

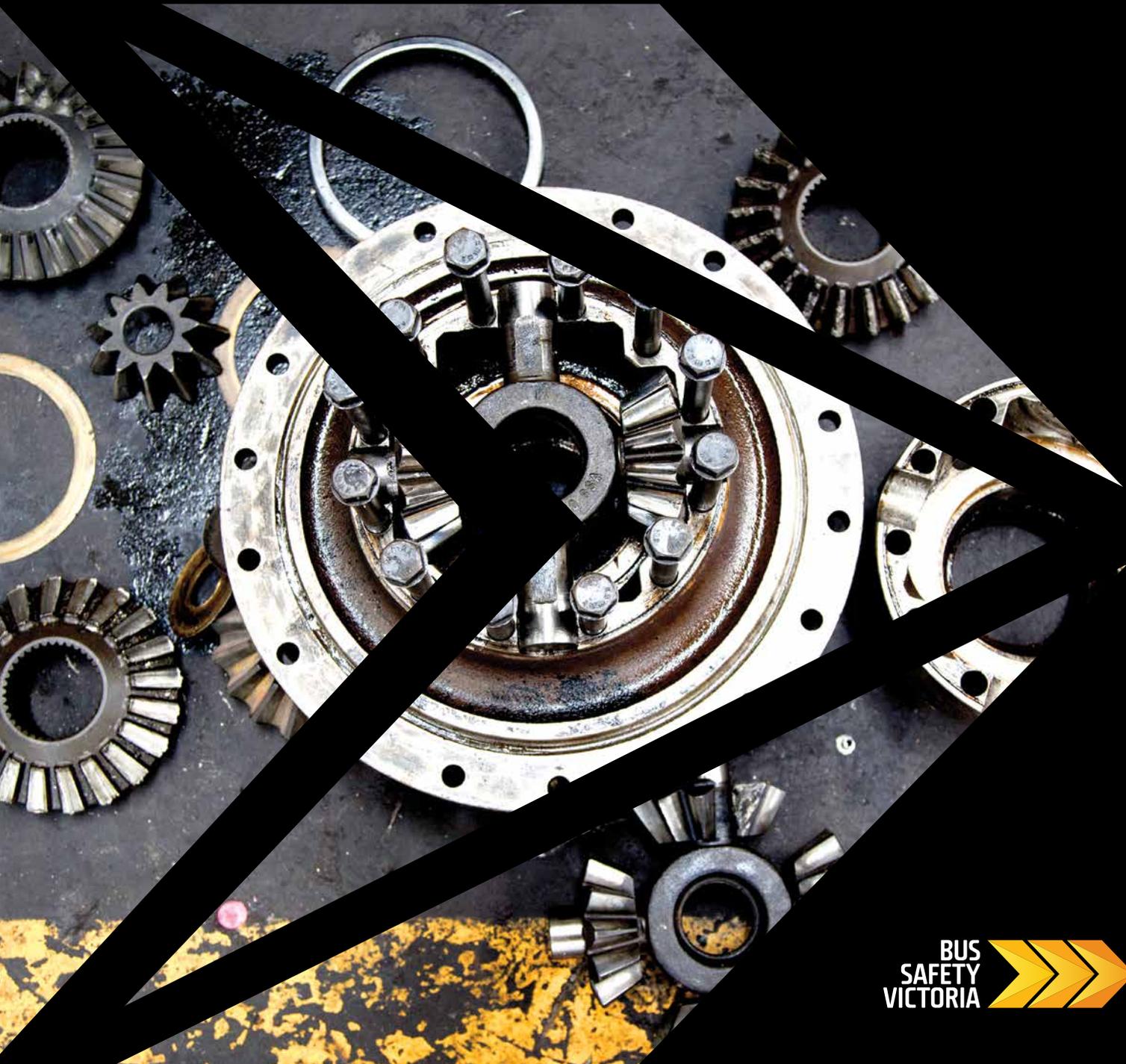
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BUS SAFETY NEWS





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WE VALUE YOUR FEEDBACK

We endeavour to provide you with the most recent and topical industry news and explain how we are exercising our regulatory responsibilities.

If you have any feedback on this publication or have an article idea for future editions, please send an email to information@transportsafety.vic.gov.au or phone us on 1800 223 022.

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FROM THE DIRECTOR

Welcome to the first edition of Bus Safety News (BSN) for 2015. I look forward to this year being a safe and prosperous one for everyone in Victoria's bus industry.

