



Stephen Turner

Director, Bus Safety

03 9655 6144

[stephen.turner@transportsafety.vic.gov.au](mailto:stephen.turner@transportsafety.vic.gov.au)



# Presentation will cover

- Legislation
- Objective of the Bus Safety Act
- Concept for ensuring safety
- What is a bus? – What is a bus service?
- Bus operator categories
- Safety duties
- Alcohol and drug management policy
- Bus incident reporting
- Bus safety inspections
- Transitional Provisions & Becoming a registered bus operator
- Evidencing compliance
- Safety management course for bus operators

# LEGISLATION

- **Bus Safety Act 2009 (Vic)**
  - Came into force 31 December 2010
  - Part 2 - Principles of bus safety
  - Part 3 - Bus safety duties
  - Part 4 - Accreditation and registration
  - Part 5 - Alcohol and drug management policy
  - Part 6 - Review of decisions
  - Part 7 - Codes of practice
  - Part 8 - General requirements (incident reporting etc)
- **Bus Safety Regulations 2010**
  - Part 2 - Bus operations (max passengers, standards, number plates etc)
  - Part 3 - Accreditation matters (MIS. MMS etc)
  - Part 4 - Registration
  - Part 5 - Bus inspections
  - Part 6 - Reporting and investigation

# Bus Safety Act - Objectives

- Safety of bus services
- Effective management of safety risks in bus services
- Continuous improvement in bus safety management
- Public confidence in the safety of transport of passengers by bus
- Involvement of relevant stakeholders in bus safety
- Safety culture among persons who participate in the provision of bus services

# Concept for ensuring safety

- Requires the duty holder to:
  - Eliminate risks to safety so far as is reasonably practicable **and**
  - If it is not reasonably practicable to eliminate risks to safety to reduce those risks so far as is reasonable practicable
- Duty holder must have regard to:
  - The likelihood of the hazard or risk concerned eventuating
  - The degree of harm that would result if the hazard or risk eventuated
  - What the duty holder knows or ought reasonably to know about the hazard or risk and any ways of eliminating or reducing the hazard or risk
  - The availability and suitability of ways to eliminate or reduce the hazard or risk
  - The cost of eliminating or reducing the hazard or risk

# What is a bus?

- A bus is a motor vehicle that has been built
  - With seating positions for 10 or more adults (including the driver)
  - AND
  - To comply with the requirements of the Australian Design Rules for a passenger omnibus
- A motor vehicle prescribed to be a bus
- A motor vehicle which the Safety Director has declared to be a bus

# What is a bus service?

- The operation of one or more buses to provide a service for the transport of passengers by road
- Types of bus services
  - **Commercial bus service**
  - **Local bus service**
  - **Community and private bus service**
  - **Hire and Drive bus service**
  - **Non-commercial courtesy bus service**

# Bus operator categories

- Accredited bus operator
  - Commercial bus service
    - Uses bus with 13 or more adult seating positions including the driver
  - Local bus service
    - Uses bus with 13 or more adult seating positions including the driver
- Registered bus operator
  - Community and private bus service
    - Uses bus with 10 or more adult seating positions including the driver
  - Hire & drive bus service
    - Uses bus with 10 or more adult seating positions including the driver
  - Non-commercial courtesy bus service (must be declared by the Safety Director)
    - Uses bus with 10 or more adult seating positions including the driver
  - Other
    - Not a C & P or a H & D and only uses buses with 10 to 12 adult seating positions

# Safety duties

- Bus operators
- Bus safety workers
- Procurers of bus services
- Person who determines the location of, designs, constructs, installs, modifies or maintains a bus stopping point or any bus infrastructure or who engages a person to any of those things

# Alcohol and Drug Management Policy

- Mandatory requirement for all bus operators
- Must be developed in consultation with bus safety workers
- Must be in writing
- Must, as a minimum, specify that a driver of a bus must not have alcohol or drugs present in his or her blood or breath immediately before or while driving a bus
- Drug – a substance (other than alcohol) which, when consumed or used by a person, deprives that person (temporarily or permanently) of any of his or her normal mental or physical faculties

