

Road Safety Bulletin



Chain of Responsibility Prosecution – 1.25M Fine Imposed

MT GAMBIER trucking company Scott's Transport and two senior staff have incurred record fines of \$1.25m over speed limit tampering and speeding.

The New South Wales Local Court magistrate Geoffrey Bradd last week handed down the penalties for 165 separate offences in which Scott's trucks were found speeding between August 2010 and March, 2012. Most of the offences occurred on the Hume Hwy, with one driver clocked at 142km/hr and another found to have no working speed limiter. Magistrate Bradd imposed the hefty fines on the company, manager Peter Anderson and Ray Scott — the director of Scott's Group of Companies and son of late founder and trucking magnate Allan Scott.

A spokesman for the NSW Roads and Maritime Services said it was the highest total fine imposed by a court in that state since 'chain of responsibility' laws were introduced in 2005 to make company owners more accountable for the safety of their fleets. "This sends a clear message — speeding above 100km/h in a heavy vehicle is a highly dangerous and illegal practice," the spokesman said. "Any remaining companies, including their customers, packers and consignees involved in high end speeding and speed limiter tampering should expect to face significant fines, which reflect the degree of community concern on this issue."

Scott's previous manager, Bruce Grubb, was also fined in a separate previous case. Magistrate Bradd found that instruction manuals reminding Scott's drivers of their responsibilities were too long and vague and said the company had taken significant steps to improve its practices. "The directors are embarrassed and saddened that Scott's fell short of what is required, and apologises to the court," he found.

The magistrate found Mr. Anderson, who took up the role towards the end of the offending period, had been a "strong advocate" for road safety for many years. "To some extent, Mr. Anderson was in the wrong place at the wrong time," he said. Magistrate Bradd said a total of 42 Scott's drivers had been caught speeding, but a number of truckies were responsible for a "disproportionate number of offences".

"It is not a case of systematic failure. Lax standards and unacceptable driving habits developed at a few depots," Mr. Bradd found. "The offences are not harmless. The fact of heavy vehicles speeding on the highway has a cost to the community due to the additional road wear caused by the speeding."

Scott's was also ordered to pay \$100,000 in prosecution legal costs. Scott's management declined to comment on the judgment on Tuesday.



Article: <http://www.adelaidenow.com.au/news/south-australia/scotts-transport-handed-record-125m-fine-by-nsw-court-over-repeated-speeding-offences/story-fni6uo1m-1226941988192>

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Contact us: Paul Sofield: paul.sofield@barbarogroup.com.au; Web page: www.barbarogroup.com.au