

# RTANZ NEWS

Road Transport Association New Zealand Inc.

## Changes to benefit members



**Well, by now most of you will know that RTANZ has been making some big changes – and more are coming.**

The most important thing about these changes is the reason for them: to benefit you,

the members.

This is an exciting time for RTANZ and comes when road transport in New Zealand has reached a crossroads. There are many pressures and challenges, from government regulations and compliance to the need to attract new people into the industry, the need for better roads, safety, and new technology. The best way to move forward is together.

As RTANZ board chairman Ian Emmerson and board member Neil Reid said in a recent email to all members: “Your association recognizes the need to reinvigorate the interface with members and to expand membership.”

We’ve had several head office changes. Following the resignation of chief executive Dennis Robertson and administration manager Cameron Watson, Area Executive Simon Carson has stepped up into a senior management position in charge of current operational activities; and Jenny Murray from the Road Transport Forum (RTF) is looking at ways to streamline administration.

Vicki Harris will continue to be a trusted contact for members in the commercial contracts/ membership benefits position. Whether it’s fuel cards or sponsorship deals, Vicki has the latest information at her fingertips and is eager to help you to get the best deal.

Victoria Higgs has returned from maternity leave to provide administrative support and

will be working on more office improvements over the course of the year.

Out and around the regions, your Area Executives remain your go-to contacts for pressing concerns that face your business. With over 150 years’ worth of combined knowledge and experience (at a rough count), these guys are a veritable mine of information.

We will be making more changes to improve efficiency and deliver a better service.

RTANZ will be working even more closely with the RTF, contributing to and strengthening the forum’s role in lobbying the government for positive change that will help members. No matter what political party or parties are in power, that role is pivotal. The industry must speak clearly and with one voice.

RTF chief executive Nick Leggett has made a strong stand and made it abundantly clear to the government that the road transport’s role in the economy is crucial and cannot be ignored.

This closer alignment is completely in line with RTANZ’s Mission Statement:

*“To create and sustain the environment within New Zealand in which the road transport industry can grow and prosper and to assist members to realise their business goals.”*

Further, RTANZ’s Guiding Principles reaffirm that the association is here for all:

*“The Road Transport Association New Zealand exists to serve all of its members fairly and equitably, regardless of size, location and type of road transport business.”*

— David Killick,  
RTANZ Communications Manager,  
[dkillick@rtanz.co.nz](mailto:dkillick@rtanz.co.nz), 027 55 44 272

**“The industry must speak clearly and with one voice.”**

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How many fines do truck drivers get and what are they for? Darren Cottingham finds out

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### Parking brake rules

NZTA has issued a bulletin on park brake and emergency brake servicing and inspection requirements for heavy vehicles

## Events

**March 13:** Walking and Cycling Conference, Napier

**March 29:** Mangatainoka Truck Show n'Shine, Tui Brewery, Wairarapa

**June 19-20:** RTANZ Region Four and Five Combined Convention, Twizel

**June 30:** Road Transport Forum (RTF) Transport Summit, Te Papa, Wellington.

**August 19-23:** NZ Heavy Haulage Association Conference, Hamilton

## Contact Us

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We welcome contributions and feedback from members. All articles and photos are subject to editing, space, and our acceptance policy.

# South Island misses out in infrastructure spend

By John Bond

**T**he Top of the South is really in desperate need of funds from the Government announcement that they are spending \$5.3 billion on roading within New Zealand.

Sadly, very little, in fact if any, of this funding has been allocated to carry out work, both in the Tasman/Nelson Councils and the Marlborough District Council Regions.

In Nelson, SH1 (Rocks Road) is now well past its fit-for-purpose use. When this road is under duress caused by heavy seas, storms, accidents, and floods, there is no alternate route between Richmond and Nelson Port for all heavy vehicles.

For several years, plans have been for the National Government to build a Southern Link, to connect Nelson to Stoke and Richmond, leaving Rocks Road to be developed into a world class waterfront. This hasn't happened.

SH6 from Tahunanui to Wakefield needs major works to make it a safe roading structure. Lowering speed limits here does not guarantee safer roads or lowering the accident rate. Accidents along this road are not speed-related, but more distraction-related and therefore a better road with bigger signage would be preferred. A community group called Progressive Nelson Tasman was set up in 2015 to advise the Ministry of Transport on the area's issues and how they can be solved. Unfortunately, the group is still seeking to get fit-for-purpose roads.

In Marlborough, one successful case out of many has started and will hopefully be completed this year: SH1 Grove Road Ōpaoa River Bridge. This will certainly speed up the congestion where it bottlenecked at the bridge; however, Blenheim has an unusual feature, which is a railway line travelling through a roundabout on SH1. The community has been seeking support to build a bypass road from Tuamarina to just past Riverland, connecting to SH1. Obviously, this would take all Picton to Christchurch traffic away from the township, cutting congestion even further.

The SH63 The Wash Bridge/ Chinaman's



**Highways in the top of the South Island have missed out in the Government's \$12 billion infrastructure package, with the lion's share of spending going to the North Island.**

Stream is subject to serious flooding, especially prior to last Christmas. Resilience funding is being sought to fund a more permanent solution to fit the bridge and divert the waterway via embankments.

The Safe Road Project reviewing SH1 Weld Pass has been placed on hold. A detailed business case for the project is being reviewed by the Safe Network Programme for possible Standard Safety Intervention treatment opportunities; however, any treatments are unlikely to be funded. This road is extremely windy and narrow, making it dangerous for a combination of both heavy and light vehicle use. Major works are required here to straighten this part of SH1 to ensure the safety of users in the future.

#### Low-cost low-risk projects

- SH6 Havelock to Pelorus shoulder widening as this section of roading is very narrow
- SH1 Tuamarina to Spring Creek cycle sign-

age simply because it is difficult to identify

- SH6 Jackson Road intersection right turn bay, simple markings to define an action
- SH6 Pedestrian refuges – Seddon, Rai Valley, and Renwick, making crossing this road safer

#### Rest of south also misses out

Although I have only covered two regions, West Coast highways also need investment. Both Buller and West Coast regions need serious funding to improve State Highways 6, 7, and 69. Damage has been caused by a combination of poor repairs hit by serious storms, which is difficult to manage.

Despite Waimakariri being one of the fastest growing regions in the country, Woodend has missed out on a much-needed bypass.

There are also no plans to make SH1 from Christchurch to Ashburton four lanes, despite heavy traffic volumes and safety concerns.

## Have your say and get a RTANZ cap

**Y**our feedback is requested. RTANZ wants to hear from you if you have ideas on how we can improve RTANZ News and the services we provide to members. We will continue to cover major issues and events and would also like more lively and relevant discussion that all members can take part in.

Here are some questions to think about:

- What are the main reasons to be part of RTANZ?
- What are the main issues you would like RTANZ to focus on?
- What topics would you like us to cover in a newsletter?

• How would you like to hear from RTANZ? Online, via an e-newsletter, or a printed newsletter?

• How often would you like to hear from RTANZ?

• What other services or benefits would you like RTANZ to offer?

• Do you have a story or service you would like to tell people about?

