



TRANSPORT AND RESOURCES COMMITTEE

Members present:

Mr SR King MP—Chair
Mr CE Boyce MP
Mr LL Millar MP
Ms JC Pugh MP
Mr LA Walker MP
Mr TJ Watts MP (virtual)

Staff present:

Ms D Jeffrey—Committee Secretary
Mr Z Dadic—Assistant Committee Secretary

PUBLIC HEARING—INQUIRY INTO VEHICLE SAFETY, STANDARDS AND TECHNOLOGY, INCLUDING ENGINE IMMOBILISER TECHNOLOGY

TRANSCRIPT OF PROCEEDINGS

MONDAY, 24 MAY 2021

Brisbane

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The committee met at 9.30 am.

CHAIR: I declare open this public hearing for the committee's inquiry into vehicle safety, standards and technology, including engine immobiliser technology. Thank you for your interest and your attendance here today. I would like to start by respectfully acknowledging the traditional custodians of the land on which we meet today and pay our respects to elders past and present. We are very fortunate to live in a country with two of the oldest continuing cultures in Aboriginal and Torres Strait Islander people, whose lands, winds and waters we all share.

My name is Shane King, the member for Kurwongbah and chair of the committee. With me here today are: Lachlan Millar MP, the member for Gregory and deputy chair; Colin Boyce MP, the member for Callide; Jess Pugh MP, the member for Mount Ommaney; Les Walker MP, the member for Mundingburra; and Trevor Watts MP, the member for Toowoomba North, who is participating via videoconference.

On Wednesday, 24 February 2021, the Legislative Assembly agreed to a motion that this committee, the Transport and Resources Committee, inquire and report on vehicle safety, standards and technology, including engine immobiliser technology. The purpose of today's hearing is to assist the committee with its consideration of this inquiry.

The committee's proceedings are proceedings of the Queensland parliament and are subject to the standing rules and orders of the parliament. As parliamentary proceedings under the standing orders, any person may be excluded from the hearing at the discretion of the chair or by order of the committee. The committee will not require evidence to be given under oath, but I remind witnesses that intentionally misleading the committee is a serious offence. You have previously been provided with a copy of instructions to witnesses, so we will take those as having been read.

The proceedings are being recorded by Hansard and broadcast live on the parliament's website. Media may be present and will be subject to the chair's direction at all times. The media rules endorsed by the committee are available from committee staff if required. All those present today should note it is possible that you may be filmed or photographed during these proceedings by the media. Images may also appear on the parliament's website or social media pages. I ask everyone present to turn mobile phones off or to silent mode. I also ask that we be provided with any responses to questions taken on notice today by 4 pm on Monday, 31 May 2021.

This hearing is the second in a series of hearings that the committee will hold for this inquiry, with further hearings to be held over the coming weeks. The committee's webpage will be updated as further information becomes available about dates, times and invited witnesses. Today the committee will begin by hearing from the Motorcycle Advocacy Group from 9.30 to 10; Austroads from 10.05 to 10.35; the Australian Automotive Aftermarket Association from 10.40 to 11.10; the National Heavy Vehicle Regulator from 11.15 to 11.45; and the Motor Trades Association of Queensland from 11.50 to 12.20.

COLLET, Mr Keith, Member, Motorcycle Advocacy Group (Qld)

LANGFIELD, Mr Stuart, Founder, Motorcycle Advocacy Group (Qld)

CHAIR: Welcome. If you would like to make a short opening statement, it would be appreciated.

Mr Langfield: My name is Stuart Langfield and this is Keith Collet, and today we represent motorcyclists and interested parties under the banner of the Motorcycle Advocacy Group. The Motorcycle Advocacy Group emerged to address the gap in the voicing of motorcyclists' concerns to authorities. So far we have been involved in building relationships with stakeholders ranging from the general public to government departments. We are consulted regularly by TMR on road improvements to the Mount Nebo and Mount Glorious environs. We have had a part in addressing the hooning problem and participated in discussions which have led to recent changes in the legislation. We have been nominated for a road safety award. We are currently undergoing a process of incorporation into a formal organisation.

The constitution for this organisation is based on nine objectives, two of which specifically relate to this forum—that is, to provide a platform to establish relationships with, and to, all levels of government and industry, and to promote and improve all aspects of road safety with respect to motorcycling in Queensland.

Technology, manufacturing and marketing is a volatile environment and outstrips the legislation certifying its products. Presently we have a situation of ambiguity where the consumer is uncertain of the legality of products readily available to them. We see a need for reform in this environment and suggest uniformity across the creation and application of regulations and that the language used be suitable to address the fast-moving changes in technology coming to the automotive market. Our members report that the uncertainty of the legality of their bikes intrudes into their experience in many ways, and fundamentally any distraction to the riding experience reduces the attention given to riding. That in itself raises the risk of riding safety. We seek a simple, clear and unambiguous approach to all of these issues.

CHAIR: Thank you very much. We will now go to questions. I will ask a question first about theft. We note that around five per cent of vehicle registrations are motorcycles but 16.6 per cent of vehicle thefts in 2019 were motorcycles. We hear a lot about cars being stolen, but could you address the volume of motorcycle theft? What are they used for after they are stolen? Are they used for parts?

Mr Langfield: That is a mystery to us.

Mr Collet: You would assume they are used for spare parts, possibly for track bikes.

Mr Langfield: Certainly the insurance aspect of writing off bikes that could be easily repaired pushes those boundaries. Maybe bikes are being stolen to repair bikes that otherwise would be written off—track bikes, as Keith says. There is perhaps a possibility that bikes are being taken out of the country.

CHAIR: They are easier to strip down than a car.

Mr Langfield: You would not need to. You could put a bike in a container and it could just disappear. It is perplexing, because it is very difficult to register a bike. The same rules apply as to registering a car: it has a VIN and it has to be inspected. Possibly they are being ridden unregistered with false plates. There is a report on one of our pages this morning about that happening. The police know who stole it but cannot get that person to divulge it, and there is a report of it running around in Canberra. It is a similar mystery to us.

CHAIR: The member for Callide also has collection of some lovely motorcycles, but as one of the motorcyclists on this committee—and this is more of a statement than a question—I know that a member had an S4 Ducati Monster once and damaged a pipe. It was easier to go aftermarket to try and get a standard replacement pipe, but then aftermarket was illegal, which I think is one of the problems you are referring to. A set of Silmotors was cheaper than trying to track down an original pipe for it, if you could get one. Are there any comments you would like to make in relation to that? I feel your pain.

Mr Langfield: It is, very much so. I will just address one thing quickly before we move to that. You are looking at immobilisers. Modern motorcycles are fitted with immobiliser chips in the keys, so it is key to the ECU, but that does not prevent the vehicle being lifted and transported.

Mr Collet: In most cases that is how they do it.

Mr Langfield: A car is a bit more problematic. If it is immobilised, you need to steal the key to get the car. With a motorcycle, you can remove the bike and it is gone. Getting back to the aftermarket exhaust issue, it is more complicated for a motorcycle than it is for a car. You can go to JAX mufflers, and if your Holden or Falcon has lost an exhaust there is one on the shelf, it will be a patent part and it will be within the realms of fitting. They will bend a piece of pipe to suit it. As you would know, a motorcycle is not only perhaps model specific but year specific and considerably more expensive. People are prejudiced in the respect they cannot afford it. An insurance company may write off a perfectly handsome bike for no reason other than it has a scratch on the muffler.

The aftermarket market is so vast that we are seeing manufacturers that cannot keep pace with the range specifically for a motorcycle. Staintune recently closed its doors and has been purchased by another company. They have liquidated most of the patents. They are concentrating in another direction. That was an Australian manufacturer that is gone. Pipemasters Motorcycle Exhausts and Tranzac Motorcycle Exhausts are gone; they were both Brisbane based companies. It is a problem. The issue also seems to relate to the actual noise emitted by the exhausts. That is another issue. To create an aftermarket exhaust requires some level of certification. We can buy exhausts off the internet any day of the week, but most specifically at the moment we are bumping heads with the issue of the legality of them.

CHAIR: I bought an aftermarket exhaust for a Harley that I had once and it was quieter than the standard one.

Mr BOYCE: Stuart and Keith, thank you for coming in. Obviously this committee is looking at immobilisers and theft. As we just heard from the chairman, 16 per cent of all vehicle theft relates to motorcycles. What are they stealing? Who are the people doing it? One of the issues we have at the moment is joy-riders—people stealing cars and terrorising the streets—but when someone steals a motorbike, who are they and what are they doing?

Mr Langfield: Amongst the demographic that you have there, can you specifically name a brand? Is it Harley Davidson or—

Mr BOYCE: That is what I am asking you.

Mr Langfield: I am not privy to that information. If it were to be a Harley Davidson, you would imagine that it is associated perhaps with patch clubs.

Mr Collet: Yes, they were big on the list years ago. I did not realise it was still going on now. At one point it was almost dangerous to own a Harley because it was like carjacking. There was 'bikejacking', basically, to get Harleys. Now I do not know. I would imagine it is more the sports bike.

Mr Langfield: As you say, maybe finding its way to being a donor—components for a track bike or race bike.

Mr MILLAR: It is not joy-riders; it is people obviously—

Mr Langfield: There is an element of that, but they would need to have the key.

Mr Collet: It is fairly unlikely that someone steals a motorbike just for a joy-ride. I know it has happened, but it would be rare.

Mr MILLAR: We are looking at a more sophisticated criminal element where they are stealing bikes, stripping them down and selling the parts either locally or shipping them overseas. Is that what we are looking at?

Mr Collet: That would be my guess.

Mr Langfield: That would be my guess.

Mr Collet: I do not know any of them, unfortunately.

CHAIR: I have just looked up the site that links to those figures and there is no identification of the type or style of bike. It is just motorcycles in general.

Mr WATTS: The fact that the data does not tell us what kind of bike may be something we should bear in mind for the report, because it would be useful to know what type of bike going forward.

Mr Langfield: I would just add that perhaps trail bikes, off-road machines, may be a target being taken out into rural areas, because it could just be used on a farm and there are no checks. It does not need to be registered; it does not need to surface.

CHAIR: There is a map of Australia on the site, and in the Pilbara region of Western Australia 79 bikes were stolen. I know there are a lot of Harleys in that area, having lived there, but then there are other areas. You would assume possibly it could be dirt bikes in outback places. I agree, member for Toowoomba North; that is a good point.

