

Question on Notice

No. 858

Asked on 18 August 2004

MR FOLEY asked the Minister for Employment, Training and Industrial Relations (MR BARTON)—

QUESTION:

With reference to an issue raised by a constituent of mine that large ride-on mowers, some up to 800 kg and heavy three and four wheel farm bikes are being sold without roll bars and his suggestion that roll bars at least to head height be fitted to avoid the many accidents that are happening, that lead to spinal and other injuries which are very costly to the community—

Will he introduce changes that will address this problem?

ANSWER:

Farm machinery safety audit

Workplace Health and Safety Queensland is currently undertaking a statewide audit of rural mobile plant that includes tractors, Power Take Off equipment, agricultural motorbikes and ATV safety. This audit will provide guidance on mechanisms to improve safety on ATVs.

Workplace Health and Safety Queensland has finalised the first phase of the audit campaign. Phase two of the audit campaign will commence in 2005 after the initial data has been reviewed and stakeholders have been consulted.

The phased audit process allows for Workplace Health and Safety Queensland to identify issues and concerns of farmers and other stakeholders and build this into the ongoing audit campaign which further increases the effectiveness of the compliance campaign.

Large ride-on mowers

The *Workplace Health and Safety Act 1995* places obligations on suppliers of new and used plant and on employers.

The Workplace Health and Safety definition of “plant” includes machinery such as ride-on mowers.

Under section 32B of the *Workplace Health and Safety Act 1995* a supplier of new plant for use at a relevant place for the plant has an obligation to ensure the plant is accompanied by information about the way the plant must be used to ensure health

and safety. A supplier of used plant for use at a relevant place for the plant has an obligation to ensure the plant is accompanied by information about the way the plant must be used to ensure health and safety, if the information is available.

Furthermore, last year the former Minister for Industrial Relations introduced regulations for the fitting of rollover protective structures on tractors. Ride-on mowers, in the weight range 560 kg to 15 tonnes, which fall within the ambit of any part of *Australian Standard 1636 – Tractors – Roll-over protective structures*, are a tractor, and must meet the requirements of the regulation. These larger ride-on mowers must therefore be fitted with a ROPS when sold.

My department's progressive application of legislative obligations on designers, manufacturers, suppliers, employers and persons in control of rural workplaces has had a positive impact in that a higher proportion of newer ride-on mowers are being structurally designed and supplied with roll over protective structures.

Four wheel Agricultural bikes (ATVs)

All Terrain Vehicle (ATV) safety has been raised by a number of rural groups, local councils, and both the *Rural Sector Standing Committee* and the *Transport and Storage Sector Standing Committee*.

Statistics are showing an increase in the number of both fatal and non-fatal accidents involving these machines in Queensland, other States, and other countries.

The issue of ATV safety has been raised in many issues of the *Farm Safety Newsletter* (issued by the Department of Industrial Relations). ATV safety has also been promoted by Workplace Health and Safety Queensland officers at farm safety conferences and seminars. A *Rural Safety Link* about safe ATV use is also available from the department.

The present state of knowledge concerning rollover protective structures (ROPS) for ATVs is not adequate to allow the making of a regulation requiring ROPS on ATVs. Currently, there is no Australian Standard or other significant International Standard for the design of ROPS for ATVs. Further engineering research and testing is required in this field, and this is recognised by researchers around the globe.