



Road Transport Safety and Compliance Newsletter

Toll Australia Newsletter
November 2019

External
Use

“It won’t happen to me”

How optimism bias impacts safety

Before you read this column I’d like you to answer two questions. Firstly, do you think you are a better-than-average driver? Secondly, do you think you are more safety conscious at work than your peers?

The reason why I pose these questions will become clear but before we get to that let’s reflect on two recent incidents that occurred at Toll. In one incident, two workers were transporting a photocopier down a flight of stairs without a mechanised stair climber and without fixing the photocopier to the manual trolley. The 240kg photocopier fell off the trolley, rolled down the stairs and smashed a window. In another incident, a forklift driver elevated a truck driver on the forklift tyre to retrieve freight from the mezzanine level of the truck. Fortunately, no one was seriously injured in either incident.

It’s easy to shake one’s head and dismiss these behaviours as foolish, but if we’re honest with ourselves, who among us has never been tempted by the “easier” or “faster” shortcut? I know I have. Every day when I leave my office here at Perth airport I have a little battle with myself. I depart with my handbag, computer bag and food bag. Being right handed, I naturally load these bags onto my left shoulder. When I come to the stairs, I have to stop and transfer these bags to my right shoulder in order to grasp the hand rail on my left. In this way I can safely manoeuvre down the stairs.

Each time I have to move these bags there is a voice in my head that harrumphs at the hassle. *What difference will it make, says that voice,*

it’s not like I’m going to fall and hurt myself. Just go already.

That voice is what psychologists refer to as “optimism bias”, and it’s a useful tool for understanding human behaviour.

OPTIMISM BIAS IS THE BELIEF THAT THE CHANCES OF SOMETHING BAD HAPPENING TO US *RELATIVE* TO OTHER PEOPLE IS LOW.

With optimism bias, we recognise the hazard, but we believe the chance of that hazard materialising is higher for other people than for ourselves. Inherent in this thinking is the belief that we are naturally more skilful, more careful, and cleverer than others. Studies show that people tend to falsely believe they are [less likely to be in a car accident](#), be [injured on a construction site](#), [die of smoking](#) or be a victim of crime than other people.

Optimism bias is useful in an evolutionary sense. When there are lots of nasties lurking outside of your cave that can trample, eat and maim you, a belief that this is less likely to happen to you than someone else fends off paralysis and fear. It allows you to leave your cave and find food. But optimism bias is dangerous in a modern workplace context. When we believe “it won’t happen to me” we give ourselves permission to ignore our training, bypass the procedure and take shortcuts. And that is how people get hurt.

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So every day when I reach the top of the stairs, stop, transfer my bags and hold the rail on my way down like I’m supposed to I recognise and conquer my optimism bias.

Let’s return to the two questions I posed at the start. If Toll conforms to the [research](#), then 80% of us will have answered “yes” to at least one of those questions. But statistically it isn’t possible for 80% of us to be better than average (the average, by definition, being 50%).

The next time you give a toolbox talk or engage in a safety conversation, it may be useful to pose some questions about how likely workers think it is that something bad will happen to them at work. Their answer can be a useful entre into a discussion about optimism bias and how it can impact our decisions.

If you’re interested in how psychological concepts like optimism bias work, the UK Department of Transport has a highly readable [paper](#) on how cognitive biases influence our decision making.

Please take extra care on the roads this festive season. My team and I look forward to seeing you safe and well in 2020.

[Sarah Jones](#), General Manager Road Transport Safety and Compliance Unit (RTSCU), HSE