Mr BOYCE: With respect to noise levels on motorbikes, depending on what flavour of motorcycle you wish to have, noise is everything. There is an old adage amongst motorcyclists that 'loud pipes save lives'. How would you respond to suggestions that current noise levels should be reduced rather than increased?

Mr Collet: I do not believe they should be reduced. There is a problem with motorcycles where the noise level varies with every model of bike. Apparently, the manufacturer pretty much determines the decibel reading of their motorcycles. A sports bike can be set at 109, whereas a smaller bike is set at, say, 79 or 80. If the owner of the 79- or 80-decibel bike replaces his muffler and it comes up at 90, he is then illegal and he gets a notice saying, 'This bike is no longer legal.' Why is this bike allowed to be that level yet this other bike is not? A much simpler and easier method would be to make one noise level for all bikes.

Mr Langfield: As a maximum, a ceiling.

Mr Collet: As a maximum, obviously. I hate loud bikes as much as anybody else. Every time a Harley starts up, I think, 'Just shut that thing up.' It is a bit strange that we can have this level for that bike and that level for that bike. It does not make any sense. Let us have one and everybody knows then what that level is.

Mr Langfield: Yes. You have something the manufacturers can work to and the consumers have confidence that if they buy it they are not doing something illegal. To further address the adage of 'loud pipes save lives', there was probably a time in the world when that did make sense, but modern cars are so well silenced that a bomb could go off in the car parked alongside you and you would not really know it. Added to that is that modern aftermarket stereo systems now incorporate sound cancelling, which monitors the outside sounds and cancels them out, so no amount of noise on the outside is really going to make its way to the driver. The technology is moving such that cars themselves will be noise cancelling to the people inside them.

CHAIR: That is a very valid point. I must say that when I had my Harley—I have a Triumph Rocket 3 now—you would come up to a set of lights and you would see everyone looking around thinking, 'There's a Harley here somewhere. I can hear it.' You are right: as technology increases, we are going to lose that.

Mr Langfield: We have lost it. Cars are so well silenced and probably have been for the last 10 years. Air conditioning is an absolute must on most cars, so most people do not open their windows anyway.

Ms PUGH: I want to ask about safety. Motorcyclists are unfortunately still over-represented in road safety statistics, so I am just wondering if you have any ideas or feedback as to how we can improve that. Sadly, we had a fatal motorcycle accident in my electorate just a few weeks ago. A local fellow lost his life and it was absolutely awful. I am keen to make sure that motorcyclists are not over-represented in the statistics. Do you have any feedback as to how we can go about doing that?

Mr Collet: There is a good reason they are, I suppose, because, let's face it, if you have an accident on a motorcycle there is a lot more chance you are going to get hurt than if you have one in a car. A lot of it possibly stems from inattention on the part of car drivers, because there is a lot of that going on. Cars have so much in them now that people are looking elsewhere quite often.

It is also about the riders and rider training. I am 70 years old. I have lived this long and I have been riding for over 50 years. I have survived and it is because I look. When I am out on the road, I do not position myself anywhere it is going to be a threat to me. I look. I look to the right. When I come to an intersection—even when I come to a set of lights and the light is green—I look both directions because I have been a motorcycle rider. Unfortunately, in this state people are not going to get the opportunity to ride a motorcycle now until they are 20 or 21 because you have now made it impossible for anyone to get a motorcycle licence until they have had their car licence for three years.

Mr Langfield: In Europe there is a move towards people progressing at the high school level straight to scooters and getting a grounding on the skills. There is an argument that says that will place a lot of young people at risk. The other argument is that everybody in the community will have a son, daughter, nephew or grandchild out on a bike and they are going to raise their own awareness of what they are doing because they do not want to injure somebody.

We have spoken, as I have alluded to here, with TMR on many occasions about road safety and how the structure of the road affects motorcycling. To some extent, it is like we have been banging our heads against a brick wall. They have just put in a new stretch of road from Samford through to Mount Glorious, essentially. We were very specific in the last 2½ years about highlighting two particular corners which are extremely unpredictable for no other reason than maybe the weather conditions influencing it. Keith has been down on that corner just because something happens. My van slides some days and not other days; sometimes my bike slides. That was not addressed. That was the one corner that has not been resurfaced and it is also the one corner that does not have a rub rail under the Armco to stop a motorcycle from going through. We are in the process of addressing that.

There is also the issue with Armco itself having exposed pylons at the top. We were very emphatic about that yet again on this particular piece of road. In the summary since, some of the pylons have been capped and some have not, and the response from the project managers was that they do not believe there is any validity to it. However, a bicycle rider unfortunately died on a corner on this piece of road a few weeks back. I was surveying that piece of road where the accident was when another motorcyclist came down. He observed me and thought I was in trouble and tried to stop. He was not speeding but he ran off the edge of the road and hit the Armco. He himself went over the top of the Armco and his helmet glanced on a pylon. That pylon had the plastic cap. I have photos of his helmet. It has a penetration to about this depth. It split his helmet for this long and that was because the cap reduced the penetration. The pylon, which is this long, would have penetrated his skull. It would have also caught him and twisted his head so he would have either broken his neck or died of a frontal lobe injury.

At some point people who advocate, such as ourselves, need to be heard and acted upon. It does not need to be in the realms of 'that's going to cost too much money', which was exactly the reason they gave us: 'This particular corner can't be re-covered because we haven't allowed for the money.' Yet there was \$11.7 million set aside for the project to be distributed specifically with the intent of safety. One has to ask the question.

CHAIR: Particularly that area, and I know it well. That is one of the rides I enjoy around Mount Glorious.

Mr Langfield: I might add that that motorcyclist got up and walked away.

Mr Collet: We have what is called 'Crash Corner', which is on the other side. On this one particular corner there have been countless accidents. Over the years TMR would come up the mountain and we would have our meet-and-greet sessions. I mentioned over and over about changing the signage because the signage was so misleading. The corner before it was marked at 30 with a right angle, but the corner was nothing and it did not even need that sign. The same signage was on a tightening downhill so people were coming unstuck and thinking, 'That one was 30. Let's do this one,' but they could not do it. It took 2½ years before they changed the sign. They did eventually change the sign but it took 2½ years and countless encounters with TMR.

Mr Langfield: The result is that there have been very few accidents.

Mr Collet: There has hardly been an accident since on that corner. It just takes so long to get anything done and they do not really listen. We are here today, but how much of this actually gets taken in and what gets done?

Mr WATTS: I have two questions in relation to the noise. Do you have a suggestion as to what the dB level should be if there was one level? Are you aware of any other jurisdictions that have a policy of a dB level for all bikes?

Mr Langfield: I am not aware of a jurisdiction that does have that. We recently put forward a parliamentary petition, which was signed by more than 1,800 people. We proposed that it should be 115, because that caught every scenario, but suggested that 110 was probably more realistic. It is difficult because, whilst an exhaust can emit that much noise, we have people who frequent Mount Glorious and Mount Nebo who have bikes that probably exceed that but their character is such that they are respectful of the people around, so if you come into the village you ride so that you do not create noise. The noise is made in the higher revs.

Mr WATTS: I find that a really high decibel reading. I used to run pubs and nightclubs and, with a fully soundproof room and with all the doors and windows shut inside, I was not allowed to play music anywhere near that level because it would disturb householders. So 115 seems a very large amount.

Mr Langfield: I agree. The anomaly that exists is that manufacturers can create and produce a vehicle with a muffler, present it as what it is and the ADRs will pass on it. We already have this environment which has those limits established, and I do agree that they are loud. I also reiterate that it is in the hands of the user. As in music, it is up to the person as to how far they turn the volume knob in the auditorium. The amplifier might be capable of 200 dB, which would be impossible, but it is where it is regulated for the people. The noise that emits from a motor vehicle is directly responding to the throttle action. The abuse exists in the hands of the holder.

Mr WALKER: I have a question in relation to theft. I see that five per cent of vehicles registered are motorbikes, but 16.6 per cent of motor vehicle theft is of motorcycles. Have trackers ever been considered in your neck of the woods in relation to having them placed somewhere on the motorbike so if they do get stolen they can be tracked?

Mr Langfield: We are aware of some people who have trackers. Sebastian is one of the people in our social group who has a business fitting trackers, but mostly they go into cars.

Mr WALKER: The only reason I ask is that the bikes would be able to get fitted and you would be able to track them a lot easier. Cars are bigger and you have a colour and a description, whereas with motorbikes you have to look at the petrol tank to see what their colour is.

Mr Langfield: That is true, but there are also few locations to locate them. Modern motorcycles are so economic in their design that finding a spot to secrete something is quite difficult.

CHAIR: And a loud alarm does not work. People ignore alarms these days. I had a car stolen a few years ago and that is what the police said to me—that the alarm would not have meant anything. On a rainy night, people would not even have opened their windows for it, sadly.

Ms PUGH: I would—to yell out the window, 'Turn your alarm off!'

Mr Langfield: 'It's okay. I'll be out of here in a second.'

Mr BOYCE: Could I make a comment with regard to those trackers? I have a collection of vintage and classic motorcycles. I have a tracker. It is a single item. I attach it to the motorcycle. I go out on them sometimes and I put that on because they are rare and vintage motorcycles and they are targets for criminals. If it happened, I would be able to find out where they are.

Mr Langfield: That is great. Across the spectrum of safety we have a device called an EPIRB, which boats use. I mooted the idea that an EPIRB could be a loaded device that you could take off with, along with a tracking device of your own, and set it so that, say, after three hours it says, 'You need to reset me to let everybody know that I am safe.' If you fell off your motorcycle you would lie there for a maximum of however long it was that you set before the device automatically triggered.

On Saturday night there was a motorcyclist who went for a ride outside of Mount Mee who had an EPIRB type device and fell. He activated that and he was found that night. Some people are taking that up. There are GPS type satellite devices that are being used by people who are going out west as well. That is on the safety side rather than on the theft side.

CHAIR: Time has beaten us, but if during the course of this inquiry we come up with any further questions for you would you be open to us sending them through? We would really appreciate it if you could help. That would probably help this inquiry a great deal.

Mr Langfield: Yes, thank you.

CHAIR: Thank you very much for your time. We really appreciate it. A copy of the transcript of these proceedings will be provided to you in due course.

