



## **Submission by Primary Employers Tasmania**

in respect of

## **Quad Bike Safety in Tasmania Issues Paper**

February, 2017



## About Us

Primary Employers Tasmania (PET) is a registered employer organisation under the provisions of the Fair Work (Registered Organisations) Act 2009.

It is the only such organisation in Tasmania with 65 years' specialist experience in representing the interests of employers engaged in the agricultural, horticultural and viticultural industries of the State.

PET is a not-for-profit organisation established exclusively for employers in the primary industry sector.

Our Committee of Management consists of hands-on farmers/employers with practical experience, which means our views represent the views, needs and priorities of our member base.

Workplace health and safety on rural properties is of concern to our members and PET provides guidelines and draft policies to its members in relation to quad bikes.

PET is a member of the Safe Farming Tasmania Reference Group.

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### **Primary Employers Tasmania welcomes the opportunity to make a submission in respect of Quad Bike Safety in Tasmania Issues Paper**

Quad Bikes, as a member of the class of All Terrain Vehicles (ATV) which now includes Side-by-Side enclosed vehicles, are a popular and important piece of equipment on rural properties. However, it is acknowledged that, as in many workplaces, accidents will happen.

Quad bikes are part of contemporary farming culture. Cultural attitudes to their use and safety are fundamental to how they are used. It is our belief that the most appropriate and effective way forward to minimise the risk to quad bike users and reduce injuries and fatalities is through a formal education process for both employers and those employees who use quad bikes. It is also important that manufacturers and vendors participate in this process.

We make the following points in relation to the questions raised in the issues paper

#### **1. Increasing rider safety.**

*Q 1. What are the best ways to communicate to quad bike users about risks and safe use practices?*

Response:

- a. Manufacturers have an initial responsibility to ensure that the materials they provide, including the owner's manual, are relevant, easily found, and easy to understand, with appropriate information as to safe operations and the quad bike's limitations.

b. Retailers also have an obligation to ensure that a purchaser is provided with the relevant information as above and provide model specific instructions at the time of sale. This may include providing purchasers with copies of simple, easy to understand safety sheets as published by WorkSafe Tasmania or the manufacturer.

c. The employer should provide appropriate training for all employees who will use, or have access to, the quad bike, especially in relation to a new quad bike. New employees should be provided with an induction programme which includes relevant training in relation to quad bikes.

d. Employers should have a Quad Bike Policy which is provided to all employees, readily accessible in the workplace, and provide ongoing safety training. Posters and other safety information should also be readily available at the workplace.

e. As part of this process it is essential that employers ensure that employees fully understand the policies and safety procedures which may mean acknowledging language and literacy barriers.

**Q 2. What do you think are the key safety messages for quad bike users?**

Response:

First and foremost we need cultural change. Just as cultural change shaped seatbelt use in cars and bicycle helmets. Change begins and ends with social acceptance. The best safety message is that quad bikes are an extremely useful tool but at the same time are a very dangerous piece of equipment that can lead to injury and/or fatality. Users should be made aware of:

- a. The wearing of appropriate safety equipment, particularly approved helmets.
- b. Their own limitations, skills and experience.
- c. Is the quad bike the correct vehicle for the task at hand.
- d. The limitations of what the quad bike can do and its specific uses.
- e. Ensuring quad bikes are properly maintained.

The message also needs to target family members, in particular young children, who may use quad bikes on the family farm. The key message to deliver is that the quad bike should be of the appropriate size for the user, the appropriate power, and that supervision and training is still needed.

PET recognises that these messages will be best attained through a cultural change over time. This could be achieved through the use of television advertising, other advertising, and the use of social media and industry workshops.

In Queensland such a quad bike safety public awareness campaign has been launched across events, online and social media, and advertising.

**2. Review available training in Tasmania.**

**Q 1. Have you utilised training in relation to quad bikes? If so what was your experience?**

Response:

PET recommends and promotes organised formal training through TasTAFE. Feedback from our members is very positive.

The data we have available indicates that TasTAFE had 232 participants in Quad Bike training in 2015 and 154 in 2016.

**Q 2. *Is appropriate training readily available in the State? If not, how is it lacking?***

Response:

Yes. We have had a long working relationship with TasTAFE and are very pleased with the training outcomes achieved through this close working arrangement.

PET's experience has been that TasTAFE provides relevant and specific training across the state.

We understand that TasTAFE schedule a number of courses around the state in locations such as Burnie, Smithton, Hagley, and Currie, where dates are promoted and multiple clients book in.

We also understand that TasTAFE negotiate with employers to deliver training on their farms where in many instances staff from neighbouring properties are included to create efficiencies in numbers.

**Q 3. *Do you think training should be mandated (legally required) in some way?***

Response:

No.

Changes in the mind-set of quad bike users will be best achieved through a programme of education and supported training that leads to new social norms around the usage of the machines rather than a mandatory training requirement.