Please email [dkillick@rtanz.co.nz](mailto:dkillick@rtanz.co.nz) with "RTANZ Response" in the subject line. Please make sure to include your name and postal address. All responses will go into a draw to win one of six stylish RTANZ caps.



# Coronavirus impacts road transport industry

**W**hat started as a virus outbreak originating from the sale of wild animals in a market in Wuhan in China has spread around the world, becoming a full-fledged epidemic.

As at the end of February, the COVID-19 coronavirus had infected more than 81,000 people and killed almost 2,800, with numbers continuing to rise.

Coronavirus has severely disrupted supply chains around the world. Both imports and exports are affected as transport is cancelled or cut back.

In New Zealand, more than 1,000 forestry workers have been laid off and other industries are also being affected.

In response to the coronavirus threat, the Road Transport Forum (RTF) has asked the Government for an economic plan to counter the impact of the outbreak.

RTF chief executive Nick Leggett has been hearing from trucking companies across the sectors that the global reaction to coronavirus

is impacting their businesses.

On February 4, RTF wrote to Social Development Minister Carmel Sepuloni, asking for urgent advice from the Government for trucking operators and staff in the log transport industry. They asked for a no stand down period for the unemployment benefit and some kind of tax relief.

That letter bounced around Parliament from Minister to Minister with no response, so on February 26, RTF wrote to Prime Minister Jacinda Ardern. The impact of coronavirus has spread further than log transport and Nick has given the Prime Minister regional snapshots of that impact, including ports (major ports reporting a 20 per cent drop in volume in February), freight forwarders (predicting a 40 per cent drop in business) and livestock transporters (down 10 to 20 per cent across the country).

"We have asked for an urgent whole of government response because we are hearing that this is not a short-term blip. As a country so heavily reliant on exports and imports, the

trucking industry must keep functioning," Leggett says.

"We have again asked for immediate removal of stand down periods for benefits for those affected by this economic shock, and that tax relief is given by IRD to road freight operators and contractors who will struggle to meet upcoming tax payments. We have gone right to the top because operators are telling me how serious this is getting. We want to believe the Government has a good plan to get New Zealand through what could become a global pandemic."

The Government has advised people to contact MSD and IRD if they are in trouble, but RTF is hearing that message has not filtered down to the offices that do the actual work – so he has pointed that out to the Prime Minister.

"RTF is listening to operators and we will continue to push the government to help our sector as the impacts of coronavirus really take hold," Leggett says.

## Big turnout at Wellington Truck Show despite threat of rain

**N**early 200 rigs rolled up to the 2020 Wellington Truck Show, which took place at Brentwood Park, Trentham, on February 23.

The event was hosted by the Silverstream Lions Club with proceeds going to Life Flight Wellington.

Area executive Sandy Walker says that the show proved a big success. "After a heavy downpour Saturday night, we managed to escape any further rain bar the odd small early shower on Sunday, with 174 (not so shiny rigs) turning out for the event, with a happy carnival atmosphere enjoyed by all. RTANZ was proud to be part of this event once again."

Lions Club president Greg Fouhy thanked Sandy for helping with the convoy. "Having spoken to a few of the mainstay trucking companies, they were delighted with the massive turnout and new park layout.

"We have decided to make this bigger and better."

Greg also thanked sponsors UDC Finance. "It was great having the Gooserooter from Geraldine at the show and many thanks for UDC for paying fully for him to be there."

Robbie "Gooserooter" Shefford runs Basic Engineering & Mechanical Services and has become a celebrity for his online videos about trucks and machinery.

### Prize winners were:

**Owner Operator** – Paws Trucking, Kenworth 909, PT909

**Custom Graphics** – Cox Heavy Haulage, Kenworth 610SAR

**Best Fleet** – KAM Transport

**Best Show Truck** – McAuley's Transport,



Daily Freight Trucks at the Wellington Truck Show.

### Western Star, LGZ496

**Best Light Commercial** – L G Anderson, Mitsubishi Fighter, ASL835

**Vintage Truck** – Murrays Haulage, Jayden Russell, 1973 Kenworth, HHY35

**Highest Mileage** – P D Henderson, Kenworth 904, a whopping 4.8 million kilometres!

**Best New** – Hammond's Crane and Cartage, 2019 Scania P450-XT, FLYGIB

**Best Senior** – JHL Trucking, 2016 Freightliner Argosy, HRJ597

**Best Company Owned** – John Lockley,

### 2017 Kenworth T409, KWY115

**People's Choice** – LT Transport Limited  
**Spot Prizes:** kindly donated by Southpac Trucks

**Best Kenworth** – Hawkes Bay Heavy Haulage, 2019 Kenworth T909, 1HBHH1

**Best DAF** – Coastal Digger Services Ltd, 2019 DAF CF, MML413

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# Looking for the good oil? Allied Petroleum can help

While you'll be aware that Allied Petroleum is the RTANZ's preferred bulk fuel supplier, you may not know that this business is also New Zealand's authorised distributor of Mobil Lubricants.

So, if you're on the hunt for engine oils, grease, or storage and handling equipment, have a conversation with our local partner.

Allied Petroleum imports the Mobil lubricants range, with distribution centres in both Auckland and Christchurch. So, count on availability and prompt delivery to your yard. Allied also operates bulk oil tankers in both islands delivering to customers with storage. This allows businesses to avoid the problem of disposing of waste packaging, such as pails and IBCs (Intermediate Bulk Containers).

While Mobil technical resources are vast, they are matched by Allied Petroleum's local people providing engineering services. The technical team has the capability to help with fleet surveys and product recommendations, oil analysis, or tailored solutions to optimise machine life and performance.

Complementing this team is the Technical Call Centre, for Mobil customers needing on-the-spot advice or information. Just call 0800 LUBENZ (or 0800 582 369) to speak to a lubrication expert.

Mobil believes transport operators should demand more from their oil, and they've designed the Mobil Delvac 1 heavy-duty diesel engine oils to help commercial fleets. It's all about boosting uptime and reducing fuel costs. Formulated to meet or exceed either API CK-4 or FA-4 requirements, Mobil Delvac 1 oils help deliver fuel economy without sacrificing wear protection and can help extend en-



Allied Petroleum's technical team supplies the best lubrication for your vehicles.

gine life while extending oil drain intervals.

Beyond the engine, Mobil has a bumper-to-bumper lubricants solution. Whether the transmission or the wheel bearing, there are products to suit, each designed to offer benefits to the heavy-duty machinery at work.

A great example of the use of lubrication to improve a business's bottom line comes from Allied Petroleum's own sister company. In 2018, Allied Concrete was recognised with the "Champion of Change 2018" award for sustainability by the Downer Soletanche Bachy Joint Venture (DSBJV), for its work on the City

Rail Link. Through the successful implementation of bypass filtration, and use of synthetic Mobil lubricants, Allied Concrete demonstrated reduced fuel consumption within the delivery fleet supplying this major project.

Quality lubricants round out Allied Petroleum's great offer to the transport sector. Allied can also help you with bulk fuel, fuel cards, diesel exhaust fluid, and specialist equipment including storage, tank gauging, and dispensing equipment.