NIEUWESTEEG, Mr Michael, Program Manager, Road Safety and Design, Austroads (via videoconference)

CHAIR: I now welcome Mr Nieuwesteeg from Austroads. Would you like to make a short opening statement?

Mr Nieuwesteeg: Good morning. Thank you for inviting Austroads to contribute to your inquiry. I manage the Austroads Road Safety and Design Program. I would like to start by acknowledging the Australian Aboriginal and Torres Strait Islander peoples of the lands on which we respectively live and work. I pay my deepest respects to elders past, present and future.

Austroads is the collective of the Australian and New Zealand transport agencies, representing the Commonwealth, the Australian states and territories, Australian local governments and New Zealand. Austroads is best known in the road transport area for its guides. These are the go-to resources for people working in all aspects of road transport. All of the Austroads guides and publications are freely available to download.

Every year Austroads invests around \$10 million into research projects. The information that comes out of these research projects underpins the Austroads guidance documents. This program is delivered through five subprograms, one of which is the Road Safety and Design Program that I am responsible for. Austroads' primary contribution to Australia's road safety effort is by conducting this research on road safety risks and countermeasures and then publishing authoritative guidance. Austroads is in regular communication with its members around Australia and New Zealand and we are also in touch with our peers in Europe and North America. Of relevance to today are the areas of law enforcement, licensing and vehicle safety. We set a leading research agenda which includes a focus on technology.

While your inquiry has wideranging terms of reference, Austroads has focused its submission on a fairly limited area: the role that engine immobilisers can play in meeting our vision for the elimination of death and serious injury. Engine immobilisation was developed primarily as a theft reduction measure, but it has safety applications as well. The most well known is the use of fixed immobilisers that are connected to alcohol interlock devices. A car will be disabled if alcohol is detected in the breath of a driver.

In the first instance we welcome further investigation of potential applications of both fixed and remote immobilisation to support law enforcement, particularly in relation to extreme and high-risk driving and riding behaviour. More generalised applications could be possible. These would require community support and might initially involve opt-in arrangements such as in corporate fleets under the banner of occupational health and safety.

I might leave it there as an introduction. I am happy to clarify any points in our submission or take any questions.

CHAIR: ANZPAA did a report in 2019 saying that remote engine immobilisers were not yet feasible or possible. Obviously you would know about that report. I would like you to comment, if you can, on the findings of that report and also if there have been any significant changes in technology or attitudes since that report was handed down?

Mr Nieuwesteeg: No, I am sorry, I cannot give you a confident statement in response to that question. I am personally not familiar with the latest in technology. In Victoria there was alternative type of immobilisation that was being considered for extreme situations in response to the very tragic terrorist event in Bourke Street, Melbourne, a few years ago. In that situation you would have another vehicle which is loaded with a high-powered magnetism device that would cut the vehicle. That is an alternative mechanism that was being investigated. Otherwise, I am not aware of the latest technology in this area. It is not my area of expertise.

CHAIR: Did you wish to comment on whether remote engine immobilisers were feasible or possible? We heard that the police would require line of sight to do anything and they were uncomfortable with that for safety reasons.

Mr Nieuwesteeg: In that particular application I do not want to comment. Yes, there are technologies to do it now, but perhaps not so much for the law enforcement side of things. An example might be in a corporate fleet. There is a study that I am aware of that is looking at passive alcohol detection live. If at any point in time during a drive this device that sits in the steering wheel picks up alcohol in the breath of the driver, there is a remote station somewhere that is monitoring this—and there are policy applications as to how you would do this—and a voice could come over the radio saying, 'We have detected alcohol. Can you please safely pull over.'

All this control can be put in the hands of a remote system. It is obviously just a very long policy implementation journey that we would need to go through. That is why I have mentioned opt-in arrangements. Corporate fleets, for example, could drive this type of thing because they have a bit more control rather than a broad application for our law enforcement.

Ms PUGH: I note that your submission mentions alcohol interlocks. I imagine that would have been at the point of starting the car for a number of reasons. In regional Queensland in particular, for me the idea of an intoxicated driver getting part way through their journey on an isolated road and then having to pull over has two bad outcomes. I am not going to say one is worse than the other. Obviously, driving intoxicated is terrible. If we can stop that from happening, I would imagine that would be the better outcome. Would you be able to expand on how you think alcohol interlock devices could and should be applied?

Mr Nieuwesteeg: I will start by indicating that Austroads did a fairly comprehensive report on this that I have referenced in the submission. There is a lot of detail in there. I suppose the question is around an interlock happening at any point in time. Currently, the settings in many jurisdictions do just that. They give the driver a warning that they will need to pull over and do a subsequent test, because alcohol can have a lag before becoming present in the breath. That is currently the situation. Thinking from a safety perspective, I would probably prefer to deal with the situation of someone who has to pull over on an isolated road rather than letting them continue to drive when they are intoxicated.

Ms PUGH: That was a very specific circumstance I gave. I am obviously aware that, sadly, despite the comprehensive drink-driving campaigns the government has run over many years, 20 per cent of fatalities can still be attributed to an intoxicated driver. Are you able to expand a little more on what you put into your submission? I think it is a really important area that we still have some ground to make up on. While the advertising campaigns are doing great work, we are still sitting at the 20 per cent mark, which is a real shame.

Mr Nieuwesteeg: The submission touched on that. It was a very brief submission. To my mind, this is probably the most obvious area where interlocks can be expanded. When we are dealing with alcohol, the reason the education campaigns cannot touch some of the more extreme behaviours is that we are not dealing with a rational decision. We have an addiction. We have other problems. The best education is not going to solve all of those problems. That is why you go for a sanctioning type of approach. An interlock is a very extreme punishment. It comes with a stigma. It is a big device that sits in your car. There are a lot of problems if you are caught. It is very expensive. It is a big impost, but still people are caught in this situation. It demonstrates that this is not a rational thing we are dealing with.

I think the potential for the passive detection of alcohol is not that many years away. It is being developed by the industry now. It is possible to bring it through the stream. You could install it in every vehicle. It would then be up to jurisdictions to turn that on or do something with that information. It could be up to the parent of a child, for instance, who wanted to turn that on. I cannot guess how many years away this is—whether it is five or 10 years—for new vehicles, but there is great potential that it can operate all the time, just quietly in the background.

CHAIR: I have a question about the system of annual vehicle safety inspections that New South Wales has compared to Queensland. We have heard mostly that the Queensland one is sufficient in terms of the incidence of vehicles being defective. Can you comment on that?

Mr Nieuwesteeg: I am aware that it is a New South Wales particular measure and is not done elsewhere. Other states have elected not to do it, because the benefits that are seemingly on offer are very small in contrast to the cost. There would be much more effective ways to spend that money for the community. That is why it has not been taken up more broadly. Was there another part to the question?

CHAIR: No. It is just that New South Wales is different to Queensland. We have heard from Queensland submitters that they are quite happy and that the incidence of unsafe vehicles that New South Wales purports to pick up through the way they do it does not seem—

Mr Nieuwesteeg: That is consistent with my experience. I am from Victoria. In my time in road safety I would have read 3,000 fatality descriptions and been involved in an in-depth study of 400 serious injury cases. It is very unusual to see. It does happen—it is mostly probably around tyre condition—but it is not a common thing. In road safety we are always dealing with the biggest problems first. That one tends not to get a whole lot of attention.

CHAIR: Are you aware of any plans to introduce Australian Design Rules federally in terms of remote immobilisation? Immobilisers in the key are mandated, but do you know of any further plans regarding immobilisation?

Mr Nieuwesteeg: No, I am sorry. I am not aware of any plans. I think I should clarify Austroads' role. Austroads was set up to support the states and territories to harmonise their positions. The Commonwealth is responsible for that. Austroads does not play a role, although, if there were some foundational research that the jurisdictions wanted to input into a federal process, Austroads would certainly play a role in that.

CHAIR: In terms of vehicle modification and aftermarket products, every state is different. From your experience, what are the main inconsistencies among the states?

Mr Nieuwesteeg: I have been at Austroads for two months. I do not know how often that might have been discussed. I have not seen an Austroads document, so it may not have been looked into for quite some time.

Mr WATTS: You mentioned that you have looked at several thousand crashes. Is there anything broadly that you think we as a committee should either look at or know in relation to vehicle safety—more than the immobilisation—in terms of vehicle safety and what we can do to reduce the toll?

Mr Nieuwesteeg: The main challenge for Australia and Queensland is the age of our fleet. It is so important that we try to reduce the number of vehicles, particularly those prior to 2010. In terms of crash performance, a vehicle built before then is going to perform so much worse than a newer vehicle. That is probably one of the best things we can do, noting that they are expensive and that it takes a long time. A change we make today will have a very long pay-off. The main effort across Australia and New Zealand has been about those technologies—electronic stability control, lane-keep assistance, advanced braking, the devices that detect an impending and imminent collision and apply the brakes—and particularly getting those into light commercial vehicles and heavy vehicles.

Mr WATTS: Obviously we have had a system nationally of a luxury car tax. Luxury cars often will have all of this technology incorporated, which makes the car more expensive, which puts it over the threshold. If the luxury car tax threshold were either increased and/or got rid of altogether, replacing the fleet would be more economical for people. Would you broadly agree with that statement?

Mr Nieuwesteeg: Yes, that is sound logic.

CHAIR: Are there any road safety lessons that you think Queensland could learn from other jurisdictions in terms of things they do well elsewhere?

Mr Nieuwesteeg: Statistically, Victoria and New South Wales have the best performance in Australia. There is a very good relationship among the road safety practitioners, in Queensland and right across Australia. We are all heading in the same direction. I think getting the vision of zero is a really important step. I am really pleased to see more jurisdictions getting on board with that. Federally we are seeing that same commitment.

It is hard to know exactly where to go, but we are on a journey—it is a very slow journey—from, really, victim blaming, where we look at a crash and say, 'What did that person do wrong?' to a view where we say, 'What could we have done differently? How could we have provided assistance differently?' The point I really want to make is: the system is the interaction between an environment, the technology in the vehicle and the user. You really have to put eggs in every basket. It is really about taking redundancies, which is just normal in occupational health and safety and in airline safety. It is just how we do things. It is taking a lot longer for us to transition in terms of roads.