That said, I am surprised at the number of bus operators who seem to be intending to exit the industry come 31 December. I have formed this view because of the significant number of bus operators who currently hold deemed accreditation, which ceases by law on 31 December 2015, and who have failed (so far) to submit their application for accreditation under the *Bus Safety Act 2009* (Vic) (BSA).

I cannot put it more clearly than this - **If you are not accredited under the BSA by 31 December 2015, then you cannot legally provide a commercial bus service from 1 January 2016.**

I urge all deemed accredited bus operators who wish to provide a commercial bus service post 31 December 2015 to submit their application for accreditation as soon as possible. Leaving it to the last minute is not an option. The cessation of all deemed accreditations is set in the law and will occur on 31 December 2015.

Accreditation is the permission required by law to provide a commercial bus service. If you, the bus operator, are unsure of the status of your accreditation then you should ask yourself two questions. Firstly, "Was I accredited prior to the 31 December 2010?" Secondly, "Have I applied for and been granted accreditation under the BSA since 31 December 2010?"

If the answer to the first question is YES and the answer to the second question is NO, then you currently hold deemed accreditation and your permission

(accreditation) will cease at midnight on 31 December this year.

We are exploring the option of publishing on our website a list of all deemed accredited bus operators who have not yet submitted an application for accreditation. If you are in doubt about the status of your accreditation, please contact us.

In terms of accreditation applications, we continue to receive incomplete applications. Assessment and processing of an application cannot commence until it is complete. Before sending in your application, please take the time to carefully go through each item of the checklist to ensure that you are submitting all that the law requires when applying for accreditation. We endeavour to assess and process complete applications as fast as we are able - having to chase up missing items from the applicant slows down the process and risks your application dropping down the priority order.

The one exception to this is where applicants have successfully completed the Safety Management Course for Bus Operators and have not yet received their course certificate from Monash University. In this case please don't delay submitting your application. Let us know when submitting your application that you have completed the course and you are yet to receive your course certificate. With this information, and as long as all the other required items are provided with the application, we can commence assessing and processing your application. You then only need to provide us with a certified copy of the certificate and we can quickly finalise your accreditation.

Included in this edition of BSN is an update on our bus safety forum program which has seen us visit a number of regional centres across the State. These forums have been well attended by all sectors of the bus



industry - accredited and registered bus operators, bus drivers, licensed bus testers and also a number of attendees who were either responsible for contracting (procuring) bus services or who had some involvement in where bus stops are located and maintained.

You may be aware we initiated a project in late 2013 to investigate whether changes to the Maintenance Management System mandated vehicle safety inspections could be made without adversely impacting bus safety. A number of bus operators volunteered to participate in the project and we now have detailed maintenance and defect data for over 100 buses covering a year's operation for each bus. While the majority of buses in the project were operated in the route bus role, sufficient data has been obtained to also draw conclusions across all types of commercial bus services. An update on the project is included in this BSN as well as our regular updates on compliance activities and incident trends.

One item in this edition that I strongly suggest you read is the article, kindly contributed by Peter Kavanagh from BusVic, about the outcomes of the bus driver wellbeing study that was initiated by BusVic and jointly funded by BusVic, TSV, Public Transport Victoria and the Transport Workers Union. The health and wellbeing of bus drivers are a critical factor in the safe provision of bus services. This research work will assist the industry in identifying and designing strategies that contribute to the future safety of bus drivers and, in the broader picture, the bus services they are essential for.

Happy reading.

A handwritten signature in black ink, which appears to read "Stephen Turner". The signature is fluid and cursive.

STEPHEN TURNER
Director, Bus Safety

CHANGES IN CIRCUMSTANCES

UNDER THE *BUS SAFETY ACT 2009* (VIC) (BSA), ALL ACCREDITED AND REGISTERED BUS OPERATORS MUST NOTIFY TSV OF ANY RELEVANT CHANGES IN CIRCUMSTANCES.



A relevant change in circumstance includes any change to the information you provided in your initial application.

This includes a situation when there is:

- Change in your contact details (phone number, email address, registered address etc.)
- Change to the size of your fleet
- A relevant or responsible person changes
- A relevant or responsible person is convicted of a criminal offence
- The contact person changes
- An operator ceases to provide a bus service, becomes insolvent or in the case of a corporation is placed in administration
- The corporate structure of the operator changes (e.g. the accreditation is held by a partnership and the partnership is dissolved)
- Change or addition to the type of bus service you are providing (e.g. you currently provide a contracted school bus service and you decide to expand your bus operations to include charter services)
- A change to the manner of operating the bus service that has or may result in the operator not being able to comply with the requirements under the BSA.