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# Plans for hydrogen fuel network drawing closer

Innovative Kiwi energy companies Waitomo Group and Hiringa Energy have announced their intentions to work in partnership to develop New Zealand's first nationwide hydrogen refueling stations network.

Taranaki-based Hiringa Energy is the first company in New Zealand dedicated to the supply of green hydrogen, providing solutions for industry, the public sector, and transport operators. Waitomo-based Waitomo Group is New Zealand's fastest-growing independent fuel retailer.

Together the two high-growth companies will work on the detailed engineering requirements and consenting for a network of hydrogen refueling sites – some of which will be on existing Waitomo Fuel Stops. Initial locations have been selected, with plans for a further 20 stations to be developed across both the North and South Islands.

Hiringa Energy CEO and co-founder, Andrew Clennett, says that partnering with Waitomo brings together the complementary skills and strengths of two innovative, future-focused companies to provide leadership in the development of hydrogen as a viable alternative commercial fuel source for New Zealand.

"Heavy transport makes up only four per cent of our vehicles, but they're responsible for over 25 per cent of our total vehicle emissions. Hydrogen is the key technology that will allow these fleets to stay on the road – a mass-market, clean energy solution that can have a real impact on reducing our transport emissions," Clennett says.

"Two small Kiwi, family-owned businesses working together to show leadership in this space, for our children's future and for the wider economy, is really exciting and the potential for New Zealand is huge, but we can't do it on our own.

"Delivering high-impact, commercially-viable solutions to reduce emissions will require input and partnership between government, cities, regions, and private businesses. Establishing partnerships with leading companies like Waitomo is a key strategy to enable this transition, and we look forward to more partners coming on board with us."

Waitomo Managing Director Jimmy Ormsby says his third-generation, family-run company has been evolving its business model over the last 70 years to meet New Zealand's unique energy requirements.

"From my grandfather Desmond Ormsby's foundation of the business in 1947 in Te Kuiti, to my father Grey Ormsby's management of the business and then on to me, we've all been focused on building and growing Waitomo for the benefit of all Kiwis. That includes



From left: Catherine Clennett, Hiringa executive director and co-founder; Jimmy Ormsby, Waitomo managing director; Dan Kahn, Hiringa CTO and co-founder; Simon Parham, Waitomo COO; and Andrew Clennett, Hiringa CEO and co-founder.

providing fuel supply for future generations of New Zealanders.

"Adding low emission alternative fuel solutions to our network is a no-brainer. We want to leave a legacy for the next generation of Ormsby's to continue in our footsteps. The exciting opportunities that green hydrogen technology offers allows us to deliver on that.

"Working with a company like Hiringa that

**"Hydrogen is... a mass-market, clean energy solution that can have a real impact on reducing our transport emissions."**

— Andrew Clennett, Hiringa Energy CEO and co-founder

shares our values and vision, and wants to make a positive impact on New Zealand's future fuel supply options for Kiwis and Kiwi businesses, is a project we're really proud to be involved in."

Development and consenting for the first hydrogen refueling sites will get under way this year. The two companies will work together to identify and scope further sites for development of the network in 2020.

Established in Te Kuiti more than 70 years ago by Desmond Ormsby, Waitomo Group now has 65 sites stretching from Paihia in the north and as far south as Christchurch.

For a full list of sites, check out Waitomo's Fuel Stop Finder.

## Hyundai demonstrates hydrogen power

Hyundai has been publicly demonstrating its 2-3 hydrogen powered SUVs since last year's Fieldays event.

Hiringa is working alongside technology providers to offer a suite of NZ-suitable hydrogen heavy duty truck and bus solutions for use within its hydrogen fueling network.

It's expected a first tranche of 50-60 heavy trucks will be available by early 2021, able to be filled in the same time as a diesel truck and with ranges exceeding 1,000 km in some configurations.

The potential for this technology to decarbonise heavy trucking and drastically reduce New Zealand's vehicle emissions is enormous.

Hiringa Energy is the first company in New Zealand dedicated to the supply of green hydrogen, and providing solutions for industry, the public sector, and transport operators.

## How do hydrogen fuel cells work?

Vehicles with hydrogen fuel cells are Electric Vehicles (EVs), but with a different power source to that of battery-powered EVs.

The fuel cells combine hydrogen and oxygen to produce electricity, which powers a motor. Hydrogen can be stored in tanks just like diesel or petrol, so refilling is quick and easy and provides good range.

Fuel cells are efficient and emission-free (depending how the hydrogen is produced). The only by-product is water.

Hydrogen is the most abundant element in the universe but producing it for use as a fuel source requires separating it from natural gas or hydrolysis (using electricity to split water into hydrogen and oxygen). Both methods require a lot of energy. Hydrogen then has to be transported and stored.

## Daimler's plan for environmentally-friendly vehicles

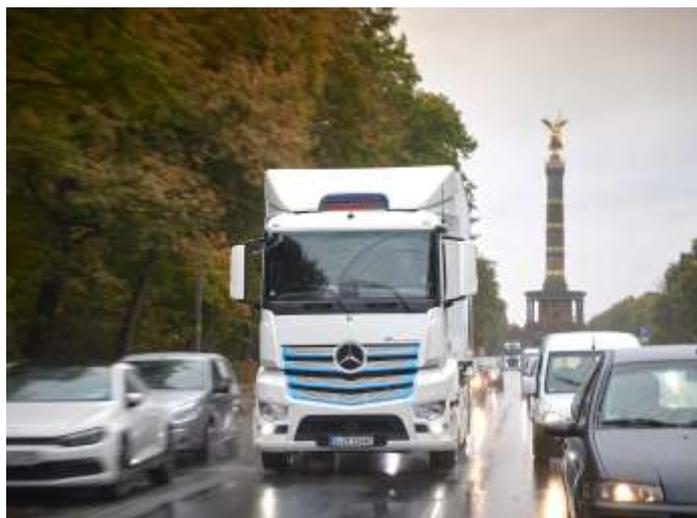
Daimler has been working on drive technologies based on hydrogen for more than 30 years. To date the company's fuel cell vehicles have travelled many millions of kilometres, demonstrating the marketability of this drive concept. However, Daimler says there are still specific challenges in the commercial vehicle sector, such as service life and payload availability.

Battery-electric and hydrogen-drive technologies offer different benefits depending on the purpose and therefore complement each other. Daimler says the decisive criterion for truck and bus customers is the total cost of ownership. A range of EV trucks is currently available.

**RIGHT: The Mercedes-Benz eActros heavy-duty truck, with a range of up to 200 km, is in intensive use in Germany and Switzerland.**

**BELOW LEFT: Daimler Trucks launched its first small all-electric truck, the Fuso eCanter light-duty truck, in 2017.**

**BELOW RIGHT: The all-electric Mercedes-Benz eCitaro is currently in operation in European cities.**



## Electric truck for Eastland Port gets funding support from Government

**Eastland Port will purchase an electric truck to be used for watering and dust suppression at the port, thanks to a contribution from the Government's Low Emission Vehicles (LEV) Contestable Fund.**

It will be the first electric water truck in New Zealand.