CHAIR: In terms of vehicle crash statistics throughout the states, would the causes of incidents in the larger states, like Queensland and Western Australia, be influenced by fatigue and travelling distances, whereas with New South Wales and Victoria, being concentrated, there may be other issues? Would that be a valid statement?

Mr Nieuwesteeg: It would be valid. In terms of the proportion of trauma that is occurring regionally versus in urban settings, I cannot tell you the relative contribution, but it is always a similar kind of thing. You get most of your serious injuries in the urban areas and most of your fatalities and really catastrophic injuries in the rural areas, where the speeds are higher. There is also the tyranny of distance for—

CHAIR: Could you repeat that last sentence? Your audio broke up.

Mr Nieuwesteeg: I was referring to urban settings having higher numbers of serious injuries—you get a lot more crashes—whereas in rural settings you will get the higher speeds and therefore the higher levels of death and catastrophic injury. Building on that is the tyranny of distance, which makes it harder in the rural areas to get help to the person who is injured.

Mr WATTS: This is just a fraction outside the scope of this inquiry but is relevant. We had the Motorcycle Advocacy Group talking about barriers and how different types of barriers on roads may or may not contribute to a better outcome. A lot of the highway that I have seen being built in recent times has the metal barrier running along and/or no hard shoulder. Do you have any general comments around road design—what is world's best practice and how that might be being applied?

Mr Nieuwesteeg: In terms of road design, having a sealed shoulder is an advantage. Having clear line markings is a strong advantage. Ultimately, the barrier is really important to reduce injuries. It is really one of the best measures. If you had to choose, you would put the barrier over the other things. It is great if you can do barrier with shoulder. The shoulders serve other purposes, not just safety. They are very convenient. They support the pavement so the road lasts longer. They also help to keep the roadside in better condition.

Barrier design is something that Austroads is very interested in. We run a barrier assessment program. We are also establishing harmonised training and accreditation for barrier installers and barrier maintainers. We are very interested in barrier design and understanding which barriers are going to perform best, noting that we are trying to put a barrier in place that is going to be as least injurious to motorcyclists as possible and most effective in catching a 2½-tonne vehicle. In some areas you might say that we are getting so many heavy vehicles that we need to make this barrier even stronger. If you take the extreme of a freeway environment in a big city, they will be made of concrete, because you just cannot tolerate the possibility of a heavy vehicle crossing into oncoming traffic, so you build them really strong. You are making a compromise there: you will get less safety performance for a light vehicle or a motorbike. It is always a challenge to try and balance these things, but it is something that is taken very seriously and there is a lot of work going on in this space.

Mr WALKER: This is a quote and a question all built in one. Some 30 years ago I had a dash-mounted phone, a Motorola, that you could set to dial a home phone if someone started the vehicle. Considering that most people have a mobile phone and that most vehicles are stolen in urban settings, could we have a SIM card or a dial-up system to notify the owner via phone when that vehicle starts? Some vehicles already have that mounted in the roof so that if they have a crash an occupant can hit a button and a SIM or dialling system is activated via satellite. Has that been considered moving forward with the new electric vehicles, because they are much quieter so in most cases people will not hear them start or leaving the property?

Mr Nieuwesteeg: I cannot guarantee it, but I would assume so. It is very simple. Having the SIM in the vehicle gives you so many opportunities. It is going to start coming in. There are probably a million vehicles in Australia driving around today with a SIM. That makes sense. It is software. It is easy, ultimately, compared to having to build a mechanical system into the vehicle.

Mr WALKER: My current vehicle is a new Ford Ranger. I can start that remotely with my phone and have it prepped before I hop into the vehicle. A lot of police vehicles have that as well. Ford taps into that technology remotely from the USA every time I start that vehicle and my phone is on. It can only be a fine line now to activate that a little bit further, where they could notify the head office and just turn the car off.

Mr Nieuwesteeg: Yes, it is amazing. I cannot speak to the legal or privacy hurdles we would need to overcome, but to me that is an amazing opportunity.

Mr WALKER: Just for the record, Chair, I asked the question to see where technology is going to take us in the next 10 years.

CHAIR: I probably am seeking an opinion, so feel free not to respond if you feel uncomfortable. If there were a system like the member just mentioned or some sort of immobilisation—and I alluded to it earlier when I asked if any ADRs were purported to come out about it—do you think a federal response rather than individual states going their own way would be better?

Mr Nieuwesteeg: I think that would be better, but I think the state has to operate in its interests as well. That is something for you to judge. Obviously, if we can do it together it is much easier. Customers already struggle with existing gaps in harmonisation, for example in licensing. It is very challenging once you have these gaps. Let's try and all do it together. I look forward to Austroads helping to get all of the states together.

CHAIR: In Queensland people traverse the border daily for work. I know we have issues with some aftermarket equipment on cars, where it is legal on one side and illegal on the other. With something like that, with our particular border it could be difficult if we went different ways from state to state. Thank you for that response. Thank you very much for your time today; we appreciate it. A copy of the transcript of today's hearing will be provided in due course.

BISHOP, Mr Nigel, Membership Development Manager, Australian Automotive Aftermarket Association (via videoconference)

CHARITY, Mr Stuart, Chief Executive Officer, Australian Automotive Aftermarket Association (via videoconference)

CHAIR: Welcome. Thank you for your attendance here today. Would you like to make a short opening statement?

Mr Bishop: Thank you for the opportunity to present to you on behalf of the Australian Automotive Aftermarket Association. My name is Nigel Bishop; I am the membership development manager for the AAAA. I am also the convenor of our 4WD Industry Council. I am joined today by Stuart Charity, our CEO, who will follow on from me. Just quickly, I will cover off broadly on the AAAA's role and then provide a little more detail on the subcouncil that I look after.

The AAAA is the national industry body representing what we refer to as the automotive aftermarket. That encompasses manufacturers, wholesale and distribution, and retail of auto parts and accessories as well as modifications, service and repair. Collectively, our industry comprises over 50,000 businesses. We employ over 300,000 employees. We contribute \$25 billion to the Australian economy.

Within the AAAA broader membership we have several subcouncils that represent specialist niches within the industry. These include the Performance, Racing and Tuning Council and the 4WD Industry Council. As I mentioned earlier, I am the convenor of the 4WD Industry Council. I would just like to share some highlights about this particular industry segment, as I think it is quite relevant to this inquiry.

It is not only an important part of the Australian and Queensland economies; the four-wheel drive modification industry also provides a service to many other trades and industries that require vehicles to be made fit for purpose for specific environments. We are talking about things like mining, emergency services and of course the domestic tourism industry. Our products are highly engineered to improve vehicle performance and handling, occupant safety and comfort. Recently we conducted a four-wheel drive parts and accessories industry study, and I just want to share some of the highlights from that study with you.

The four-wheel drive parts, accessories and modification segment of the aftermarket industry is comprised of 2,000 businesses, employs 70,000 Australians and has a combined revenue of approximately \$6 billion. These businesses range from product manufacturers—the engineering and manufacture of four-wheel drive parts and the designing of those products—to retailers and vehicle fit-out and modification. According to our 2020 study, Queensland businesses are more heavily involved in the engineering and manufacture of four-wheel drive parts and accessories than any other state. On top of that, 24 per cent of Australian manufactured products are made right here and exported all over the world. Queensland also makes up the overwhelming majority of the retail and modification component of the supply chain.

Lastly, I wanted to highlight one of the other questions we asked in the study about risk to business. We specifically asked members what they saw as the biggest challenges facing their business's continued success. Overwhelmingly, the two most concerning threats to businesses were poorly administered modification regulations that were out of step with community needs. With that, I would like to hand over to Stuart Charity, CEO of AAAA.

Mr Charity: Thank you, Nigel, and thank you for the opportunity to present to this committee this morning. Nigel has talked about who the AAAA is and also some of the economic impact of our industry, particularly in South-East Queensland, which is a real manufacturing and design hub for the industry. I am now going to delve a little bit more into our submission and the recommendations. Our submission is really specifically looking at road safety, particularly road safety in the context of vehicle modifications. Safety is at the heart of everything our industry does. As we all know, unfortunately we do not build cars in Australia anymore so every single car that is sold in Australia is designed and manufactured overseas. They are built off a global platform so they are not specifically designed for Australia's unique conditions. They are also not designed for the intended end use of the vehicle owner, and there are myriad different end uses for vehicles on Australian roads.

I think there is a misconception that modified vehicles are the exclusive domain of hoons. The reality is very different. As Nigel has talked about, the economic impact of the vehicle and four-wheel drive accessories and modification industry is huge, and the overwhelming majority of those modifications are done to improve either the safety and/or functionality of those vehicles. It is

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recreational vehicle owners; it is families that want going to away on the weekend and tow a caravan or a boat; it is fleet vehicles—there are three million fleet vehicles on Australian roads and the overwhelming majority of those fleet vehicles are being modified for their end use; it is modifying and enhancing the load capacity and carrying capacity of the vehicle; it is putting a frontal protection system on the vehicle to protect vehicle occupants when they are travelling in rural and regional Australia; and it is emergency service vehicles and fleets. As I said, the overwhelming majority of vehicle modifications are undertaken to enhance the handling and performance of the vehicle.

Having said that, we all know that vehicle technology is moving forward at breakneck speed and it is incumbent on our industry to really lift the bar in terms of the product design, testing and validation that we undertake because we need to make sure that any products that we are fitting on the vehicle fully integrate with the inbuilt safety systems on the vehicle and ensure that the vehicle maintains ADR compliance. There are a lot of systems on vehicles now. Obviously airbags have been around for a long time. There is ABS, but now there are advanced driver-assistance systems so you have radars on the front and rear of the vehicle. They are important in terms of being able to provide important enhancements to the driving experience, but particularly around safety. There are things like electronic stability control that automatically apply brake and steering measures to try to get an out-of-control vehicle back into control. For everything that we do, we need to understand these systems and we need to test for them.

We certainly understand the importance of vehicle safety and ensuring that the components that we fit not only do not impair vehicle safety but actually enhance it. We also need to take into account—and it is a balancing act—that in many cases not modifying a vehicle, particularly if it is carrying a heavy load or towing, can actually have a detrimental effect on road safety. People having animal strike in the middle of nowhere with no frontal protection—those vehicles can be disabled, and people often swerve to avoid animals if they do not have frontal protection on their vehicles. There are a lot of road safety reasons why a vehicle should be safely and professionally modified. We are trying to strike this balance.