Note: accredited operators are not required to advise of changes to their Management Information Systems & Management Maintenance Systems (e.g. changes to the risk register or pre-trip inspection checklist). These changes will be captured during scheduled audits.

To advise of any relevant change in circumstance, please email TSV at information@transportsafety.vic.gov.au

TACKLING BUS OPERATOR COURSE ASSESSMENT

One way an applicant for bus operator accreditation may demonstrate that they have the competence to operate a commercial bus service or local bus service safely is to complete the Safety Management Course for bus operators. The course is delivered by the Institute of Transport Studies (ITS) at Monash University. Bill Kilpatrick, Program Leader at ITS, shares some advice about how to best tackle the course requirements.

- The topic notes for each subject provide all the information necessary to complete the "take-home" examination paper. The exam questions are practical and relate to requirements for establishing safe operations and management systems. Each question relates to a specific topic in the course notes.
- Answers to exam questions should be related to how the bus operator's current business operates now or will in the future. If not currently operational, course participants can describe how they intend to operate once accredited. This makes the effort put into the course practical and something to assist in operating safely and meeting TSV compliance requirements.
- There are no trick exam questions. Exam questions generally require short answers. Except where a question specifically asks for a simple "Yes/No" response, it is important to answer concisely in your own words but with as much information as necessary to demonstrate an understanding of the safety concept or management requirement.

If you are unsure of the specific requirements of an exam question, or have questions relating to the content of the course notes, contact:

Bill Kilpatrick

Email: bill.kilpatrick@monash.edu

Phone: (03) 99051850

John Clements

Email: john.clements@monash.edu

Phone: (03) 99054978.

IN BRIEF

DEEMED ACCREDITATION EXPIRES ON 31 DECEMBER 2015

As the deadline for deemed accreditation looms, approximately 410 deemed accredited bus operators are still yet to apply for accreditation under the *Bus Safety Act 2009* (Vic) (BSA).

If you are a deemed accredited bus operator and you are yet to submit your application for accreditation, TSV urges you to do so as soon as possible.

Deemed accreditation will cease on 31 December 2015 and there will be no extensions granted.

CONDITIONS OF REGISTRATION AND LEGISLATIVE OBLIGATIONS

A registered bus operator must comply with the conditions of registration specified in section 22(6) of the *Bus Safety Act 2009* (Vic) (BSA). Conditions of registration include retaining and producing a certificate of registration if requested by the Safety Director; and notifying the Safety Director of any changes in circumstances.

A registered bus operator must also comply with the legislative obligations applicable under the BSA and Bus Safety Regulations 2010. Legislative obligations include, but are not limited to:

- completing an annual bus safety inspection on all buses operated
- developing, maintaining and implementing an alcohol and drug management policy
- ensuring that a serviceable fire extinguisher is fitted to all buses operated
- ensuring that each person who drives a bus holds the appropriate driver licence, and
- notifying the TSV Safety Director of a bus incident in the required form.

Please note that the above is not a full list of the legislative obligations applicable to registered bus operators. For a full list, please refer to your conditions of registration and legislative obligations document sent to your contact person upon initial registration as a bus operator.

REPORTING BUS INCIDENTS

There has been a considerable increase in the number of operators reporting bus incidents to the TSV Duty Officer and **not** sending written bus incident notifiable reports to TSV.

Conversely, there have also been cases of operators sending the bus incident notifiable reports to TSV and **not** reporting the incident to the Duty Officer.

Accredited and registered bus operators must:

- orally notify the Safety Director, through the Duty Officer, as soon as possible after becoming aware that a bus incident has occurred, and
- provide the Safety Director with a written notification of the bus incident within 72 hours after the bus incident.

The Duty Officer can be contacted on **1800 301 151**.

If you require further clarification about the reporting requirements, please contact us on 1800 223 022.

GIVING WAY TO BUSES RULE

TSV has received a number of enquiries from both the public and industry in relation to the rule requiring motorists to give way to buses.

