

BULLETIN

VACC Occupational Health, Safety and Environment



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WorkSafe Victoria Now Enforcing Roll-Over Protection on Quad Bikes

In early 2016, WorkSafe Victoria commenced a Quadbike Program which launched a regional campaign to make farmers and quadbike users aware of the dangers of quadbike use. WorkSafe launched a television commercial, relaunched quadbike guidance, supported the development of a star rating system for quadbikes and side-by-sides and most controversially, acknowledged Operator Protective Devices (OPD) as a suitable control to be retrofitted to quadbikes.

As most members are aware, WorkSafe Victoria and New South Wales have rolled out a rebate campaign for OPDs or substituting quadbikes for side by sides. A lot of VACC Members have received queries and work from customers on rebates to sell OPDs or trade in for a side-by-side.

As per the VACC Safety Alert in October 2017, Marnie Williams (WorkSafe's Executive Director) announced that quadbike enforcement will commence in March 2018. Yesterday, a VACC Motorcycle Dealer Member brought to the attention of VACC that a customer/farmer was issued an improvement notice from WorkSafe. The contravention was regarding the risk associated with the Quad Bike overturning in the farming workplace. The improvement notice outlined the ways the farmer may achieve compliance, the options are:

1. **Eliminating the use of the quad bike** from the workplace; or
2. Using an **alternative vehicle designed for use in agriculture with roll-over protection** and fitted seatbelts which is appropriate to the terrain and conditions of the workplace (such as a 4WD utility vehicle, a side-by-side vehicle or utility task truck); or
3. **Retrofitting an appropriate operator protective device** (such as a roll-over protective structure). The roll-over protective structure should be manufactured in accordance with approved engineering standard and independently tested.

The farmer in this case is looking at retrofitting the OPD. The member provided VACC a redacted copy of the Improvement Notice as evidence of WorkSafe's enforcement on quadbikes. This improvement notice demonstrates WorkSafe's legal precedent and acknowledgement to retrofit an OPD. The farmer has been given one month to comply with the notice.

VACC Members should prepare for an increase in requests and work from quadbike customers regarding this enforcement. Please provide feedback to the VACC OHSE Unit if any customers are experiencing any unusual advice or requests from Inspectors. VACC also wants to ensure its members are not caught out legally under the OHS Plant Supplier Duties.

For further queries please contact the VACC OHSE Unit on 03 9829 1265 or by email ohs@vacc.com.au.

Regards

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