As an industry association, we are not asking for less regulation. What we are asking for is rational, engineering based regulation that ensures that the product or the regulations are actually fit for purpose. We do not want over-regulation. We do not want red tape just to keep bureaucrats happy, so that they can tick a box, but it is costing both the car owner and the industry tens of thousands of dollars in redundant testing. On the flip side, we want good, fit-for-purpose regulations which continually lift the bar.

We have a reputation globally in four-wheel drive parts and accessories. We want best-in-class regulation and we are up for world-class product testing and evaluation. In fact, as a testament to our industry's commitment to lift the bar, in 2019 we launched Australia's first industry development testing and validation centre. It is called the Auto Innovation Centre. It is part of the AAAA. It is a subsidiary. It brings in vehicles, equipment and expertise in a centre of excellence. We have about \$5 million worth of capital equipment that the industry utilises in its product development testing and validation process. We can do everything from dynamic testing with steering robots to test steering changes to 3D printing. We have ADAS calibration—advance driver-assistance system calibration—equipment. We have a whole range of equipment all under one roof.

In terms of our relationship with the Queensland government, I did want to put on record that we have a very positive relationship with Transport and Main Roads Queensland. We have to deal within service vehicle regulations with every single state regulator, because that is the domain of the states. TMR certainly are one of the most proactive and consultative of any of the regulators around the country. There is always room for improvement. We took the opportunity with this inquiry to make some recommendations. They are really around the approach to how government interrelates and interacts with industry when developing vehicle standards.

We think there should be more engagement with industry at an earlier point in time. We have significant engineering expertise at our disposal amongst our membership. What we are recommending is a collaborative process where government come to us early on if they have a particular concern with an area. That gives an opportunity to proactively and constructively get industry input. Similarly, there needs to be a feedback loop from industry to government, to give feedback on where there is unworkable or unnecessary regulation that is putting a cost burden on industry and on car owners that is really not justified or really not achieving an outcome.

Our recommendations to the inquiry are around the establishment of a vehicle standards working group. There is a model of this already up and running in New South Wales successfully. We believe that it should include the engineers from the aftermarket producers, the four-wheel drive peak body, which is the user groups, 4WD Queensland, RACQ, the Caravan Industry Association and Brisbane

senior officials from Transport and Main Roads. We further recommend that this committee meet twice a year with the ability to establish small working groups to cover off key issues as they arise. We think the implementation of this vehicle standards working group would increase the collaboration and communication between industry and government and basically get better outcomes from regulation and strike that balance between ensuring that vehicles are safe and fit for purpose when they are modified and ensuring that our industry can grow and prosper into the future. We are happy to take any questions.

CHAIR: Thank you. We have your submission. I appreciate you adding to that. I have some questions about the inconsistencies that you alluded to with light vehicle modification rules between jurisdictions—an example where there is a particular state or territory that has allowed modifications that Queensland does not. Then I have a follow-up question on certain types. Is there anything you want to add?

Mr Charity: There is a national code of practice that has been in place now for probably 15 years which is a general agreement amongst the states and territories on in-service vehicle regulations. States do from time to time move away from that to address specific issues. I know there is a push from some particular user groups to harmonise all state regulation. I think that is probably easy to say in a forum like this but a little bit more difficult to do in practice. We certainly have no objection to harmonisation of vehicle standards, but the issue when you try to go for national harmonisation is that you end up getting the worst best outcome, if you like. Regulators tend to take the most conservative approach of anywhere in the country rather than the best, most pragmatic approach. In certain circumstances and with a structure in place that provides that good collaborative approach, I think there are some benefits to state-by-state regulation. We will work with all regulators collectively or individually to try to get commonsense regulation.

CHAIR: Nigel mentioned the study on 4x4 parts and accessories in 2020. Is it possible to get a copy of that report?

Mr Bishop: Absolutely. We are happy to forward that on.

CHAIR: In 2018 Operation Lift occurred—the QPS-TMR activity which was targeting high-lift four-wheel drives. Would you like to comment on the advantages and disadvantages of that particular operation? It may be your own opinion or from the body you represent, but what did you think about that operation?

Mr Charity: I think it is probably on the public record that we were not very pleased with that. It has been a learning experience for everyone and I think the relationship with TMR is a lot better, but the issue we had with that operation is that we were in active discussions with Transport and Main Roads around vehicle lift standards when that operation was launched. It was done without any notice to us or any consultation with us. We felt that it was not a sign of collaborative and constructive engagement with industry when we were in the middle of something and that was launched. It was a very highly publicised operation. There were TV cameras and so on and it was obviously staged.

Do not get me wrong: we are the first to say that illegally modified vehicles and high-lift vehicles that do not have compliance should not be on Queensland roads or Australian roads. Having said that, there is a place for safely raising vehicles. Where we have come to as a result of that is a two-inch, or 50-millimetre, lift which is allowed under owner certified, not having to do additional testing, and then with an additional 50 millimetre in diameter, which gives you 25 millimetre in lift—overall a 75-millimetre lift. That is the maximum that can be done in Queensland uncertified. We have done extensive testing. As I say, we actually have a steering robot—it is worth about half a million dollars—and every other week we take vehicles down to a proving ground about three hours outside of Melbourne. It is the only place in Australia where you can do it. I think there are only three steering robots in Australia. It is a \$15,000 test. We know what is safe in terms of a vehicle lift and what needs to be tested. We got there in the end in terms of outcome, but it was not best practice in terms of consultation and collaboration.

CHAIR: I get from that that you are fairly happy with how the minister changed that and you are satisfied with the result?

Mr Charity: Yes.

Mr BOYCE: Has there been any consultation with motor vehicle producers in respect of modifications to suspension and so forth to allow for greater towing capacities and greater weight-carrying capacities for the Australian market that are otherwise unnecessary elsewhere around the world?

Mr Charity: I would say a couple of things. We compete with the car companies. They supply their OEM branded product, albeit many of our members are actually suppliers to the car industry so a genuine Toyota bull bar is probably made by ARB or one of the other producers. That aside, we do
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compete with them on automotive parts and accessories so they are very unlikely to work collaboratively with us—although through the innovation centre we are actively opening up dialogue with the car industry and we do not think it should be an ‘us and them’ type scenario. There is an open invitation for the car industry to work collaboratively with us. They do so in the US. We are slowly getting there, but at the moment we have a situation where car companies will not give an aftermarket supplier approval to do a modification. That is why the government plays a role here in creating regulations and testing regimes to enable us to validate and prove that a modification is safe.

You touched on a couple of things. One is upgrading the load-bearing capacity of the vehicle. We call that a GVM upgrade, a gross vehicle mass upgrade. That is being done under both state regulations and federal regulations. A number of our members are involved in that. It is really important because if a vehicle is carrying particularly a permanent load—if you have a tray on the back or you are carrying equipment as permanent weight—and you do not upgrade the suspension, you cannot get three or four passengers in the vehicle without going over the gross vehicle mass stipulated on the vehicle, and overloaded vehicles are very dangerous. Our members undertake those GVM upgrades. They do them pre registration. We have a situation with the Commonwealth and states where we can undertake GVM upgrades. Under the Commonwealth system we can actually upgrade the plate on the vehicle so it is basically certified to carry that additional weight.

Towing capacity is a little more complex, because it impacts on more systems on the vehicle and there is a lot more grey area amongst the states. This is probably one area where there are a number of inconsistencies across the states. To try to address this, our industry put together what we call a GCM upgrade, a gross combined mass upgrade. About a year and a half ago, we put together a technical working group of our members. There is no testing protocol at the moment so we have come up with a suggested one. That was presented to TMR, Transport for NSW and VicRoads, but TMR are taking the lead on this. They have come back to us with some suggested changes and we are working through that at the moment.

We want to come up with a testing protocol that again strikes that balance between the safety of the vehicle and something that is commercially feasible for industry to do. Again, if vehicles are towing caravans, boats or whatever that are too heavy for the vehicle, it is a significant road safety risk. Enhancing towing capacity on the right vehicle and doing it the right way is something that there is high demand for out there, both from a consumer point of view and from a road safety point of view, but it needs to be done properly.

Mr BOYCE: Do the parameters need to be extended or retracted? For example, where I come from in Western Queensland a common Toyota LandCruiser is made into an ambulance. You see many of these vehicles in ambulance stations in remote and rural areas. Are the parameters to create those modifications on those vehicles adequate or do they need to be extended?

Mr Charity: They are adequate, and most of those ambulances—probably all of them—would have had a GVM upgrade undertaken by one of our members. We are happy with the GVM protocol at the moment. As I said, we are working on GCM so that consumers can get that towing upgrade on the appropriate vehicles.

Ms PUGH: We heard earlier this morning about alcohol interlock devices, which would obviously be an aftermarket product. With 20 per cent of fatalities still being caused by drink-driving, what are your views on the aftermarket alcohol interlock devices? Can you elaborate on the different kinds of devices available, the price points if you know about that, and how useful you think they are?

Mr Charity: We are probably not in a position to talk about that. Even though it is an aftermarket fitted device, it is quite a specialised area. Our members tend to be more around the general accessories that a consumer would fit to a vehicle. Nigel, are you aware of any of our members who are involved in interlock devices?

Mr Bishop: No, not at all. I would agree with you there.

Mr WATTS: I am interested in the ADAS systems. I come from Toowoomba and a lot of four-wheel drives in particular and a lot of cars get modified there. They might get a bull bar put on or they might be raised. Lots of different things will get fitted. In terms of the protocols around adjusting all of the ADAS systems on the vehicle as that happens, are they sufficient in Queensland? Are we in front of the game here? Are we making sure that the car’s safety systems are not being compromised? If we are, how are we going? If we are not, what can we do about it?

Mr Charity: That is a good point. ADAS is something that is taking a lot of time and energy from our industry perspective as well. I think the first thing to say is that ADAS systems are part of the evolution of vehicle safety. What you normally find is that regulation and testing protocol lags

behind the technology. We now have a test protocol in place for electronic stability control which was mandated back in 2013, but it has taken a number of years for the regulation, the testing and the testing infrastructure to catch up. It is similar with ADAS. It is not yet mandated technology, although it is certainly on most vehicles, and ANCAP do a great job in structuring their testing protocol around encouraging manufacturers to offer ADAS systems as original equipment.