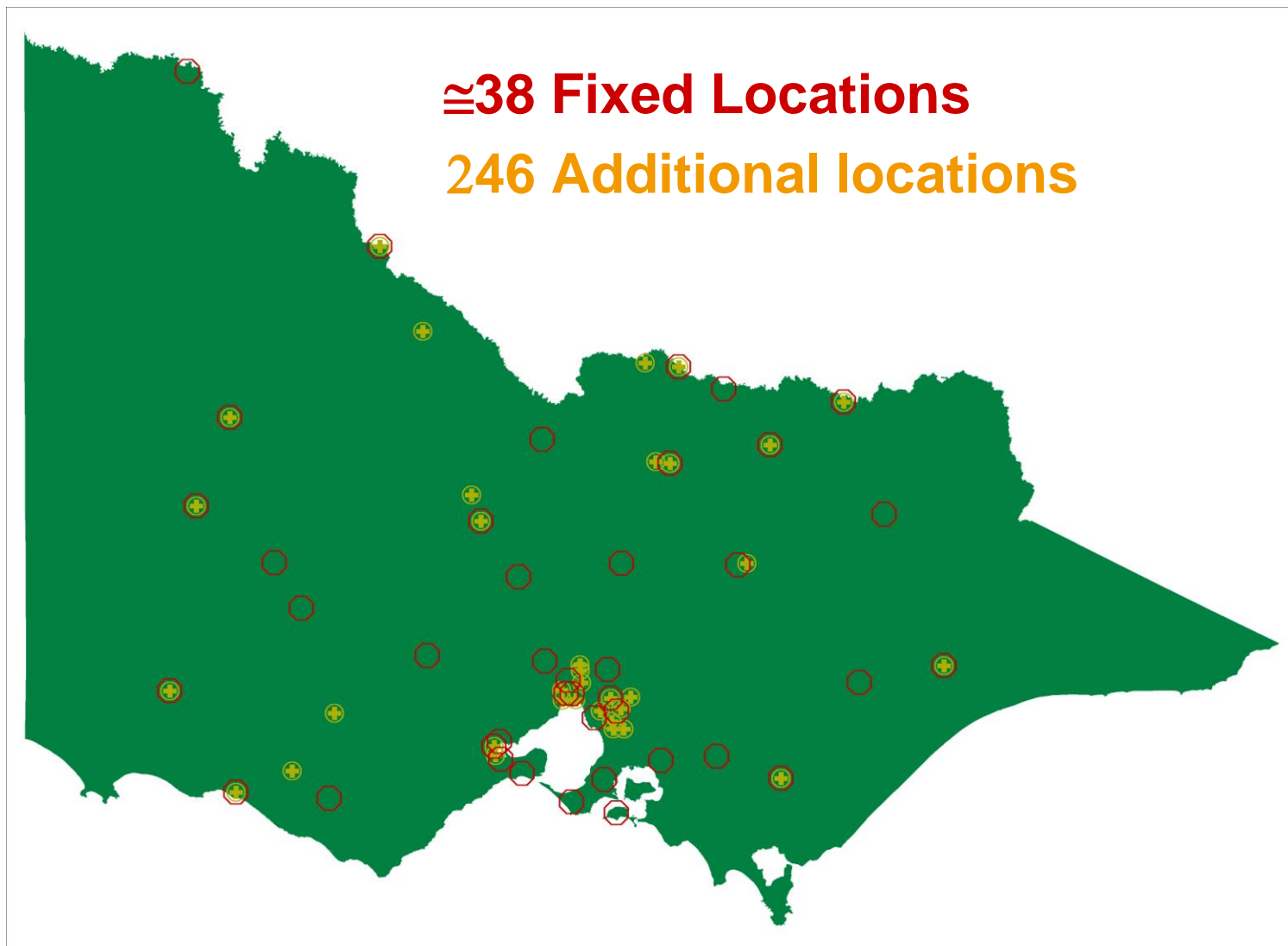
# Bus incident reporting

- A bus incident is:
  - A circumstance, act or omission that results in or had the potential to result in the death, or serious injury to, any person, a loss of control of the bus, or significant damage to property including:
    - A collision with any person, vehicle, infrastructure, obstruction, object
    - An implosion, explosion or fire
    - Any mechanical failure
    - Divergence from the highway
    - A failure to comply with applicable legislative requirements, vehicle specifications, bus standards or codes of practice
  - An accident or incident the results in a person requiring immediate treatment as an in-patient in a hospital
  - A circumstance where the driver is in contravention of the operator's A&D management policy
- A bus incident must be reported orally to TSV as soon as possible and in writing (in the approved form) within 72 hours after the incident

# Bus safety inspections

- A registered bus operator must ensure that each bus used to provide the bus service undergoes a safety inspection annually
- Bus safety inspections can only be conducted by a Licensed Bus Tester
- Bus safety inspections will result in either
  - A Certificate of Roadworthiness annotated “For the purpose of the annual bus safety inspection”
  - OR
  - A Test Report (annotated “For the purpose of the annual bus safety inspection”) listing defects that must be rectified through the bus operator’s maintenance system – evidence of this occurring should be retained
- A bus that receives a Test Report does not have to be re-presented to the Licensed Bus Tester within 7 days – HOWEVER, it is an offence under Road Safety (Vehicle) Regulation 259 to operate a vehicle on a highway that is not in a safe and roadworthy condition

# Bus Roadworthy Testers



# Transition Period – Registered bus operators

- A person who was an operator of a bus service that is not a commercial bus service or a local bus service immediately before the commencement day (31 December 2010) is not required to apply for registration until 31 December 2011 or until served with a notice in writing from the Safety Director requiring the person to register as a bus operator
- There were about 3500 operators providing bus services that were not commercial bus services or local bus services on 31 December 2010