Mandatory EWDs in the United States

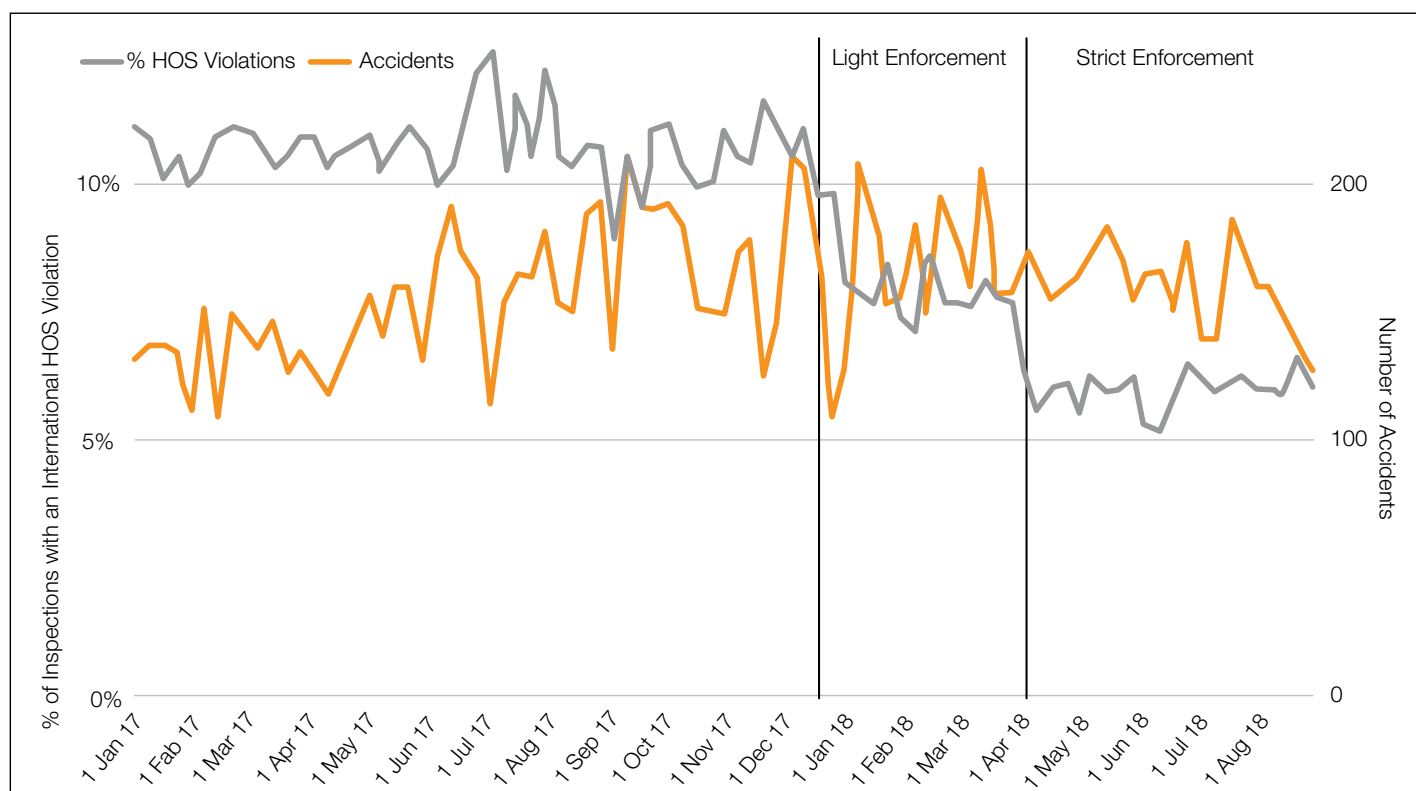
In December 2017 the United States introduced legislation mandating electronic logging devices, or as we would call them, electronic work diaries (EWDs). The objective was to compel greater compliance with “hours of service” rules through enhanced transparency. The ultimate goal was reduced on-road incidents and therefore greater safety.

Three American academics analysed the [results](#) after the first eighteen months. They found that mandatory EWDs drove a huge increase in compliance with legislated hours of work and rest. The percentage of inspections with an intentional violation dropped from 6% to 3.8% during a light enforcement period (a 36.7% reduction) and further to 2.9% during

a strict enforcement period (a 51.7% reduction).

Intuitively, one would expect that greater compliance with fatigue regulations would lead to fewer incidents. In fact, among independent owner-operators the opposite happened as shown in figure 1 below.

Figure 1: Hours of Service (HOS) violations and number of accidents for independent owner-operators in the United States



Researchers speculate that the greater compliance with fatigue rules led to an upswing in unsafe driving practices such as speeding because operators were attempting to “correct” for their loss of productivity. This suggests both that non-compliance was widespread and undetected and that the perverse consequences of EWDs can be headed-off by the use of GPS monitoring. Telematics can improve the safety of our people by monitoring their work hours and their speed. Further, it forces attention on the unrealistic competitive pressures that drive these behaviours in the first place.