The issue that we have with ADAS at the moment, though, is that there is no agreed testing protocol. There are so many systems on the vehicle now. It is not just cruise control with the radars; there are actually radars on the back of many vehicles now, there is lane departure warning and so on. The testing is far more complex because you have to be able to test different vehicles in those different scenarios.

The other thing I would say is that, as I said, the ADAS technology is still in its infancy, if you like, and manufacturers are still making improvements. If you look at manufacturers' handbooks, there are warnings everywhere about not relying on ADAS. It is a driver aid system; they are not automated driving systems, so you still need to be able to drive the vehicle. Having said that, there is a bit happening at a company level. Our members are doing significant testing, as much as they can and as comprehensively as they can in the absence of an agreed standard. We would love a standard. Engineers love the ability to test to a particular protocol and it is a pass or a fail. At the moment we do not have that, so it is up to the discretion of each company.

The other thing we are doing as an industry is, in the same vein as we have done with gross combined mass testing—so towing upgrade testing—we have just formed a technical working group to look at ADAS and make recommendations to the regulators on an appropriate testing protocol that they might look to adopt. There is a bit of work in there but I can tell you that there is significant testing and validation that is done on products fitted to vehicles with ADAS systems.

CHAIR: Thanks, Stuart. We will have to finish there. We have gone slightly over time. There was a question on notice in terms of getting an outcome of that study. If we could have that by 4 pm on Monday, 31 May, that would be appreciated. Thanks for appearing. We really appreciate it. As the inquiry continues, would you be open to us sending you any further questions as we delve further into this?

Mr Charity: Yes. We are happy to provide any more information and we will submit that survey result as soon as possible.

CHAIR: Thank you. You will be provided with a copy of the transcript of these proceedings. Thank you very much for your time.

CAMM, Mr Rod, Chief Executive Officer, Motor Trades Association of Queensland

DEWAR, Mrs Kellie, Deputy Chief Executive Officer, Motor Trades Association of Queensland

CHAIR: Welcome. Would you like to make an opening statement?

Mr Camm: Certainly. Thanks for the opportunity. I tender an apology from Peter Dever, who was coming today. He has been caught up in business. He is the chair of our Automotive Remarketing Division and is Dealer Principal of Supamerc. He wanted to tender his apologies. You obviously know us. We are the peak body for automotive businesses around Queensland. Across the supply chain there are some 15,000 businesses, so it is a substantive industry. We are also Queensland's largest apprenticeship provider in automotive training, so we certainly are also deeply immersed in the skills challenges not only around safety but also about this fast-changing technology that is impacting the industry.

We came along today early to listen to the discussion. We are very interested in it, obviously. We had a look at the previous hearings you held and note there is a sizeable both questioning and contribution from experts around immobilisers and the technology. We acknowledge that. In many senses, in recognising that, we are happy to focus on some other areas around inspection regimes, which has already been mentioned today, presale certification or issues around odometer fraud, the whole written-off vehicle proposed changes, speed limiter technology, and alignment with national standards and European standards, which you have talked about.

CHAIR: I will ask a question I asked earlier about the ANZPAA report on remote engine immobilisers which basically said that they were not yet feasible or possible. Are you aware of that report? I think you probably are. Would you like to comment on the findings of that report? Has any technology changed since that report that might make things different?

Mr Camm: I am certainly not close to that report. I am aware of the issues around this emerging technology and note a couple of trials that have happened, particularly involving police. Yes, there are advantages but there are also limitations around their capacity to know how many cars have it and the like.

Mr BOYCE: I have a question in relation to your submission, which talks about supporting the implementation of a ban on re-registration of reparable write-offs. We heard from other submitters to this committee that there are examples of particular vehicles that might have had a minor front-on collision and, for example, the headlights might be broken. The cost of replacing those headlights is impractical from an insurance point of view and, therefore, the vehicle gets written off. To me, that is an unsustainable use of resources in respect of the motor vehicle. Why should that vehicle not be allowed to be repaired and re-registered?

Mrs Dewar: That is to do with the feasibility of it being economical to repair. When the laws change, it would be our opinion that they may assess the vehicles differently—that it will no longer be uneconomical to repair based on the value of car if there is no reparable write-off scheme.

Mr Camm: We think some of those decisions would change. We acknowledge the concern. Certainly our repairers have recently said to us that, in the case of a lot of vehicles that are currently written off, the view would be not to make that decision if the rule changed.

CHAIR: That would be a stat write-off, but a reparable write-off would remain? You may be able to fit an aftermarket headlight in that circumstance that does the job, works perfectly and, therefore, provides an economical repair?

Mr Camm: A practical outcome, yes.

Mr WATTS: I am interested in putting a similar question in terms of ADAS on cars that have been repaired and/or altered in any way and whether there should be some kind of government standard in this area.

Mr Camm: We are very aware of the risk of repair of vehicles with ADAS and also aftermarket modifications and the impact that can have on those systems, be that lifting vehicles, different tyres and the like or panel repairs. Certainly this is technology that is moving very fast. A key priority for our association is about how we upskill the industry across Queensland and alert them to this potential skill issue and risk. We offer a range of short courses, be that from one day to three days, on ADAS technology. We are trying to immerse and push skills agendas across the industry, because you are right: it is a real issue.

CHAIR: I have a question related to the reparable write-offs. I understand that you had some concern about the return of unsafe reparable write-off vehicles to the road and the inspection regime. I declare that I have repaired a few reparable write-off vehicles in the past. I am wondering what your concerns are. They go through a roadworthy and then—I do not want to put words in your mouth. They check the parts are not stolen, but I am wondering if there would be a further check on the quality of repair at that stage. Is that what you are suggesting?

Mrs Dewar: Correct. At the moment there is no quality of repair check. It is the identifier alignment, the parts invoice as you are familiar with and the safety certificate as well. We have seen some very unsafe vehicles returned to the road that have come into our members' businesses.

CHAIR: Odometer fraud is a major issue. I would like you to elaborate on that. In my experience you get the PPSR check and you can see if the odometer has been changed and the kilometres. If you had some radical variation from that, if someone had done a dodgy swap, surely you would pick that up. I am interested to hear about odometer fraud and how—not how it works; I do not want to do it.

Mrs Dewar: The process you are describing is correct; you can, in fact, check it. However, what we are finding is that more and more consumers are not checking it. Whether it is an awareness issue, I am not really sure. Usually the first time they find out about it is when they go to trade the vehicle and one of our dealers has picked it up. There are still so many people who are not doing those checks that you can do online. We accept it is a simple check. That is why we were wondering if there were other areas that check could be built into, like the 'check my rego' app—if anyone is familiar with that—where it could be self-reporting. On the renewal of your registration you could self-report your odometer reading. That makes it another transparent step so that there is something there. It is quite concerning to see the number of people who are still getting caught with odometers that have been wound back.

CHAIR: Maybe on transfer of registration that could be mandated with a roadworthy certificate, because it is not very expensive.

Mrs Dewar: The other issue is that we do not understand how the vehicles go back into someone else's name. It should really be—and this is in one of the recommendations we have in our submission—that if an odometer appears less than the previous transfer, it should almost be like a defect; it should not be processed. That seems to be a bit of a loophole in the system as well.

CHAIR: Unless that can be justified and there is a chain of evidence to support it as a repair.

Mrs Dewar: Absolutely.

Mr BOYCE: In relation to your submission, 12,000 vehicles are written off in Queensland compared with 500 in New South Wales. Why is that? Are we having more accidents here? Are we worse drivers? Can you elaborate on that a little, please?

Mrs Dewar: I think it is what you alluded to before—the process for the uneconomical to repair for reparable write-off and also no quality of repair check. When New South Wales especially started talking about changing their process, we suffered a bit of a flood of vehicles coming into Queensland because our rules probably are a little bit lighter than the other areas where there is no quality of repair check especially. A lot of people are buying these vehicles and poorly repairing them—they do not have the skills or the technology to repair them back to manufacturer standards—but they are certainly not being checked for any of those things. We believe that is the key difference.

Ms PUGH: You say in your submission that in Queensland there were 12,000 vehicles written off and there were only 500 in New South Wales.

CHAIR: That is similar to another question.

Ms PUGH: I want to understand what you think are the causes, why our numbers are so much higher and what that means?

Mrs Dewar: We think it is because it is a little bit of a lighter regulation system in Queensland. There is no quality of repair check that I was just talking about and the rules are quite relaxed compared to other states. I think a lot of vehicles came over the border at certain times as well and have been repaired here and put back on the road under our system.

Ms PUGH: We do not have the annual check that New South Wales has. I understand from previous submitters that that does not necessarily have an impact on what they see as the quality of the car causing traffic accidents. Do you think it might have an impact on these figures?

Mrs Dewar: I definitely think there are still unsafe vehicles on the road. Statistically, I accept the correlation—New South Wales is spoken about a lot as far as fatalities go, but I think it is very hard to measure what could be an accident waiting to happen because of an unsafe vehicle. I do not

think there is any measure for that. I definitely think it would improve—a lot of our members still see unsafe vehicles through their workshops. I am sure other states might as well, but they definitely do see them. Whether it is braking or simple issues, they still see unsafe cars coming through their workshops.

Mr Camm: One of the consequences of the COVID pandemic is that more and more people are buying vehicles. If you try and buy a new vehicle, there is a significant delay. In 2020 alone, 3.7 million used cars were sold. That is an enormous statistic. The fleet is ageing. People are starting to hold cars longer. The age of a vehicle is now about 10.4 years on average. The issue that Kellie is touching on around safety will become more and more paramount.

Mr WATTS: You have prompted me to one of my favourite topics. In terms of regulation, taxation, stamp duty transfers, the general cost of bringing in a luxury vehicle and its significant impact or otherwise on the overall age of the fleet, do you think that by reducing some of the taxation in the process we would see a younger fleet being available in Queensland?

Mr Camm: Yes, we think the premise of that question is right. We certainly do not think there should be additional vehicle taxes, whether they are on luxury vehicles or the emerging technology around electric vehicles and the like, so we agree.

Ms PUGH: Can you expand on how it would work if we stopped taxing luxury vehicles? I accept we should not be taxing electric vehicles. A lot of those fit into the medium pricepoints now. Can you expand on how that would make the fleet new? I do not know what percentage of cars sold are classified as luxury. I would not imagine it would be more than 10 or 20 per cent, but I could be wrong.