The electric truck is one of a number of projects to benefit from the LEV Fund. The government is helping deliver more infrastructure and options for low emissions transport through new projects, Energy and Resources Minister Dr Megan Woods says.

The latest round approves 21 projects, with \$3.8 million of government funding, and successful applicants will contribute a total of \$12 million of funding to projects focussed on encouraging low-emission transport.

"Transport is the biggest opportunity we have in the energy sector to reduce greenhouse gas emissions. This government is committed to taking action on climate change and transitioning to a low-carbon economy," Dr Woods says. "These sorts of EV initiatives move us in the right direction."

The 21 projects range include initiatives to increase the number and availability of public charging stations, with up to 110 new EV chargers nationwide.

"We're particularly pleased to see there will be more EV chargers in the regions. It's good for both local and travelling EV owners, assuring them of options to fuel up. Growing the network of charging infrastructure is a key focus of this Government," Dr Woods said.

Notable projects to receive funding include:

- Foodstuffs to partner with ChargeNet to install public fast chargers at urban and provincial supermarkets;
- The Warehouse Group to install fast chargers at regional Warehouse stores for public use;
- Cityhop to purchase 50 electric vehicles for nationwide car sharing;
- Mahu City Express to add an electric coach to its luxury coach and shuttle service operating between the Mahurangi region and Auckland;

- The Wellington City Council to install chargers at Waitohi, a major community hub being developed in Johnsonville; and

- Northpower to trial of vehicle-to-grid technology at a residential address.

In total, the Government has now committed co-funding for over 1,000 EV chargers nationwide, of which over 600 are now operational.

The purpose of the Contestable Fund is to encourage innovation and investment that will accelerate the uptake of low emission vehicles in New Zealand. In total, the Fund has committed \$23.8 million in government funding to 139 projects. This has been matched by \$50 million in applicant funding.

Got an idea for an innovative energy project? Round eight of the fund will close for applications on March 19.

- For more information, see [eeca.govt.nz](http://eeca.govt.nz) or email [LEVFund@eeca.govt.nz](mailto:LEVFund@eeca.govt.nz).

# Cannabis referendum raises too many questions

By Nick Leggett

**R**emember the referendum that was Brexit, where people in the United Kingdom and Gibraltar merrily voted to leave the European Union, until they realised what that actually meant, and that it was binding?

In hindsight, quite a lot of people felt they didn't really have enough information and didn't quite realise what would happen after they made that tick on a referendum paper.

We are worried that New Zealand voters will find themselves in a similar position come the 2020 general election day, September 19, when they vote on whether or not to legalise recreational cannabis use in New Zealand.

We believe there is not enough information to make a vote that the current coalition Government would consider binding.

The only information available from the Government is a badly written and half-finished Cannabis Legislation and Control Bill – Draft for Consultation. It looks a bit like a copy and paste job at this stage.

We think maybe the Prime Minister hasn't read the bill. There are holes you could drive a truck through. Some of those are around road safety and workplace health and safety. The

bill is silent on these matters.

In fact, the Minister who introduced the bill (Hon Andrew Little) was quoted as saying that exploring the risks of drugged driving and workplace impairment would be pushed back until after the referendum vote. Vote now and see what happens later!

We don't believe that's good enough. In this country, employers and Boards are bound by strict health and safety legislation – that if flouted can result in them going to prison – and we cannot see how this bill in any way correlates to that legislated responsibility.

This bill, if enacted, will have serious consequences for safety sensitive industries, such as trucking.

So, we think the general public should be well informed before they answer a yes/no question.

Everyone wants their loved ones to come home from work each day. Yet already, the number of people being killed by drug impaired drivers on New Zealand roads is higher than those killed by drivers above the legal alcohol limit.

International research shows that with

legalisation of cannabis comes higher use and new users. It shows that people aren't that well aware or informed of the impact of using cannabis and driving. It shows an increase in road accidents in areas where recreational cannabis is legal.

Higher risk on the roads automatically means higher insurance premiums across the board. There is also a whole bureaucracy that will be put in place to manage cannabis legalisation. The bill references a Cannabis Advisory Committee, Cannabis Appeals Authority, and Cannabis Regulatory Authority for starters. How much will all that cost and will it be funded by the taxpayer?

There are so many unanswered questions about unintended consequences.

We believe the referendum cannot be binding until people are properly informed on what they are voting for, or against. We don't want ideology and social engineering. We want facts and figures. This is reality, not fantasy land.

• Nick Leggett is CEO of the Road Transport Forum.



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# What would legalizing cannabis mean for business?

By Amanda Douglas



**If recreational cannabis use is legalized in the referendum this year, can we still drug test our employees as usual?**

The short answer is highly likely to be, yes. The reason why em-

ployers drug test their employees is not because drugs are illegal, but because of the impact of drugs on health and safety. Despite any legalisation, the safety concerns about drug use in the workplace will remain the same. Those who work in safety-sensitive areas remain a health and safety risk to themselves and others, if they are impaired by drugs. Legalisation will not change those effects.

The policy and legislation surrounding the referendum is still in development. The Government has released a work-in-progress draft of the Cannabis Legalisation and Control Bill for public consultation. This draft bill, as it currently stands, limits the amount for purchase and possession to no more than 14 grams of dried cannabis, imposes a minimum age of 20 years for purchase and possession, and prohibits consumption of cannabis in a public place or in a vehicle that is in a public place. As can be seen from this draft bill, the Government's view remains that recreational use of cannabis is harmful.

If recreational use of cannabis is legalized following the referendum, its use in and around the workplace is likely to be viewed in the same way that we view alcohol consumption now. While it is legal for employees to drink in their own time, employees are not

permitted to come to work under the influence. The same would apply in respect of recreational consumption of cannabis. It is likely that policies may need some amendment, but testing, itself, could still occur.

**We are an accredited employer and some of our employees are working on talent work visas. We are looking at selling our business to a company that is not an accredited employer, but who would like to employ all our current employees. Can our talent work visa employees work for the new entity?**

Yes, it is possible, but steps need to be taken, so you should allow for those timeframes. Work visa employees must, at all times, comply with their work visa conditions, which may include working for a particular employer and/or in a particular location. If the employment conditions change for an employee on a work visa, the employee must apply to Immigration New Zealand for a variation of their work visa conditions.

While, ultimately, the granting of a variation of conditions is within the discretion of Immigration New Zealand, a variation of conditions may be granted where the talent work visa employee seeks to begin employment with:

- 1) another accredited employer; or
- 2) a non-accredited employer, if the employee's employment is no longer available due to reasons beyond the employee's control.

In addition, the new employment must pay at least the minimum salary required when the talent work visa employee applied for the original talent work visa, as well as meet other requirements. As work visa employees must not work in violation of their work visa condi-

tions, they would need to wait to start their new position until variation of their work conditions allowing them to work for the new employer has been granted.