In a built-up area motor vehicles must give way to a bus that is signalling to pull out from the kerb and is displaying a 'Give Way To Buses' sign. TSV recommends that the public and industry alike familiarise themselves with the *Road Safety Rules 2009* (Vic) or contact VicRoads for more information about applicable road rules.

Bus drivers should also keep in mind that as a bus safety worker they have an obligation under the *Bus Safety Act 2009* (Vic) to take reasonable measures to ensure the safety of persons who may be affected by the act or omissions of the bus safety worker.

Bus drivers should therefore take into consideration when merging into traffic conditions such as the speed zone for the section of road, weather conditions and the distance the motorist is from the bus.

It's important to remember that safety is the shared responsibility of everyone including bus operators, bus safety workers and members of the public.

BUS SAFETY FORUMS

Over the last 12 months, TSV has held bus safety forums in Melbourne, Bairnsdale, Bendigo, Geelong, Ballarat and Warrnambool.

The forums consist of presentations by the Director, Bus Safety and TSV managers on topics such as issues found with applications for bus operator accreditation and registration, overview of past audits and future changes, and issues identified during bus checks by TSV officers. We have also shared some safety lessons learnt from the Texas bus fire and provided guidance on passing the "Safety Management Course for Bus Operators" course.

If you would like to meet the Director, Bus Safety, TSV managers, staff from Monash University and have your queries answered, come along to one of our friendly and informal bus safety forums.

Further forums are scheduled for Wangaratta in March and Mildura in May and operators in these regions will receive invitations in due course.

STUDY INTO BUS DRIVER WELLBEING

A project is currently underway to investigate the nature and type of incidents affecting the welfare of the bus and coach workforce, most notably, bus drivers. The project is also looking into the current mental health status of bus drivers and identifying potential contributing risk factors for mental health and wellbeing problems.

The initiative is jointly funded by Bus Association Victoria, Transport Safety Victoria, the Transport Workers Union and Public Transport Victoria.

The study so far has shown that the industry is successful in retaining a highly committed workforce with the majority of employees being satisfied with their work. The work environment for bus drivers is a dynamic and challenging one that is characterised by isolation from other working colleagues for most of the day and the physical challenges of sitting down for long periods of time without breaks.

There are a number of variables which have an impact on bus drivers that are outside of their control or the control of bus operators. For example, running on time pressure, traffic congestion, and abusive, aggressive and potentially violent passengers. This lack of control can lead to feelings of powerlessness, frustration and stress, which are potential precursors of mental health problems.

The study results indicate that bus drivers are showing signs of stress and undiagnosed mental illness in higher numbers than might be expected in the general population. Not surprisingly, assaults on bus drivers by passengers had significant negative impact on the driver's mental health and wellbeing, the productivity of businesses and the overall reputation of the industry.

A series of recommendations have been put forward to assist bus operators and the industry to understand the issues and consider the many promotion, prevention and early intervention choices that are available.

Recommendations include:

- Establishing an industry advisory group of stakeholders to plan, develop and review, monitor and evaluate an industry tailored strategic response. This is the most important step, to bring about a genuine leadership group which can demonstrate genuine commitment, funding, resourcing, and ongoing evaluation for a long term and sustainable journey ahead.
- Potentially establishing smaller scale local consultation between bus operators, managers and employees.
- Improving physical health and therefore mental health. This could include bus operators introducing healthy food options, shower and gym facilities (or gym memberships).
- Reviewing job and physical design of environment. This includes flexible shift duration, rosters, and driving seats to address high level of shoulder and back pain experienced by drivers.

- Implementing a visual public education campaign to address inappropriate communication and behaviour, and increase respect for bus drivers.
- Offering counselling and peer support at the time of the incident for those who are traumatised or distressed by an event or situation.
- Providing education, training and provision of resources in areas such as mental health awareness, helping bus drivers deal with customer aggression, resilience and self-care strategies, nutrition and lifestyle, financial literacy and the like. These types of ongoing measures will go towards creating mentally healthy work environments.
- Establishing peer support services internally within bus operators and/or as an external service. Peer support services are individuals or a group of individuals who voluntarily, and comfortably share their lived experience of a mental illness or love and care for someone who does. Peers help with developing supportive safe relationships with staff who are struggling to gain some understanding from someone who has been there before and is recovering.

More work will be done in the coming months to finalise the findings and recommendations with the view of presenting them to the industry.

NEW STARTER: EMMY

Emmy hard at work.

Imelda (Emmy) DuLake joined us in September 2014 as a Bus Safety Administration Officer (Audit).