Mr Camm: It is all about affordability and competitiveness so people can make decisions.

Mrs Dewar: The luxury car tax is at the pricepoint rather than luxury. We do find a lot of that with the four-wheel drive market especially, where adding accessories for safety—like bull bars and different things—can definitely tip them into the luxury car tax bracket, although a four-wheel drive is not necessarily deemed to be a luxury car.

CHAIR: I want to go back to repairing written-off vehicles. I am not sure if you were here to hear the Motorcycle Advocacy Group, but we heard from them about stealing vehicles to use parts for the repair of other vehicles and whether there is a prevalence of that. There seems to be a large number of motorcycles stolen. We did not know where they go or what they are used for. The Motorcycle Advocacy Group suggested they may be used for track bikes or something like that. Maybe that is a component of it. If you need a muffler for a bike, take another one to fix yours; I do not know. Would you like to comment on the prevalence of cars being stolen for parts for rebirthing? Is that a thing?

Mrs Dewar: It is still a thing—maybe not as much as in the past, but it is definitely still a thing where they have rebirthing of vehicles, or especially stolen parts, for use in other vehicles.

CHAIR: I am concerned about one of the vehicles I am doing. If I buy an aftermarket bonnet it will not have anything, so will it be accepted as part of the repair? Going back to my point, rebirthing is so much more difficult but it still seems to be occurring. What is the prevalence of it?

Mrs Dewar: I could not say. We may have some data on that that I could provide at a later stage. We have a parts recycling division as well and they may have some further information on that.

CHAIR: If you could, that would be great. We will make that a question on notice, if that is okay. Thank you for that. Along those lines, are there any particular vehicles that you would think are targeted for theft for those purposes? You mentioned four-wheel drives before. I do not have as much knowledge of four-wheel drives as my colleagues to my left, but is there a particular type of vehicle that is targeted?

Mrs Dewar: Not that I am aware of.

Mr WALKER: My question is about the insurance sector. In recent years there were a lot of assessors in regional areas who would go into the repair sector, panelbeaters, and inspect jobs and quantify the work that was quoted. Now the industry is self-regulated. They take the photos and send them in. They do the repairs and hand them over to the customer. Do you think there is a gap in that process and that work which is not of a high standard is getting back into the market because of a lack of oversight by the insurance sector?

Mr Camm: No. Certainly there are always risks. Our repairers will report challenges dealing with insurance companies about what they are prepared to pay for a repair, because obviously if they do not pay enough it comes back to quality. We hear about those sorts of risks. If it is a model that has not been regulated through codes of practice and the like, we see it as a risk to quality. I do not know if that answers your question.

Mr WALKER: It does to a point. It is just that a lot of industries are doing it now, where the sector manages a client's issues without the oversight of any inspector. It happens in the building sector in some cases as well. I have seen motor vehicles on the road that are quite deadly and I have heard today about safety issues, the quality of work and dodgy parts. In my opinion, there has to be a gap in the system when there is no oversight checking on parts. It looks like a 100 per cent product is handed over, but what is behind all of that in relation to the sourcing of parts? We just heard about stealing vehicles for the purpose of repair. It would suggest that as we move forward older models of Australian built cars may be of interest for their parts. I am just throwing that in the mix in considering how that blend moves forward, restoring older Holdens or Fords that are Australian made compared to the quality of work in the background, be it the more expensive vehicles, because the price of some of these parts is ridiculous when you look at what is in them. We have heard about \$5,000 for one headlight. How they come to that price is quite interesting. If people want to replace a door it is a thousand dollars, and sometimes it is just the skin. I just want to put that in the mix with regard to the industry itself.

CHAIR: I want to talk about how the current registration system is not proof of ownership of a vehicle. Would you care to comment on any changes that could be made to address this to make it a better system in your opinion?

Mr Camm: We certainly hear from our members that registration is not seen as authentic proof of ownership. They are looking at a national titling scheme. They would like it to be national, obviously, so it is a bit like a property, where there is genuine proof of ownership required, to try and improve this part of the industry.

CHAIR: Proof of ownership can be quite difficult when you have a classic vehicle or something that may not have been registered for 25 years and you go through the process of getting it registered, apart from a handwritten letter stating that you bought it off someone and you restored it over a period of time. I have always thought that once I have that rego slip it is mine, but obviously not.

Mr Camm: Maybe not.

CHAIR: I would hate for someone to come knocking.

Mr Camm: Particularly after you have fixed it.

CHAIR: Yes. Well, they would probably wait until I had. There being no further questions, I thank you very much; your interest is much appreciated. There is one question on notice about the data on rebirthing. If you could get that information to us by 4 pm on Monday, 31 May, that would really be appreciated. Thank you for your attendance. A copy of the transcript will be provided in due course.

HOGBEN, Mr Don, Chief Regulatory Policy and Standards Officer, National Heavy Vehicle Regulator (via teleconference)

CHAIR: Welcome. Thank you for your attendance here today. Please make a short opening statement and then we will go to questions.

Mr Hogben: Good morning, Chair and committee members. Thank you very much for the opportunity to address the hearing. As you are probably aware, the National Heavy Vehicle Regulator is Australia's regulator for all heavy vehicles. A heavy vehicle is defined as a vehicle that has a gross vehicle mass or aggregate trailer mass of more than 4.5 tonnes. By way of its mandate, the NHVR pursues improvements to safety, productivity and efficiency outcomes across the heavy vehicle transport sector and the Australian economy. Our No. 1 priority is the safety of the industry and the Australian community. We consider that a safer industry is a more productive one and that unsafe business practices improperly distort the market for transport services.

As the national regulator, the NHVR administers the heavy vehicle national law, otherwise known as the HVNL. The aims of the HVNL include: minimising the compliance burden on the heavy vehicle transport industry; and the reduction of duplication and inconsistencies across state and territory borders. We are responsible for the full suite of regulatory activities set out in the heavy vehicle national law including, but not limited to, the National Heavy Vehicle Accreditation Scheme, performance based standards scheme, heavy vehicle access permit applications and, of course, regulated driving hours and national driver work diaries.

Guaranteeing the future effectiveness of road transport requires consideration of all related heavy vehicle systems and processes to ensure they are fit for purpose. Improving the current systems will provide better safety outcomes while minimising duplication and additional administrative costs. Committee members, we look forward to continuing to work with the Queensland parliament and associated Queensland organisations for a safe, efficient and productive heavy vehicle industry serving the needs of Australia.

Mr BOYCE: In relation to geofencing that is set up to track heavy vehicles in respect of road infrastructure—bridges, culverts and so forth—how often is that automatic tracking in relation to geofences ground truthed? How often is the road infrastructure ground truthed in relation to permits, fines and all that sort of thing?

Mr Hogben: Can I just confirm what you mean by ground truthed?

Mr BOYCE: Engineering people inspecting the road infrastructure in relation to the Heavy Vehicle Regulator implementing the tracking systems on overweight vehicles, cranes and all of those sorts of things.

Mr Hogben: The regulator's role in relation to tracking of heavy vehicles is really receiving nonconformance reports through the system and then following those up in relation to regulatory action where it shows that there has been essentially a breach of the law—in other words, a vehicle is off-route. The infrastructure itself—bridges, culverts, roads and so forth—is all managed by the state transport agencies. In Queensland obviously that is TMR. TMR does all the bridge inspections and that kind of thing to check on condition and, I guess, see whether infrastructure is deteriorating or whatever. TMR is also responsible for state roads but making decisions in terms of access—stating whether or not a particular vehicle of a particular type is able to access a particular piece of infrastructure. The regulator's role is really limited to ensuring compliance with those requirements.

Mr BOYCE: So in actual fact it is DTMR's responsibility to do the inspections and ground truthing of the road infrastructure?

Mr Hogben: Yes. For state roads, it is the state transport authority; for local government roads, it would be the relevant council that is responsible for the condition of the particular infrastructure. An exception to that is a project that we are delivering on behalf of the Commonwealth government, which is an asset assessment project. We are actually undertaking, through engineering consultants, some bridge assessments and providing that information back to local government to enable local governments to make better access decisions, knowing the condition of their infrastructure in more detail than they currently do. In terms of responsibility, that is a responsibility of what we call a road manager, whether that is the state transport agency for state roads or councils for local roads.

Mr BOYCE: In relation to the geofencing that is put on some of this road infrastructure and through the heavy vehicle transport network, are we likely to see an increase in that sort of technology as time progresses?

Mr Hogben: Compliance with routes is obviously a really important thing, making sure that particular infrastructure is only crossed by vehicles for which it is suitable. Technology now provides an opportunity for a regulator such as the NHVR to monitor compliance with conditions of permits. One would imagine that as that technology becomes better and more available we are likely to see more of that remote monitoring, rather than having necessarily as many inspectors out on the road physically checking. That is a quite intrusive compliance approach. It has been what we have been able to do in the past. Technology provides new opportunities. Like all of these things, it needs to be used appropriately and proportionately and it needs to be risk based.

CHAIR: I note that your submission refers to the ADR relating to anti-theft devices. It does not apply to any vehicle over 3½ tonnes gross. Can you elaborate on the reasons for that and whether you consider these devices should be included further?

Mr Hogben: I cannot comment as to the thinking of the people who necessarily made that ADR, but I imagine that the reason is that heavy vehicles come in all different shapes and sizes. You have the vehicles that we would normally think about—your trucks and that sort of thing—but you also have things like mobile cranes, tractors, other farm equipment and a range of other special-purpose vehicles. I would imagine that that ADR reflects the fact that there is a very diverse range of heavy vehicles. Clearly, if you take the example of a small tractor or something like that, having an ADR that specifically requires that to have a particular type of door latch or hinge probably does not make a lot of sense. I would imagine that that rule does not apply for that reason. As per the letter, in practice, of course, the vehicles that are used routinely on public roads, where you would want to be able to lock a cab—for example a truck—have appropriate latches and locks fitted to them, and that has been a market demand.

CHAIR: I refer to the increase in the number of smaller commercial trucks on our roads that are left running while a driver does a delivery or empties a bin. Do you have any comment on that practice? Along those lines, are you aware of any incidence of heavy vehicles being stolen while the driver has left the cab with the engine running?