Training should be employer oriented, becoming part of the employer's safety management plan. This may include the use of outside training organisations if required.

A mandatory requirement will not stop employees inappropriately using a quad bike and would be very hard to police.

PET maintains regular contact with TasTAFE training staff and co-ordinators to ensure the training program is meeting the training requirements of our members.

**Q 4. *What do you think are the barriers to greater numbers of riders using training courses? How could these be addressed?***

Response:

a. There is a general attitude of apathy, with the mind-set being, "it will not happen to me".

b. Quad bikes are often seen as "toys", reinforced through recreational use of quad bikes by other sectors of the community. Therefore, many quad bike users do not recognise the dangers of using a quad bike.

c. It is not uncommon for young people, including children, to use quad bikes on a family farm. Formal training for these young people is not considered as viable or cost effective.

These could be addressed through increased awareness of the dangers associated with quad bikes, the availability of training, particularly through TasTAFE, and the importance of safety in relation to the use of quad bikes.

### 3. **Helmets.**

**Q 1. *In your experience, is there a high prevalence of quad bike users wearing helmets?***

Response:

Anecdotal evidence is that both farm owners, their family members, and their employees operate quad bikes without wearing a helmet.

However, we are aware that many of our members are taking a stricter approach to quad bike safety and do insist that their employees wear a helmet when using a quad bike, failing to do so being a disciplinary matter. PET encourages this attitude amongst its members.

**Q 2. *What would encourage greater use of helmets?***

Response:

Continuing communication and education. The promotion of workplace appropriate helmets would assist quad bike users in obtaining a helmet that suits their particular needs.

**Q 3. *What is currently is a barrier to the wearing of helmets?***

Response:

- a. A lack of awareness of the different types of helmets available that are suitable for use for a quad bike user.
- b. Comments regularly heard from quad bike users are that motorcycle helmets are too hot, too heavy, impair vision, and reduce hearing ability.
- c. Availability of suitable helmets of appropriate size to cater for young people using quad bikes.

**Q 5. *Would you support the creation of an Australian Standard for quad bike helmets?***

Response:

Yes. This would provide appropriate guidance to users.

The current New Zealand Standard *NZS 8600(ATV)* for quad bikes and on-farm motorcycle usage provides good guidance.

**Q 6. *Should helmets be mandatory (legally required) for quad bike riders?***

Response:

Legislation already exists that requires employers and employees to comply with safety standards. The legislation places duties on designers, manufacturers, importers and suppliers of plant that is used or may be used at a workplace to ensure, so far as is reasonably practicable, that the plant is without risks to health and safety.

Additional legislation or regulations will not change existing usage. This will change through education and communication which confirms the requirement to comply with existing requirements.

#### **4. Rollover protection.**

*Q 1. Have you installed rollover protection? If so, what has been your experience? If not, why not?*

Response: Many of our members who use quad bikes on their farms have fitted crush protection devices to their quad bikes. As an organisation, we encourage our members to always use safe methods of operation and comply with relevant legislation.

*Q 2. Is the cost of installing rollover protection a barrier?*

Response:

Cost is always a factor when implementing change but increased awareness of the risks and the serious, if not fatal, consequences of an incident will override the cost constraints. However, suitable financial incentives, including government rebates, would increase the number of quad bikes with appropriate protection.

#### **5. Government-led action.**

*Q. Do you support the development of an Australian Standard for quad bike design standard?*

Response:

Yes. This would ensure minimum safety requirements and design features appropriate to usage.

#### **6. Consumer safety rating system.**

*Q 1. Would a safety rating system affect your purchasing choices in the future?*

Response:

A safety rating system would be difficult to introduce as the uses to which quad bikes are put vary, and the situations in which they operate vary. For example, the use of a quad bike in an orchard is different to the use of a quad bike on a dairy or livestock property.

It is thus questionable what would be assessed.

*Q 2. If a system was implemented, what do you think should be included as part of the system?*

Response:

A safety rating system for helmets and crush protection devices may be appropriate.

#### **7. Rebate scheme.**

*Q. Would a similar rebate scheme deliver improved quad bike safety in the Tasmanian context?*

Response:

Yes. Both NSW and Victoria have developed and implemented rebate schemes designed to encourage farmers to fit a rollover protection to their quad bikes or consider replacing quad bikes with an alternative.

In NSW, the rebate can go towards training courses or the purchase of compliant helmets, operator protection devices or an alternative safer vehicle.

In Victoria, the rebate can go to the cost of installing crush protection devices.

We agree that a similar scheme introduced in Tasmania would be very well supported by the rural sector.

**SUMMARY:**

1. Additional legislative or regulatory penalties will not assist in the reduction of injuries or fatalities on rural properties.

2. Increased awareness of the risks and consequences of inappropriate quad bike use is essential.

3. A rebate scheme would assist to increase the use of crush protection devices to be fitted to existing quad bikes.

Coupled with subsidised training programmes and an ongoing education programme, a safer use of quad bikes would ensue.