**Some of our employees have accumulated a large amount of annual leave. Can we require them to cash up some of their leave?**

Strictly speaking, the Holidays Act 2003 requires that the request to cash up some of the employee's annual leave is made by the employee, and not the employer. In addition, the request must be in writing, and only up to one week of annual leave may be cashed up in each entitlement year. The act prohibits an employer from requesting or requiring an employee to request that any portion of the employee's annual leave be cashed up. If an employer incorrectly pays out any portion of the employee's annual leave, where the employee did not make that request, the employee's entitlement to that portion of annual leave remains unchanged as if the payment had not been made. This means that the employer will end up paying that portion of the annual leave to the employee twice.

However, an employer can manage an employee's annual leave by requiring the employee to take leave at a certain time, by giving the employee at least 14 days' notice of that requirement.

In addition, if an employee makes their own request to cash up leave (without being asked to by the employer), they can be paid up to one week of annual leave a year, as mentioned above.

• *If you have a question, please email: [amanda.douglas@wynnwilliams.co.nz](mailto:amanda.douglas@wynnwilliams.co.nz) with the subject line: RTANZ Ask a Lawyer.*



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# Workplace distractions are productivity killers

**While some workers seem to never have an off switch and are always on the go, others get easily distracted.**

Working continually without a break can lead to exhaustion and mistakes being made. Having short breaks on a regular basis re-coups our energy and enhances on-the-job performance. It's vital for any business to find the right balance.

"The key is finding the right activities that promote, rather than deplete energy," says Charlaine Barnfather, of Safe Business Solutions Ltd.

In a Careerbuilder survey undertaken in the US, over 2,000 employers across all industries and company sizes provided feedback on common drains in productivity, as well as the weirdest things they caught employees doing while "on the clock". When asked to name the biggest productivity killers in the workplace, employers listed the following:

1. Cell phones/texting: 52%
2. The Internet: 44%
3. Gossip: 37%
4. Social media: 36%
5. Email: 31%
6. Co-workers dropping by: 27%
7. Meetings: 26%
8. Smoke breaks/snack breaks: 27%
9. Noisy co-workers: 17%
10. Sitting in a cubicle: 10%

Employers were also asked to reveal the most unusual or memorable things they had found an employee doing when they should have been working. Some of the more memorable answers were:

- Employee was taking a sponge bath in the bathroom sink
- Employee was trying to hypnotize other employees to stop their smoking habits
- Employee was visiting a tanning bed in lieu of making deliveries
- Employee was looking for a mail order bride
- Employee was playing a video game on their cell phone while in a bathroom stall
- Employee was drinking vodka while watching Netflix
- Employee was sabotaging another employee's car tires

- Employee was sleeping on the CEO's couch
- Employee was writing negative posts about the company on social media
- Employee was searching Google images for 'cute kittens'
- Employee was making a model plane
- Employee was flying drones around the office
- Employee was printing pictures of animals, naming them after employees and hanging them in the work area

## "Productivity killers can lead to negative consequences for businesses."

"Productivity killers can lead to negative consequences for businesses, including compromised quality of work, lower morale because other workers have to pick up the slack, negative impact on the employer/employee relationship, missed deadlines and ultimately loss in revenue," says Barnfather.

"So, if you don't want your team flying drones around the office or having a mail order bride turning up on your workplace doorstep, there's no better time than now to eliminate productivity killers and keep your team supercharged throughout the year. It may not be top of your busy to-do-list, but doing so may just boost efficiency, productivity and possibly morale."

### Online porn in the workplace

The public sector has come under the spotlight recently regarding the number of staff who access or download porn on work computers. Statistics suggest 70 per cent of all internet porn traffic occurs between the hours of 9:00 am to 5:00 pm, and one in five employees access porn at work.

SBS says this can put business at risk.

"Firstly, your company's professionalism and reputation could be damaged if this activity is exposed and the public become aware of this conduct.

"Secondly, sexually offensive images in the workplace may put your organisation at risk

of a claim of sexual harassment under the Human Rights Act or a personal grievance under the Employment Relations Act.

"Thirdly, computer workstations and devices now dangle addictive employee temptations for new ways to "skive off" in the boss's time. If an employee is watching porn or doing anything else that's distracting them from work, they are not fulfilling this fundamental employment obligation, regardless of whether the porn was viewed on a personal or work device."

SBS says it is imperative for businesses to have a robust, well-communicated and well-understood email/IT policy and Code of Conduct in place. Businesses should:

- make clear that all messages generated on workplace systems are company property and that an employer has the right to monitor all employee email/traffic passing through its system
- have employees sign a copy of the policy and Code of Conduct so that they cannot plead ignorance
- enforce the rules appropriately
- review and update the policy regularly to ensure that it remains relevant
- word the policy so that it will cover technological changes in the short to medium-term, so that it isn't being continually rewritten

"The policy should make the parameters of acceptable behaviour clear – it would not be fair to dismiss an employee for misuse of the system if it was not clear where the line of acceptability is drawn," says SBS.

"Eradicating porn and other on-line distractions from a workplace is challenging in today's day and age of technology-necessity. However, by creating a climate and culture that starts at the very top of the business and establishes that wasting time on-line is not tolerated through robust policy and procedure will aid in managing this risk, reinforced by employment consequences of such actions."

- For assistance with employment agreement or policy requirements, call SBS on 0508 424 723 or email [info@safebusiness.co.nz](mailto:info@safebusiness.co.nz).

# Share ← the → road

## Heavy vehicle drivers and cyclists

# How many fines do truck drivers get and what for?

By Darren Cottingham



**G**etting pulled over by the police or CVST and fined is not a great way to finish your day behind the wheel — and it won't make the boss happy either.

Being fined should not be seen as coming with the territory. Businesses can reduce costs and boost safety by adopting a sensible strategy, focusing on education, technology, and training.

## Truck drivers generally get five types of fines:

- 1) Logbook and work time infringements
- 2) Speeding infringements
- 3) Driving a vehicle with the wrong licence class
- 4) Insecure or overweight load
- 5) Certificate of fitness or road user charges

## Why are truck drivers getting fines?

There's a mixture of:

- Ignorance of the law
- Time pressures due to traffic
- Cost pressures – the transport industry runs on very thin margins
- Drivers trying their luck, deliberately infringing the law
- Long payment cycles – some suppliers pay transport companies on 90 or 120-day contracts, meaning the cashflow isn't always there to purchase more RUCs

## What is the dollar value of fines received by truck drivers?

We made an Official Information Act request to Police and they provided us with the following figures:

In 2018, the total number of logbook and work time offences grew to 3,170 with a nominal value of \$426,425. Many of these offences are \$150 infringements for filling out a logbook incorrectly, something which can be avoided by taking our logbook course.

Speeding infringements for heavy vehicle drivers stood at 3,986, not including speed camera notices. The nominal fee was \$351,320.

A total of 323 people were fined for driving a heavy vehicle without an appropriate licence: for example, they didn't have a licence at all; they had the wrong class of licence (e.g., held class 2 but were driving class 4); or didn't have the right endorsement (e.g. didn't have a D endorsement but were carrying dangerous goods). Drivers were fined \$129,200.

Finally, there were 3,046 infringement notices for certificate of fitness (CoF) and unregistered vehicle offences, totalling \$709,350, and 1,859 drivers got fines totalling \$1,480,650 for road user charges offences.