Mr Hogben: Vehicle theft is not particularly a thing with which the NHVR deals; that is more of a police matter. I am sure there are instances of smaller heavy vehicles being stolen. I know that if I had a small heavy vehicle and I was delivering things in an area where I thought there was a risk that someone might decide to take my load or take my vehicle, I would turn the engine off and lock it. There are instances where people may not do that, and that does introduce a risk. I am not in a position, unfortunately, to comment on how prevalent that is—either the practice of leaving vehicles unlocked and running or the theft of heavy vehicles. I suspect it is a considerably lower rate of theft than for light vehicles.

CHAIR: Can you comment on remote immobilisation? We have heard from submitters that police would need line of sight. I imagine it would be fairly dangerous if someone were to turn off the engine and immobilise a heavy vehicle while it is cruising along the road at whatever speed. Do you care to comment on remote immobilisation or maybe ghost immobilisation to stop vehicles being stolen in the first place?

Mr Hogben: Obviously, immobilising a vehicle while it is stationary has some advantages in the instance that we just talked about or, potentially, as an enforcement intervention. Immobilising any vehicle—whether it is light, heavy or anything else—whilst it is in motion, I suggest would be a particularly risky undertaking. I know there are instances, as technology in vehicles is building, where vehicles can self-diagnose when they have problems, for example. In an autonomous vehicle situation, one of the considerations would be: how does a vehicle actually bring itself to a halt if it detects that it is having issues? Clearly, that needs to be really sophisticated and there needs to be AI built into that to make sure it is able to perform that manoeuvre safely. Just cutting an engine or something like that while the vehicle is moving and leaving the driver with a conundrum I do not think is a very good idea.

Mr WATTS: My question broadly relates to the braking system of heavy vehicles. In Toowoomba we obviously have two fairly big crossings of the range. We do not want a situation where vehicles cannot brake safely, but we also have a lot of excessive noise coming off heavy goods vehicles going down the range. My question relates to the age of the fleet and whether that is impacting the noise. Is any testing done under stress load to detect that heavy goods vehicles meet their prescribed dB in that situation? What about the different braking systems and how that might impact the noise? Lastly, there is noise cameras. There is quite a lot in there, but it all relates to noise and the safety of vehicles braking.

Mr Hogben: You have touched on a really interesting area, one that has always been very tricky. Auxiliary braking systems do not need to be noisy; however, some of them are relatively noisy—the more traditional engine brake. Typically, they are noisy when components of the system—for example, a muffler or something like that—might not be operating properly. They get very noisy. Some are designed in a way that they are relatively noisy; others, as I say, can be very quiet. Typically, older vehicles are noisier, because they usually have more maintenance issues but also because the technology utilised is less sophisticated, I suppose.

Engine brake noise is certainly one of those big issues. It has been proposed in the past where you say 'do not use engine brakes' or 'do not use auxiliary brakes' in order to manage the noise issue. We would always counsel against that, because the engine brake is actually a part of the braking system of the heavy vehicle and we would not want to be in a position where we were telling a driver not to use one of the safety systems in the vehicle. That said, of course, we strongly encourage vehicle owners, operators and drivers to make sure it is driven responsibly and ensure the vehicle is used in a way which is considerate of the surrounding environment—for example, in urban areas, in a town or near houses, particularly at night. Of course, noise carries a lot more at night, as we know. Where a vehicle has a defect, there is an issue where the vehicle should be repaired. That is where the noise cameras come into it. It is a technology that was being looked at very closely a number of years ago. I was a bit involved in that in another life. It certainly was a way of helping to manage the issue, I suppose, but it really was around detecting a vehicle that was excessively noisy and then directing it to be inspected and, if necessary, repaired.

Mr WATTS: On the inspection side of things, my understanding is that there is no facility where the dB level of that braking system under load can be tested. It has to be a live situation. You said that there are braking systems that do not make this noise. Are there jurisdictions in the world—in Europe or in America—where braking systems that are allowed in Australia are no longer allowed in those places because of noise?

Mr Hogben: I am not certain whether that is the case. I just do not know. You are absolutely right: to the best of my knowledge there is not an easy way of testing engine brake under load in a test environment. It is not easy to do. Normally where engine brake is an issue, it is in a vehicle detected in service and then found to be noisy and then directed to be repaired. The reason it is noisy is usually that there is a component that is defective or worn or something similar.

Ms PUGH: This is a bit of a basic question, but it goes back to the chair's question about more commercial vehicles being stolen. Usually you would leave a vehicle running for convenience or, I suppose you would say, safety. Some people do it if they are leaving a dog in the car, which they obviously should not do. People leave the car running because they are popping in somewhere. They want to leave the air conditioning on so they leave the vehicle running.

Can you walk us through what it takes to turn a vehicle on and off and the additional trip time that might add? Obviously if you are making multiple stops a day that all adds up. I am just trying to understand what would compel someone to leave a vehicle running, knowing that it obviously greatly increases the risk of it being opportunistically stolen.

Mr Hogben: In relation to heavy vehicles, in my opinion there probably is not a very good reason to leave a vehicle running. Usually with diesel vehicles it is good practice to run them for a little while before you drive, but that is with a cold engine. If the vehicle has already been on the move then that should not be so much of an issue. The reason someone might leave a heavy vehicle running might be convenience—'I just have to do something quickly so rather than turn it off I will leave it on.' In effect, it is probably a bit of laziness. The other reason might be to leave the air conditioner running or something like that. There are some operational reasons a vehicle might be left running. It might be a particular load that is on the engine or an auxiliary system which requires the system still to be running. I think that is less common than more common.

Ms PUGH: As an example, what about the Toll mid-sized load delivery vehicles? Is it fairly easy to switch those on and off? From what I am picking up, you cannot really think of a good reason people would leave those running—that is, in terms of air conditioning or how quick it is to start them up and turn them off.

Mr Hogben: I personally do not see any reason a vehicle such as the one you mentioned would necessarily be left running. From my personal observation, you do see it from time to time. You might see a driver jump out quickly to do something and leave the vehicle running. I have observed that. I personally do not see that there is a lot of reason for that. I do not think it particularly takes a long time to turn on a heavy vehicle or anything else. I do not see any particular reason for that, other than just convenience.

Ms PUGH: Thank you for clearing that up.

Mr BOYCE: I might add a comment there, particularly in relation to heavy transport. It is for engine protection that you do not switch a vehicle off straightaway, particularly when it is hot. You allow the engine to cool down over a period of time. For example, you might see large trucks pull up at a service station and refuel and their engine is running while they are doing it. That is what happens. That is the reality of it in practice and it is a good practice.

Mr Hogben: I understand that is true. Where a vehicle has been working hard for a long period, you want to keep that fan going for a bit longer.

CHAIR: And the turbo needs to wind down as well. I have just been informed that some garbage truck operators get out and move bins around—I always thought they did it from inside—so I suppose they leave those trucks running. No-one steals garbage trucks. There would be no cases of people stealing garbage trucks, would there? It would be hard to evade the police in a garbage truck, I am sure. That is more of a comment than a question, unless you had an answer for me.

Mr Hogben: I am not aware of a rampant industry in the theft of garbage trucks. I think you are probably right. Again, the police would be better to answer the question factually. I think that is probably true generally for heavy vehicles anyway. Again, the police could provide better numbers, but I would imagine that the rate of theft of heavy vehicles is much lower than, for example, the rate of theft of light vehicles, for the reasons you mentioned and no doubt others. Where there are attractive loads that might be a slightly different thing, but that is a different level of criminality.

CHAIR: And not registered ones. I know, coming from the construction industry, that a lot of plant goes missing, but that is a different kettle of fish. The member for Callide was asking earlier about geofencing and GPS. Some operators geofence their vehicles. You talked about this in terms of keeping drivers on a route and them not being allowed to go on certain roads. Could you comment on the technology and your opinion of the technology? Are there different products? Where are we with it?

Mr Hogben: There is a range of technology available for vehicle monitoring more broadly. If we are talking about position in particular, there is a range of things that operators can adopt. There is a program called the Intelligent Access Program, which is a regulatory program. The arrangements for that are described in the heavy vehicle national law. Providers of technology are actually certified against the necessary standards. Where we as a regulator are looking to supervise access by a heavy vehicle, then something like the Intelligent Access Program might be required to be applied through an access permit or similar.

Quite a lot of operators choose to undertake the monitoring of the movements of their own heavy vehicles for their own purposes. That might be to make sure their drivers are in fact going where they have routed them to go and they know where their drivers or at least their vehicles are at a particular point in time, for fleet management et cetera. Monitoring is not just about location. It might be a whole range of factors. Once you have time and location then you have speed. There are a number of things that can be remotely monitored these days, including engine performance, driver performance in terms of how they are going through gears and fuel consumption. There is a whole range of things that are obviously of interest to an operator who is looking to be efficient.

It is a big topic. Essentially, there are technologies which provide location and time in a non-regulatory context where operators might use it. There are also schemes under which that is actually used in a regulatory context. That is what we as a regulator are interested in. That is not to say that we are not interested in the others. In terms of an operator's management of their operations under the general safety duty, all of those sorts of things where they might be monitoring their operations usually contribute to a better and safer operation.

Mr WATTS: I have just come back from a trip to the UK. I noticed that a number of heavy goods vehicles there have big warning signs on their trailers, along the side between the two sets of wheels with some side intrusion protection. Has that been looked at? Is there any cause for that sort of thing to be looked at in Australia?

Mr Hogben: There is a range what is known as underrun protection—that is, front underrun protection, rear underrun protection and side underrun protection—which is what I think you are referring to. A barrier of some sort is put between the axle groups to prevent another vehicle, or indeed potentially a pedestrian or cyclist or whatever, getting caught between the axles of a heavy vehicle. There are a rules in relation to those sorts of things. I could not tell you straight off the cuff what the rules currently are in relation to side underrun protection, but it certainly has been of interest to road policymakers.

Public Hearing—Inquiry into vehicle safety, standards and technology, including engine immobiliser technology

CHAIR: Member for Toowoomba North, the committee secretary, the member for Callide and I and well versed in all these things, having done a lot around the heavy vehicle national law during the last parliament. What comes up with heavy vehicles is very interesting—things that you do not even think about.

There being no further questions, we thank you very much for your time today. We really appreciate it. Thanks to everyone for their attendance at today's hearing. A transcript of these proceedings will be available on the committee's parliamentary webpage in due course. I declare the hearing closed.

The committee adjourned at 12.10 pm.