Emmy comes to TSV with a wealth of experience working in the Victorian Public Service, which includes stints with the Electric Vehicle Trial and the Taxi Services Commission (formerly known as the Victorian Taxi Directorate). Let's get to know Emmy.

What has attracted you to this role?

Two things - opportunity and familiarity.

I was keen to seize an opportunity to continue my almost 30 year challenging journey in the transport industry. I also couldn't have asked for a better place to spend what "may be" (hopefully not) my last year in the transport environment. There are a number of people here who I have previously worked with in the department and I'm grateful for the opportunity to work with them again.

What does your typical day consist of?

My day usually commences with an early morning wake-up call by Molly's whining (our four year old puppy), a nice strong coffee and "home made" on the go breakfast in the car and a nice breezy walk to work.

My day at work consists of laughter, chuckles and giggles. I am very lucky to work with a bunch of cohesive, quick-witted, hardworking, fun and cool people .

You have worked at the Electric Vehicle (EV) Trial. What are some of the highlights of that experience?

Three highlights stand out for me.

1. I was featured on YouTube while demonstrating how to drive and to charge an electric car during the launch of the first fast-charging stations at Moreland City Council on July 2013.
2. I attended the *Melbourne Electric Vehicle Expo on February 2014* on behalf of the EV Trial Manager. For almost the whole day, I was talking to different groups of stakeholders and showing all the curious attendees how to drive and charge the Nissan Leaf. It was great to watch the amazement on their faces after having to figure out how fun and easy it was to drive an electric car. It was also amazing to meet so many passionate people who were already owners of electric cars. There was certainly an overwhelming amount of knowledge about electric cars and charging infrastructure that I acquired during the expo.
3. When I collected one of the Nissan Leaf electric cars from one of the Trial participants in Geelong. Driving an electric car at 100kph along one of Victoria's major highways for over an hour was particularly memorable.

You have also worked at the Taxi Services Commission. Has it been easy transitioning between taxis and buses?

The transition has been easy and pleasant. I would like to thank everyone within TSV's Bus Safety branch for their warm welcome and support over the last few months. I particularly thank Shaun, my manager, for his tireless effort right from day one to make sure that I am OK, happy and comfortable by making sure that I've got all the support and information I need.

What was your first job?

One month after I arrived in Melbourne, I got a job at the small take away shop along Victoria Street, near the market. It was my first "short term" role and I worked there for only two weeks. The owner and myself had different opinions about "sharing your blessings with others who need a little portion of what we have". I was fired for serving a beggar a free coffee and meal.

On a positive note, a few months after getting fired, I got my first "long term" job with the Department of Transport

What do you enjoy doing outside of work?

I actually enjoy everything I do outside work. This includes spending time with my family and friends, enjoying great food and wine with people I share the same goals with, like "Live Life to the Fullest". It's important to appreciate all the blessings in our lives and make sure to share those blessing with others who need a little portion of what we have.

What is one book which changed your life?

My mother's unwritten life story book.

What's your favourite quote?

My mother's life's quotation "It is easy to be human BUT for some - it is a struggle to behave like one" (I think this is the correct English translation - lol!)

BE VIGILANT WHEN CONDUCTING INSPECTIONS



TSV was recently advised by an operator that when attempting to refuel his bus he noticed the fuel tank filler neck was no longer aligned with the opening in the body of the vehicle.

An inspection of the tank revealed that both metal straps used to secure the fuel tank to the bracket had cracked.

It was further discovered that one strap had been broken for some time - it cracked at the rear of the looped hinges which are in an area not easily visible.

This is a good example where mechanics should be vigilant when conducting bus inspections.

MOVING WITH THE TIMES

As foreshadowed in previous editions, BSN is moving away from a printed format and into the digital age.

From next edition, BSN will be published in an electronic only format and will be available for download from the TSV website.

The newsletter will also be sent out by email. To ensure you are on the mailing list for future editions of BSN, please email us at information@transportsafety.vic.gov.au

You can also follow us on twitter [@TSVsafety](https://twitter.com/TSVsafety)

SUMMARY OF COMPLIANCE ACTIVITIES

SINCE THE LAST EDITION OF BSN, TSV HAS CONDUCTED COMPLIANCE INSPECTIONS AT SOVEREIGN HILL, BAIRNSDALE, PHILLIP ISLAND, YARRAGON AND PORT CAMPBELL. THE INSPECTIONS HAVE BEEN CONDUCTED IN CONJUNCTION WITH VICTORIA POLICE, SHERIFF'S OFFICE VICTORIA, PARKS VICTORIA AND VICROADS.