These figures show that the transport industry is giving up over \$3,000,000 in fines, not including fines for insecure loads and fines given by speed cameras. Given the tight margins in the transport industry, this is a major waste.

## How do you reduce the number of fines truck drivers and transport companies get?

All drivers should take the logbook course mentioned above so they know exactly how to fill in a logbook and also what their obligations are for rest breaks.

Use a telematics system that warns you when drivers are exceeding



Kiwi truck drivers can expect a sizeable fine if their vehicle has an insecure or overweight load. In Senegal, West Africa, not so much.

the speed limit, and put limiters in trucks, where appropriate.

Keep a register of your drivers with proof of their licence class and endorsements; don't let them drive vehicles that they are not qualified to drive. They can do a D endorsement or D endorsement refresher or get an F endorsement.

Keep a schedule for your CoF updates or have someone manage it for you (for example, TR Group has MyTR which enables companies that lease vehicles from them to track their maintenance and inspections.

Use electronic RUCs which automatically update when more kilometres are needed.

Ensure your drivers are trained in load security techniques.

**“The transport industry is giving up over \$3m in fines, not including fines for insecure loads and fines given by speed cameras... this is a major waste.”**

• Darren Cottingham is founder of DT Driving Tests, part of the TR Group, and a member of the Institute of Advanced Motorists and the NZ Motoring Writers Guild.



## Scott Asplet Northland, Auckland, Bay of Plenty, Waikato

**H**ello Region Two members. There has been a lot of discussions recently with members concerning the dry weather and heat, with most of the North Island in drought.

Northland especially has been in a severe drought for some time and there is a fear that Northland could take years to recover from record dry conditions, with 2019 one of the driest years in decades. With Auckland and northern Waikato and the rest of the North Island being extremely dry or in a drought, this has a massive effect on the transport industry.

Within our industry, sectors such as forestry and agriculture are probably the most affected. Some members are taking shorter work weeks, such as four-day weeks, and are raising the possibility of shorter hours due to the adverse weather conditions and fire risks.

The situation in China with coronavirus has also affected our industry. We are unsure how long this will continue to affect our industry or the New Zealand economy, but one would hope this is short term and that we will know the full extent soon so that we can recover and continue with business as usual.

RTANZ was involved in the last truck driver fatigue stop to be held in Huntly, organized by the Waikato Regional Council and attended by CVST, NZTA, and the road transport associations. This was a great success with positive feedback from drivers who enjoyed a free coffee and food in exchange for a quick confidential two-minute survey on driver fatigue.

Once completed, drivers could also grab some free seat

belt sleeves with the message “Seatbelts save lives – BUCKLE UP” – which is an incentive from the team at Reduce The Risk ([reducetherisk.co.nz](http://reducetherisk.co.nz)). The seatbelt sleeves proved popular with drivers, who found they stopped the seatbelt rubbing or cutting into the neck or shoulder. Also, the bright green colour helped the Police or CVST see clearly that the seat belt is being worn. I have more of these available, so please get in touch if you would like some.

NZTA also had some information pamphlets on the Weigh Right program and Work Time Rule and were available to answer any questions from drivers. I believe in the three hours we had approximately 75 surveys filled in.

The start of 2020 has been an extremely busy one, with roading being a hot topic for members. Road closures, detours throughout Region Two and all of New Zealand have proved hard to keep up with at times, due to the huge number of roads that have been in such a bad way for so long now.

Work on retaining wall work at Bulli Point on SH1 south of Taupo is due to start but, surprisingly, no actual rectification of the road. One would like to think that NZTA would widen the road on that section while they impose the road closures, but NZTA advises this is remedial work to retain the side of the road, and without this work occurring the road may wash away and stop all access. NZTA advises it is aware of the issues at Bulli Point and is working to improve widths and safety further. Watch this space, I guess.

To contact Scott Asplet, call 800 367 782 (option 2) or 027 44 55 785 or email: [sasplet@rtanz.co.nz](mailto:sasplet@rtanz.co.nz)



## Sandy Walker Gisborne, Hawke's Bay, Wellington, Manawatu-Whanganui, Taranaki

**T**here has been much talk about NZTA stepping up its compliance regime and the case in question to see how this was going to be played out was the much talked about Northland operator who was up for TSL revocation and a RUC audit.

This has now been dealt with by the courts and the decision to revoke the TSL is on hold at present and dependant on a six-month good behaviour clause; however, the RUC audit has been upheld with \$532,000 of RUC costs being pursued. The media expressed the comments of both the Justice:

*“Justice Gordon’s ruling sends a message to operators: paying the right RUC for your vehicle is not negotiable,” Patena says.*

And NZTA: *“Newly appointed NZTA commercial licensing and revenue senior manager Paul Fantham says the organisation will be “ramping up” its regulation of RUC payments in the commercial transport sector.”*

Now, if that doesn't tell you they are serious, I don't know what will.

If you haven't read the article in the February 2020 Newsletter on Page 16 from Michael Beedell titled “How to protect your Transport Service Licence”, I suggest you do as it tells you the process and what NZTA will be looking for. In short, get some good systems in place and if you have received a letter from NZTA advising of an audit, start mitigating issues before they knock on your door.

Here's how it normally goes: If a driver is stopped for an offence, roadside stoppage, or is part of a serious or fatal crash, this will automatically start the audit process, which is then followed up by either a visit from CVST, NZTA, or both. A letter advising of an audit is then received (dependant on the

situation) or, if it is for overweight, you will receive an infringement notice from the NZ Police Infringement Bureau.

Just as you think it has settled down and you have paid the \$2,000 plus \$370 fine, an invoice for RUC arrives in the mail from NZTA looking for compensation for the increased RUC weight that should have been purchased. This is for the total RUC label distance, not just the distance already used (that is why most run electronic RUC and auto buy up in 1,000km distances).

They know most of the time that you will pay, as with most infringements they are not worth challenging under \$700 with lawyers' fees and court time, etc. In other words, they have got you by the short and curlies.

If I am starting to sound like a broken record you should be on the end of the many phone calls I receive. I can even tell you what verse you are going to sing of the but, but song. Talk to us if you want some advice on RUC and/or the correct RUC rates that apply for the various combinations in a simple one-page guide. We have the tools to assist you, which you can't get by looking at the NZTA website.

To contact Sandy Walker, call 027 485 6038 or 0800 367 782 (option 3) or email [swalker@rtanz.co.nz](mailto:swalker@rtanz.co.nz)



## John Bond

Christchurch, North Canterbury, Buller, Nelson, Marlborough

**This month has had some interesting events happening, starting with having a meeting to discuss the design and construction plans for a new cycleway from Ferry Road through to the Tannery in Christchurch.**

Cycleways are becoming very prominent within the Christchurch City Council's region, which, in some cases, has an impact on our transport industry. Just suggesting one roading change from a two-lane road to a proposed one-way road, even though the distance can be less than a kilometre, can have a major impact on our transport operators working within the area that may be changed.

What is not taken into consideration is the impact this has on businesses, such as extra distances travelled to compensate for the loss of this small stretch of roading, the whole dynamic of the traffic flow, whether this will create an issue for exiting the transport companies' premises, and training the staff to accept these changes. Then there is the turning dynamics: whether these become a real road hazard or a health and safety issue for each driver.

