resources/alternative-fatigue-management-scheme/
- www.nzta.govt.nz/resources/heavy-learner/health-and-fatigue



Employer duties for logbooks and transport records

Employers and self-employed drivers must keep the following records for 12 months from the date the record is made:

- Time records, records of payments to the drivers, and employment/contractual records.
- Accommodation records and receipts relevant to the transport service or transport service vehicle.
- Fuel records and receipts for relevant transport service vehicles.
- Logbook pages (employer copy for employed drivers or own copy if self-employed).

Employers and self-employed drivers must be able to produce the above records immediately on demand by an enforcement officer.

Transport Operators are required to maintain additional records for the purposes of road user charges (RUC). Please refer to the *Road user charges handbook* available on the Waka Kotahi website for details.

More information on work time and logbooks for drivers and operators can be found at www.nzta.govt.nz/commercial-driving/commercial-safety/work-time-and-logbook-requirements/.

Electronic logbooks

Logbooks must be approved by Waka Kotahi to ensure they meet all recording and records keeping requirements. Though traditionally paper based, approved electronic logbooks (e-logbooks) using tablet or mobile devices are now also available. E-logbooks provide an improved method for drivers to manage their own work time, are much simpler, have greater accuracy, and provide a better management overview to monitor and control fatigue risk and compliance.

Operators and drivers must keep in mind that while the method of recording work time is different to a paper based logbook, the same recording and compliance requirements as the paper-based system still apply. This needs to be taken into account in how e-logbooks are deployed in your vehicles. This includes:

- enabling the driver to easily record all work time (not just drive time)
- enabling the driver to record work time from more than one employer
- ensuring the system is available for use and minimum requirements can be met when outside data coverage areas

- ensuring the driver can produce their logbook immediately on demand
- ensuring the driver can meet logbook records retention requirements, and can produce past records for inspection on request.

Waka Kotahi recommends that each driver has their own e-logbook device which is the best way to ensure minimum requirements can be met at all times.



The approved e-logbook systems can be found at:

www.nzta.govt.nz/commercial-driving/commercial-safety/work-time-and-logbook-requirements/

For more information on worktime and logbooks, refer to the *Worktime and logbooks* factsheet and guides at:

www.nzta.govt.nz/resources/factsheets/02/

Fit and proper

Transport operators and drivers must meet a minimum standard of behaviour. We call this being fit and proper. Transport operators undergo a fit and proper assessment as part of their TSL application. Drivers holding a class 2-5 driver licence do not have the assessment when they begin driving for employment, but both drivers and operators must maintain good standards of behaviour, including demonstrating good safety practices.

A fit and proper review can be undertaken at any time, which depending on the type of licence can include:

- criminal history
- criminal activity relating to the transport service
- any serious behavioural problems
- any transport related offences (including infringements)
- offences and infringements in a private vehicle
- complaints made in relation to the transport service
- history of persistent failure to pay traffic fines or road user charges
- anything else Waka Kotahi thinks is relevant.

Waka Kotahi can revoke a transport service licence and disqualify the person/s in control from obtaining a transport service licence or having any form of control of any transport service for up to 10 years.

A driver's class 2-5 licence can be revoked and disqualified for up to 10 years. If the offending or behaviour is a serious risk to road safety, the class 2-5 licence can be immediately suspended.

Driver health and wellness

Healthy drivers are safer, more productive and more reliable, resulting in reduced disruption due to unscheduled days off, lower medical costs, and better work outputs. There are unique challenges in designing a program that works for drivers. A shortage of healthy food options, ergonomically unfriendly workplaces, and extreme fatigue are just a few barriers to driver wellness. But that's no excuse to avoid investing in driver health. Here are some hints and tips:

Talk to your drivers

Get their input on what they need or would like to support them be healthy and make healthy lifestyle choices.

Ensure drivers get good quality rest

Set achievable schedules, ensure journeys are well planned, make sure drivers take their rest breaks, and encourage good choices while off duty to ensure there's enough time for rest and recuperation (including good quality sleep). If drivers are staying away overnight ensure accommodation provides the opportunity for good quality rest/sleep.

Ensure access to healthy food options and water while on duty

Help identify places drivers can get healthy meals (or encourage healthy options for their lunchbox) and encourage healthy eating such as having smaller portions more often and choosing nutrient rich food instead of high sugary food – both on and off duty.

Encourage exercise

Educate your drivers and support lifestyle choices that involve exercise. Walking around the truck a few times, stretching, even a brief workout are possible within proximity of the truck when parked in a safe place. Encourage good choices while off duty – it doesn't have to be extreme or expensive, for example joining a gym, taking the dog for a fast walk or vigorously mowing the lawns, it all helps.

Get drivers to help each other

Identify drivers that are doing well and encourage them to share information with others. Consider initiatives like having a fitness challenge or forming a work sports team to encourage fun ways to be fit and healthy.

Encourage drivers to get preventative health checks

Drivers have a number of health challenges - fatigue, stress, obesity, sleep apnoea, high blood pressure, diabetes and depression are just a few areas where drivers might need help. Encourage drivers to get, or you may choose to provide regular GP check-ups where drivers can work with their GP to address any health issues identified.

Recognise and reward achievements

Has a driver suddenly lost weight, stopped smoking, or taken positive steps to address a health problem? Acknowledge their achievement and encourage it to continue. If appropriate promote the great example they are making to others, or even consider some sort of recognition.

Lead by example

Show commitment to a healthier workforce and get management to participate in workplace health programs.

Where you suspect there is an impairment around someone's ability to drive - take action

Fatigue, health issues, drugs, and alcohol are all causes of impairment. Ensure they don't drive until you are satisfied they are no longer a safety risk.



Alcohol and drug use

The effect of alcohol and (illegal) drugs on drivers and the impact on road safety is well known. Operators must ensure that they do not deploy drivers who are, or they suspect are, under the influence of alcohol or drugs.

Prohibiting the use of alcohol and drugs in company vehicles can be included in employment contracts or in company policies and procedures, with options for employment and random testing available.

MEDICATION

Many prescribed medications (or those purchased over-the-counter) can impair driving, as can many drugs. Yet substance impaired driving is not something many people are aware of or understand how to manage.

While it's unsafe to drive when taking medication that impairs a driver's ability, it's also against the law to drive when impaired. Drivers can fail workplace drug testing due to several common types of medication (either over-the-counter or prescription).

If drivers aren't fully alert they could be a danger to themselves and other road users. It's important for them to know which of their medications may impair driving, and they should be encouraged to talk honestly with their doctor or pharmacist about them (and anything else they are taking). Research shows your chances of having a crash if you're impaired by medication are much higher than previously thought. The risk multiplies if they mix alcohol with medication or drugs that may impair driving, and both could impact on fatigue.

Operators and drivers should be aware of these common symptoms:

- feeling drowsy/sleepy
- blurred vision
- headache
- feeling weak
- slowed reactions
- dizziness
- nausea, feeling sick
- unable to focus or pay attention
- being easily confused
- slurred speech
- having trouble forming a sentence
- feeling wired and overconfident (this may not be noticed by the driver).



For more information go to: www.nzta.govt.nz/medication
or email medication@nzta.govt.nz

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