

21 Nybo Court,
Munno Para West,
SA 5115
5/2/2024.

Kylie Stone

Acting Accreditation Investigations and Intelligence Manager
Heavy Vehicle Transport Compliance
Heavy Vehicle Services

Dear Kylie,

Thank you for your email dated 2/2/2024 regarding the enquiry about Pilots in Western Australia being required to do further measuring of loads for compliance.

Yes we are aware of the Lawful Sections of the Act surrounding the Pilot and his responsibility. Since the commencement of the Licensing system in Western Australia compared to the old Accreditation system there have been many changes. The first issue of the main Code of Conduct showed us what was required within the requirements of the Record of Movement and the issues to be covered. The wording of the particular section which has brought this discussion to a head has not changed since it was first produced in 2018.

Pilots prior to this were not required to do any measuring of loads to ensure compliance. Whilst this was not ideal and with the tightening up of the industry by Government entities we have seen changes for the good regarding WHS and driver behaviour.

I am perplexed in this issue as I was a Police Officer and understand why this requirement is done and know how to do these requirements. I would not like to be before a Coroner after an incident and have to justify my existence.

The problem I see is where a Pilot goes to a job to earn a buck and is then thrust into a position of Authority having to measure a load to the extent you are asking. Yes basic measuring of loads, Height, Width and Length are done. The extra measurements of Wheel Contact, Overhang and Ground Contact I can guarantee you over 90% of pilots do not even know what you are talking about. This is because a very many of them have come from a non-Transport background and there has been no training in this field.

Since the introduction of these requirements, I would hazard a guess that there would be very few Trainers doing the Pilot Course training for WA, as per your requirements, who actually know how to measure loads, especially these specifications. I have been training Pilots since about 2016 and I have never been advised by anyone in Main Roads what I actually have to train for the course apart from "Bridge Supervision" and the required 5 modules under the TLI Transport and Logistics Package, set up by ASQA under the VET Training.

My training is set up to use my knowledge of the industry from Policing and WHS. I use my Piloting experiences that I have seen with my own eyes to help let the new trainees know what the industry is about and what they are getting into. Many trainers across Australia are teaching from a book not actually working and have not even got the HVPL.

As the President, of the Australian Pilot Vehicle Drivers Association, representing Pilots I **cannot condone** anybody to commit an offence and would have to tell all Pilots, members and non-members, that they should not move any load where the measurements are required, include Axle Spacing, Wheel Contact and Overhang, in fear they will be breached, if they have not been trained on how to conduct this activity. In fact, now this has come to light all loads as of now should be grounded until they have been checked by a Qualified Person.

With this requirement we now have a problem of training the trainers for them to understand and be able to measure the loads correctly. As your Department trains the Wardens to do this then I would suggest they have the responsibility to do this training to your standards. Until this is completed, and the trainers can then include this training into their modules for their trainees, I would suggest at least a 12 to 18 months minimum grace period before this section is Policed. All currently licensed Pilots as well as the new Pilots will need to be trained to meet this specification. I did note on a Media release I read on the Main Roads Website that there were about 2100 active Pilots Licensed. This number will take quite a while to train. I have also spoken to a few from the Eastern States who travel around Australia, and most have said they would not bother crossing the border again.

If a 12 to 18 months grace period is not introduced to allow this then I can see loads being left and I am sure the Transporters will have a lot to say. This will probably bring a wedge of distain towards the Pilots, wanting to do the right thing and allow the companies to then select Pilots with lower morals or new to the industry, to do the jobs and take the risk of not getting stopped. I can imagine the uproar it will cause if these transports are delayed.

There are also times where the Pilot is not allowed onto a site due to WHS and specific requirements for Dock, Yards etc. In these cases, it is common that there is very little areas outside of the gates to stop a load and have time to measure that load, due to the gateway being the main gates of a business with no parking areas.

So, the main questions we need answered are: MRWA Reply in **Bold RED**

1. Will all Pilots be required to take an Enforcement Role for Main Roads? **NO**
2. By completing these Measurements for our Piloting duties does this now place us within the Chain of Responsibility? **NO**
3. Will the Record of Movement be changed to reflect the changes? **NO**

Hi Peter

Thank you for your letter (attached) and our conversation today 19th February.

As per our conversation, General Conditions 4.1.2 of the Code of Conduct state "Prior to facilitating the movement of an OSOM vehicle, Pilots must ensure that the OSOM vehicle complies with the dimension requirements in the permit that applies to that OSOM vehicle.

Section 3.6.3g states, the vehicle and load dimensions, including total width, height, length and/or mass and **any other measurement specified within the order or permit** that must be met. The code does not specify the method of obtaining this data. For example asking the driver for the load details and whether it complies with the Permit, measuring of loads with tape measure, pacing out the length etc.

Confirmation of the vehicle dimension should be noted on the Record of Movement along with Permit and other details.

I hope our conversation today clarifies your queries.

Thanks again

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