One must wonder why such a change would have been necessary in the first place and how much planning went into the cycleways before they were constructed. Too many times, the roading structures are upgraded for a minority of road users, without even considering the impact of those users who pay taxes to improve the roads we travel on.

I wonder why, with all these cycleways being built all over the country, we still see stupid cyclists riding on the road when a cycle track runs parallel with the road, riding through

red lights, cutting corners, and using pedestrian crossings to speed up their travel. We see this happening every day and yet we still spend millions of dollars providing a safer option to cyclists. I look forward to when these cycleways are used to their full potential and the death rate runs at zero, then every dollar spent will have been well worth it.

I got the opportunity to organise a meeting with Nelson and Marlborough RTANZ members and Road Transport Forum CEO, Nick Leggett. Nick was keen to talk to the members about how the speed changes being imposed on them by NZTA would impact their businesses.

Members commented how longer times travelling from Blenheim to Nelson return would have a major impact on the number of trips that could be achieved; how it would impact delivery times to their customers; and affect containers being taken to the port to meet the ships.

Obviously, members have opposed the blanket speed changes across our roads, but totally support changes in front schools, in built-up areas, or where a road is subjected to a high volume of foot traffic.

Members also raised other concerns. We discussed that the ORS was being reviewed and how this should be beneficial to the industry, given we have operators working within the team, doing the review. Eventually, we will expect a positive outlook if everyone works together to achieve outcomes that will benefit the industry.

*To contact John Bond, call 027 444 8136 or 0800 367 782 (option 4) or email [jbond@rtanz.co.nz](mailto:jbond@rtanz.co.nz)*



## Simon Carson

Christchurch, Mid Canterbury, South Canterbury, West Coast

**As the year gears up, various proposals from local and regional authorities have been met with some concern from the heavy vehicle industry.**

Projects include the Riccarton Road speed review and the Cumnor Terrace cycleway in Christchurch. Significant speed reductions have also been proposed in Ashburton. Authorities are often citing speed as the main contributing factor to accidents, injuries and fatalities but, in many cases these simply cannot be justified or supported with facts when the hard questions are put back to the authorities.

Christchurch City Council has tried to instigate the proposed changes relating to Cumnor Terrace, Woolston, on at least one previous occasion a few years ago. This was shut down and deemed not feasible until a few months ago when it resurfaced again. Often the departments and the people working on projects do not appreciate the impact they can have on the productivity of RTANZ members. Therefore, it is critical for RTANZ and its members to collectively oppose change which does not benefit industry or community.

We invited CCC and its contractors to discuss the Cumnor Terrace project directly with businesses based in the affected areas, and to their credit, they have done this, which would usually not be the norm. In many parts of the country, councils do not seem to engage well enough with stakeholders; however, significant work by RTANZ continues to go into better engagement of local and regional bodies for favourable industry outcomes.

NZTA has advised it will be growing its future compliance

focus with the employment of another hundred staff. It is useful for operators to be aware that representatives from various parts of the industry are working alongside NZTA to develop ORS version 2. The project appears to have had some good discussion since 2019 but it will likely take some time before we see it released to industry.

The development and construction of 12 Weigh Right sites around the county is another project that NZTA is working on. John Bond and I have met with the NZTA projects team on two occasions since the start of the year to consider the planning for each site.

We see some issues with the Rakaia site and have addressed these accordingly. An RTANZ/NZTA site visit is planned for this month when we will work with NZTA to ensure the safety and accessibility of the proposed site, which is currently planned for the corner of North Rakaia Road and SH1, Mid Canterbury. NZTA is looking to further engage RTANZ Area Executives around the country to ensure a similar focus is offered to national Weigh Right sites.

Finally, it looks like another RUC increase is planned for mid-year and we are working on getting the final information out to members as soon as it becomes available.

Lastly, our thoughts are with the people from the West Coast of the South Island and parts of Southland, many of whom have been affected and cut off by devastating floods. Kia kaha, stay strong!

*To contact Simon Carson call 027 556 6099 or 0800 367 782 (option 5) or email [scarson@rtanz.co.nz](mailto:scarson@rtanz.co.nz)*



## Alan Cooper Otago, Southland

**H**ello Region Five members, here we are again well into the new year; the sun has been shining and the road resurfacing has been in full swing.

The New Zealand Transport Agency has spent a bit of money on the State Highway out of Dunedin on the "Kilmog" with the "ski jump" being flattened out to the relief of drivers who had to correct the sudden drop off to their front wheels going down the hill. Downers has done a good job smoothing out bad patches on this section out of Dunedin to Palmerston.

With the finer weather, the camper vans (road lice) are back on the highways. We all know what a pain they are to follow. I think the most important thing is to remind the people who hire rentals to keep left on passing lanes and to travel at the speed limit of 100km/h, not 80 km/h. I am advised that some hire companies do have policies in place to educate drivers but I'm not seeing much evidence of this filtering through in this neck of the woods.

I have had a few members asking what has happened to the SWEP program? Well I can tell you it is still on the agenda and that the SWEP governance group met in Wellington on January 23 and I believe they have made significant steps towards confirming a cadetship program.

It was agreed that the solution to the industry's workforce challenges lies in a change of mindset by operators. As such, Graeme Sheldrake has suggested that he lead a road show to industry around New Zealand, to share the cadetship concept, ascertain interest, and most importantly, talk about his own experience of bringing young people successfully into his business, investing in their skill development and qualifications, and paying them an above market rate.

RTF is working towards putting together the structure of a

sustainable cadetship. Most of the contents of this already exist in the form of industry qualifications; however, there is more to do to bring it under one umbrella and test it with operators. They are also looking at investing in evidence and data gathering to understand where driver shortages are most acute, and the profile of the 18-35 age group of the industry workforce.

I welcome inquiry and interest from operators who are keen to step up to the cadetship. Region Five looks forward to hosting an event with Graeme Sheldrake for our members when he is in the area.

Your Region Five president, Mark Purdue, is also now the chairman of the SWEP committee. He is passionate about the road transport industry and comes from a family that has been involved in the road transport industry for around 75 years, and now his son Blake has entered the industry, based in the IT sector for HWR head office in Invercargill.

Contact Alan Cooper on 027 31 55 895; or email [acooper@rtanz.co.nz](mailto:acooper@rtanz.co.nz).

## Roadside drug testing to be introduced to cut road deaths and injuries

**P**olice will be given new powers to conduct random roadside oral fluid drug testing to deter, detect and prosecute drugged drivers in order to save lives, Associate Transport Minister Julie Anne Genter has announced.

In 2018, 95 people were killed in preventable crashes where the driver was found to have drugs in their system that could impair driving. "That is an enormous and intolerable loss of life," said Julie Anne Genter.

"The new powers will send a clear message that if you take drugs and drive, you will be caught. The change will allow Police to test drivers for the presence of drugs and impairing medication anywhere, any time, just as they can for alcohol.