- In order to manage the registration process TSV is inviting (serving a notice in writing) 400 operators per month to apply for registration

# Becoming a Registered Bus Operator

- Invitations include an application form, guidance material on safety duties etc
- Operators must complete the application form and forward it to TSV with a copy of a current roadworthy certificate for each of their buses
- The normal period within which an operator must provide their application is 28 days of being invited to register. However, for operators with multiple buses a longer period can be negotiated with TSV's Accreditation & Registration unit.
- TSV applies no cost for registration

# Evidencing compliance

- Minimum requirement
  - Evidence that operator's A&D management policy was developed in consultation with bus safety workers (employees/volunteers/contractors)
  - Written A&D management policy
  - Evidence that buses are maintained in accordance with manufacturer's specifications
  - Evidence that operator has informed bus safety workers of their safety duty obligations
  - Evidence that operator is managing risks to safety SFAIRP
  - Evidence that the driver of a bus operated by registered bus operator holds a full driver's licence with appropriate endorsement for GVM of the bus
- Consider benefits of adopting:
  - TSV guidance for Management Information System
  - TSV Guidance for Maintenance Management System

# Approved Training Course

- Safety Management Course for Bus Operators
- Institute for Transport Studies, Monash University
- Distance learning course
- Two units
  - 5101 Introduction to bus safety
  - 5012 Safety management for bus operations
- <http://www.eng.monash.edu.au/civil/research/centres/its/education-programs/safetymanagementbus/index.html>

# Resources & Contacts

- TSV website [www.transportsafety.vic.gov.au](http://www.transportsafety.vic.gov.au)
  - Bus Safety Act 2009 and Bus Safety regulations 2010 links
  - Registration information
  - Concept for ensuring safety so far as is reasonably practicable (SFAIRP)
  - MIS and MMS guidance
  - Bus Safety Act fact sheets and brochures
  - Incident reporting and Incident Report Form
- Bus Safety Act Hot Line 03 9655 8922
- Bus incident reporting 1800 301 151

Thank you

and

Any questions