THE AMERICAN EXPERIENCE SUGGESTS THAT A COMBINATION OF ELECTRONIC WORK DIARIES AND GPS MONITORING CAN DRIVE COMPLIANCE WITH ONE OF THE ELEMENTS AT S.26C OF THE HEAVY VEHICLE NATIONAL LAW: THE REQUIREMENT TO ENSURE THAT SPEED AND FATIGUE ARE NOT “TRADED OFF” AGAINST EACH OTHER.

Slowing down for emergency vehicles

We have previously advised of rules requiring all vehicles (light and heavy) to slow down to 40km/hr when approaching and/or passing an emergency or escort vehicle that is stationary or moving slowly; and has lights flashing or alarm sounding. Following an [evaluation](#), New South Wales has made an amendment to its [Road Rules](#) (78-1). On roads with a speed limit of 90km/hr or more, motorists are required to slow down to a speed that is reasonable for the circumstances. In all other circumstances the 40km/hr rule still applies.

The Centre for Road Safety has the following advice on what is “reasonable for the circumstances”:

“Motorists passing the flashing lights of a stopped tow truck, breakdown assistance or emergency vehicle in a higher speed environment need to exercise their judgment in order to slow down to a reasonable speed for the circumstances.

It is important to remember that anyone working on or around the road is vulnerable, especially on high speed roads. When slowing down safely, consider reducing your speed further if:

- there is clear line of sight to the stationary vehicle displaying flashing lights
- the stationary vehicle is positioned close to moving traffic with limited available space
- there are pedestrians moving on the road near the incident or breakdown
- speed can be reduced in a controlled way in the context of other traffic”.

NorthConnex

When NorthConnex opens in mid 2020 trucks and buses (over 12.5m long or over 2.8m clearance height) travelling between the M1 and M2 will need to use the NorthConnex tunnels unless they have a pick up or delivery destination only accessible via Pennant Hills Road or to meet exclusion criteria.

Failure to comply may result in a fine of \$191.

As at 1 October 2019 the NorthConnex tolls are \$7.68 for cars and \$23.03 for heavy vehicles. This will need to be factored into service costs.

Further information is available [here](#).

Victoria

VicRoads has introduced some [changes](#) to its driver licence rules. If you hold an interstate or overseas licence you now have 6 months to convert to a Victorian licence (under the previous rules it was three).

Changes have also been made to the heavy vehicle licence requirements. Applicants for a medium rigid (MR) or heavy rigid (HR) licence no longer need to have held an Australian car licence for 24 months. They simply need to hold a current car licence.

South Australia

In May 2019 South Australia introduced [new penalties](#) for truck and bus drivers driving unsafely on the down-track of the South Eastern Freeway into Adelaide. Fines of up to \$1036 and six demerit points, as well as potential licence disqualification, apply.

When descending the South Eastern Freeway, truck and bus drivers must:

- Use a gear that is low enough to enable the vehicle to be driven safely without the use of a primary brake, and
- Not drive at a speed in excess of the relevant speed limit.

Note: The intent of the low gear offence is not to completely prohibit the use of the primary brake, if considered necessary in the circumstances. However, the law requires the driver to use a gear that is low enough to enable the vehicle to be driven safely without relying on the primary brake as the sole means to slow the speed of the vehicle on the descent.

Heavy Vehicle National Law

We have previously advised that the counting time rules were changed to allow one hour of “personal activity” in driver rest time for drivers operating under standard hours. A new [exemption](#) extends the rule to include BFM and AFM drivers. This [advisory](#) provides further information.

The Road Transport Safety and Compliance Team was honoured to be a finalist in the recent ARRB Transport Awards in the category of “research impact”. ARRB recognised the excellence of our research into Toll’s fatalities. The team attended the dinner, along with Ruth Oakden and Sophie Finemore.



Left to right: Adam Ritzinger, Paul Felsovary, Sarah Jones, Ruth Oakden, Sam Vincenzino, Leanna O'Neill, Wayne Johnson, Dan Brain, Sophie Finemore