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Dear truck/bus owner or operator,

I am writing to advise you of changes to legislation due to commence on 1 May 2019 that will introduce new penalties for drivers of **all trucks and buses** who are detected driving unsafely on the down-track of the South Eastern (SE) Freeway into Adelaide.

The amendments to the *Road Traffic Act 1961*, *Motor Vehicles Act 1959* and supporting regulations aim to improve road safety on the SE Freeway and reduce heavy vehicle crashes involving brake failure and excessive speed. The amendments implement recommendations from a Coronial Inquest following two serious crashes in 2010 and 2014 involving out-of-control heavy vehicles that tragically resulted in loss of lives and serious injury.

Offences and penalties

When descending the SE Freeway, truck and bus drivers must:

- Use a gear that is low enough to limit the speed of the vehicle without the use of a primary brake; and
- Not drive at a speed in excess of the relevant speed limit.
 - *Note: Trucks and buses are limited to a **maximum speed of 60km/h** on the SE Freeway down-track, however speeds may be further reduced via the variable speed limit signs or other temporary speed limit signs at any time to maintain safe travel. This may include inclement weather, reduced visibility or as a result of a crash, roadworks etc.*

From 1 May 2019, truck or bus drivers whose vehicles are not engaged in a low gear (as described above) or exceed the relevant speed limit by 10km/h or more will receive an **expiation fee of \$1036, six demerit points plus a six month licence disqualification**. Subsequent offences and drivers convicted by the court will face even heavier penalties.

These new penalties only apply to the portion of the down-track of the SE Freeway as indicated on the attached map, ending at the intersection of Portrush, Cross and Glen Osmond Roads.

Existing speeding penalties continue to apply to trucks and buses that exceed the relevant speed limit by **less than** 10km/h on this stretch of road after 1 May 2019.

Business vehicles detected speeding

The new penalties will also see a substantial increase to the body corporate levy which will apply to businesses who fail to nominate the driver responsible for a camera-detected speeding offence on the SE Freeway down-track.

This levy will increase from \$300 to \$25,000. A body corporate that successfully nominates the responsible driver will not incur the body corporate levy.

If you are unsure if the vehicle you are driving is classed as a **truck** or **bus** for the purposes of the new penalties, you can:

- Check the registration certification or vehicle compliance plate;
- Refer to the EzyReg App or website; or
- Call Service SA on 13 10 84 to speak to a customer service officer.

For more information visit:

www.infrastructure.sa.gov.au/SEFreeway

A fact sheet is enclosed. Please pass this information to all relevant users within your networks.

Yours sincerely,



Gabby O'Neill
Director, Road Safety
Department of Planning, Transport and Infrastructure

20 March 2019



Heavy penalties for trucks and buses on the South Eastern Freeway down-track

What are the new laws?

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

- ◆ Use a gear that is low enough to limit the speed of the vehicle without the use of a primary brake; and
- ◆ Not drive at a speed in excess of the relevant speed limit.

Note: Trucks and buses are limited to a maximum speed of 60km/h on the down-track of the SE Freeway.

From 1 May 2019, truck or bus drivers whose vehicles are not engaged in a low gear or exceed the relevant speed limit by 10km/h or more will receive an expiation fee of \$1036, six demerit points plus a six month licence disqualification. Subsequent offences and drivers convicted by the court will face even heavier penalties.

The body corporate levy, which applies to businesses who fail to nominate the driver responsible for a camera-detected speeding offence on the SE Freeway down-track, will also increase from \$300 to \$25,000. A body corporate that successfully nominates the responsible driver will not incur the body corporate levy.

Do the new laws apply to me?

Under the Australian Road Rules, a motor vehicle with a Gross Vehicle Mass (GVM) of more than 4.5 tonnes is classified as a Truck regardless of the body type of the vehicle (excluding tractors, trams and buses).

A motor vehicle built to carry more than 12 adults including the driver is classified as a Bus (regardless of GVM).

All vehicles classified as a truck or bus will be subject to new laws on the SE Freeway down-track from 1 May 2019. This includes vehicles such as emergency service vehicles, animal transport vehicles, school or tour buses, cranes, drilling rigs, sweepers, tip trucks, tow trucks, large utilities, van and motor homes, chauffeur vehicles and taxi buses.

Where do the new laws apply?

The new laws apply to low gear and speed offences committed by all trucks and buses on the down-track of the SE Freeway as indicated in the map overleaf, ending at the intersection of Portrush, Cross and Glen Osmond Roads.



Advisory signs



Fixed signs will be installed in the lead up to the down-track to remind drivers to descend safely and avoid heavy penalties.

These advisory signs, as well as speed limit and low gear signs that refer to “Trucks & Buses” apply to drivers of all vehicles outlined in this fact sheet.

Speed cameras

Speed cameras operate along the section of the SE Freeway where the new legislation applies. These cameras are operational and drivers can be penalised for road safety offences at these sites.

The new legislation and increased penalties come into effect from 1 May 2019.

For more information

Visit www.infrastructure.sa.gov.au/SEFreeway
Call Service SA on 13 10 84

Speed camera information and locations

Visit www.speedcameras.sa.gov.au

The red line on the map below indicates the road section to which the new offences apply.