"Drivers who test positive for the presence of drugs will be fined and immediately suspended from driving for a minimum of 12 hours. Drivers will also face criminal penalties if they fail a compulsory impairment test and blood tests confirm impairing levels of drugs in their system.

"The threshold for a criminal offence will be aligned with that for alcohol. This means a blood test that identifies impairing medication or drugs at or above an amount equivalent to the criminal drink driving limit (80mg of alcohol to 100ml of blood) will result in a criminal offence.

"The oral fluid devices will initially test for THC, methamphetamine, opiates, cocaine, MDMA (ecstasy), and benzodiazepines which are the most prevalent and high risk drugs and medications used by drivers in New Zealand. Police will continue to use the compulsory impairment test to screen for other impairing drugs.

"Oral fluid tests will check for some impairing prescription drugs. However, a medical defence will be available in instances where people have taken medication in accordance with their prescription. The government will work with health practitioners to ensure patients are appropriately warned if they should not be driving on their prescription."

Genter said she intended to introduce a Bill to Parliament early this year to enable oral fluid drug testing to begin in 2021.

The associate minister also said the Government will boost investment in road safety upgrades and road policing tools as part of its new Road to Zero strategy and initial action plan.

"Most fatal and serious crashes are preventable. Road to Zero follows international best practice and outlines a comprehensive list of actions that will make our roads, vehicles, speed limits and drivers safer over the next decade.

"Road to Zero includes a new commitment to boost road safety investment by 25 percent

to around \$1 billion per year over the next decade. This additional investment will support:

- new enforcement technologies for Police, including drug testing equipment;
- 1,000 kilometres of additional median crash barriers;
- More than 1,700 kilometres of other safety treatments like roadside crash barriers and rumble strips;
- 1,500 intersection upgrades like roundabouts and raised pedestrian crossings.

"To drive real action, Road to Zero sets a target to reduce annual deaths and serious injuries by 40 percent by 2030 (compared to the 377 people killed last year).

"Meeting this target would save 750 lives and prevent 5,600 serious injuries on New Zealand roads over the next decade.

"Already this Government is investing a record \$1.4 billion over three years in targeted upgrades to over 3,300km of our most dangerous roads. This plan proposes greater investment in proven safety upgrades like median barriers, roundabouts and safe cycling infrastructure...

"The Road to Zero action plan outlines 15 priority road safety actions for the next three years. This includes an additional action to address concerns around driving training and licensing following consultation.



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# Vehicle inspection requirements for parking brakes

**Waka Kotahi, the New Zealand Transport Agency, has released an important bulletin on park brake and emergency brake servicing and inspection requirements for heavy vehicles.**

The 40850 Operator statement of compliance with maintenance requirements for parking brake assemblies form is used by a heavy vehicle operator to confirm a powered heavy vehicle's parking brake assembly has been inspected and serviced by a technician in last two years and is in good working condition.

The need for this inspection has come about due to a number of runaway trucks that have led to a fatal or serious injury crash after the parking brake has been applied.

The issue has been traced to the parking brake application valve beside the driver's seat on many truck, bus and motorhome vehicles. The valve wears out internally through dust and moisture ingress over time and can cause the valve detent to stick in the neck portion and not fully engage with the lock. As the driver gets out of the vehicle, the valve can be knocked or on occasions get caught in the driver's clothing releasing the lever.

There is also evidence that carden shaft brake assemblies have caused some trucks to run away even when the lever is applied. This is due to a number of factors including a lack of maintenance that reduces the ability of the brake to hold the vehicle and load, especially in steep inclines and where the lever feels fully applied but resistance in the linkages reduces the application of the brake.

This bulletin has been produced to supplement information provided to the repair industry and should be considered in inspecting all parts of the parking brake system.

## Parking brake inspection

***What are the indicators that might make a vehicle inspector doubt the condition of a parking brake assembly?***

A parking brake is generally serviceable (except for some sealed parking brake valves) with items that are susceptible to wear, degradation and ingress of dust and dirt.

Not all parking brake assemblies are easily accessible but signs that may point to no recent maintenance include:

- rusted bolts, screws, clevis pins or linkages which activate the brakes

- dust, dirt, seat foam or general rubbish around the lever assembly
- excessive resistance in applying the parking brake
- a lack of feel from the detent or lock position when applying the lever of an air parking brake valve.

**“The need for this inspection has come about due to a number of runaway trucks that have led to a fatal or serious injury crash after the parking brake has been applied.”**

***Are there any parts within the assembly that are more prone to cause problems than others?***

The risk is more with the age of the vehicle (particularly older vehicles that have not been regularly serviced) and those working in dusty operations such as concrete mixer trucks and quarry trucks.

Pay particular attention to the application lever and any detents, ratchet or other mechanical locks designed to hold the lever in its applied position.

***Are there specific makes/models that should be paid close attention to?***

Vehicle inspectors should pay attention to all parking brake assemblies. All makes or models should be treated equally. As mentioned above, vehicles working in dusty operations such as concrete mixer trucks and quarry trucks are higher risk.

The Transport Agency has published safety alerts covering some Nissan trucks that require 12-monthly parking brake checks and maintenance.

## 40850 requirement scenarios

If a vehicle inspector doubts the maintenance of a parking brake assembly, they can request that the 40850 form be presented to provide proof of inspection/servicing in the last two years (once the vehicle exceeds two years from date of first registration in New

Zealand, or every CoF from date of first registration if entry certified as a used vehicle).

If an operator does not have a valid 40850 to present, then the vehicle inspector can issue a 28-day permit instead, to allow the operator to have the parking brake maintenance carried out and get a 40850 completed.

If you request a 40850 because you doubt the parking brake maintenance, but an operator says that the parking brake was recently serviced, you can tell the operator to get the service agent to fill in the form with regard to the last service – they don't have to get the servicing done on the parking brake again.

***When do you need to ask the operator of a powered heavy vehicle (a heavy truck, bus or motorhome above 3500kg) for a 40850?***

- The vehicle passes the certificate of fitness (CoF) for parking brake performance (i.e. passes a roller brake test or stall test) and passes all other CoF requirements, but the vehicle inspector (VI) has doubts about the parking brake maintenance so can request a completed 40850 form and issue a 28-day CoF permit.

- The vehicle fails the CoF test for parking brake performance under the reasons for rejection. This requires the VI to fail the vehicle and request a 40850 form.

- The vehicle passes the parking brake performance test and fails on another CoF item and the VI has doubts about the parking brake maintenance so must fail the CoF and also request a 40850 form is required.

- The vehicle passes its CoF for parking brake performance (ie it passes a roller brake test or stall test) and passes all other CoF requirements and the VI has no doubts about parking brake maintenance so can issue full CoF.

***When do you NOT need to ask the operator of a powered heavy vehicle for a 40850?***

- The vehicle passes its CoF for parking brake performance (i.e., it passes a roller brake test or stall test) and passes all other CoF requirements and the VI has no doubts about parking brake maintenance so can issue full CoF.

- The vehicle passes the parking brake performance test and fails on another CoF item and the VI has no doubts about the parking brake maintenance. The VI fails the CoF for the other item(s) and no 40850 form is required.

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Heavy vehicle drivers and cyclists