Recent compliance operation at Twelve Apostles

The most common area of operator non-compliance was not having fire extinguishers tested within the required timeframe.

The table below details the outcomes of the compliance activities conducted between 1 January - 1 March 2015 and the non-compliances identified.

TSV is following up these non-compliances with the applicable bus operators. Where non-compliance is found, bus operators and bus safety workers may be subject to enforcement action that ranges from fines and defect notices, to improvement and prohibition notices.

Operators are reminded that TSV has commenced exercising the enforcement tool of infringement notices issued under the Transport (Safety Compliance and Enforcement) (Infringements) Regulations 2014.

Matter	Accredited bus operator	Registered bus operator	Bus operator - not accredited or registered	Total
Number of buses inspected	146	13	3	162
Fire extinguisher not maintained in an operating condition	29	4	-	33
No carrying capacity signage	23	-	-	23
Defective tyres	3	-	-	3
Drivers' licence / driver accreditation issues	10	-	-	10
Work diary issues	8	-	-	8
TSV Infringement	10	-	-	10
Prohibition Notice	2	-	-	2
Defect Notice	26	-	-	26

OPERATOR PROFILE

MCHARRY'S BUSLINES (ASHLEY MCHARRY)

Ashley (on the right) next to his father, Managing Director John McHarry.

McHarry's Buslines is a family-owned bus company in Geelong, Victoria, dating back to 1932. It operates public transport bus routes in Geelong, and on the Bellarine Peninsula and the Surf Coast, as well as school bus and charter services. The company's fleet consists of 180 buses and coaches.

We had a chat with Ashley McHarry, the company's Executive Director.

How did you get involved in the bus industry?

Being a member of a family involved in a family business I have been involved from a young age. However, I started seriously at around 20, when I found myself spending more time at the depot than I was at the University I was supposed to be studying at. So I took on a motor mechanic's apprenticeship instead. I have subsequently worked in various areas of the business including as a driver and in operations and have been involved at an industry level with the various committees of BusVic for many years.

How has the bus industry in the Geelong area changed over time?

I can only comment on the last 20 years but in my time the use of technology is the biggest change and has had an impact on almost every area of the operation. In

particular this has resulted in improvements in administration, vehicle reliability and efficiency, driver comfort and security and passenger information and experience. When I started, if a passenger wanted information they would have to pick up the phone and call us. Now they pick up their mobile phone and look it up on the internet.

What are the "highlights" and "lowlights" of your job?

Definitely one of the lowlights is seeing how some members of the public treat our drivers. Having to install security barriers and CCTV cameras in many of our buses is a disappointing but necessary result. The highlight is seeing everyone within our organisation working together to provide safe and reliable public transport, every day.

What are some of the biggest challenges facing bus operators today?

There are changing expectations from all stakeholders on what is required from a bus operator. For example, customers expect and have access to more information than ever, regulators are requiring a greater emphasis on safety systems and documentation, in the workplace we need to have an approach that looks at managing the 'whole person' rather than just managing the direct cost of an employee, and contracts are placing more emphasis on performance and innovation. All of these changing expectations require operators to manage their costs as wisely as ever.

What are the main safety risks you see in providing your bus service? How do you mitigate these risks?

Those risks which have the potential to cause serious injury and fatalities, such as a bus fire, rollaway bus or serious road accident, remain ever present. We are also seeing the emergence of issues such as driver assault and the mental health of employees. These risks are managed through new safety features designed into our vehicles but also through our induction, and ongoing communication and training programs.

In what areas can TSV be a better regulator?

TSV should ensure a high level of engagement and co-operation with various agencies such as BusVic, VicRoads, the National Heavy Vehicle Regulator and other relevant Government agencies both in Victoria and Interstate, to ensure a consistent and consultative approach to safety issues. I would also like to see more on-road compliance initiatives in tourist areas rather than desktop paperwork audits to help ensure compliance with safety standards by all bus operators. I would also like to see operators having more opportunity to learn from the experience of others via newsletters and holding safety forums on a regular basis.

Interested in finding out more about McHarry's Buslines? Visit mcharrys.com.au

NEW BUS SAFETY VICTORIA BRANDING

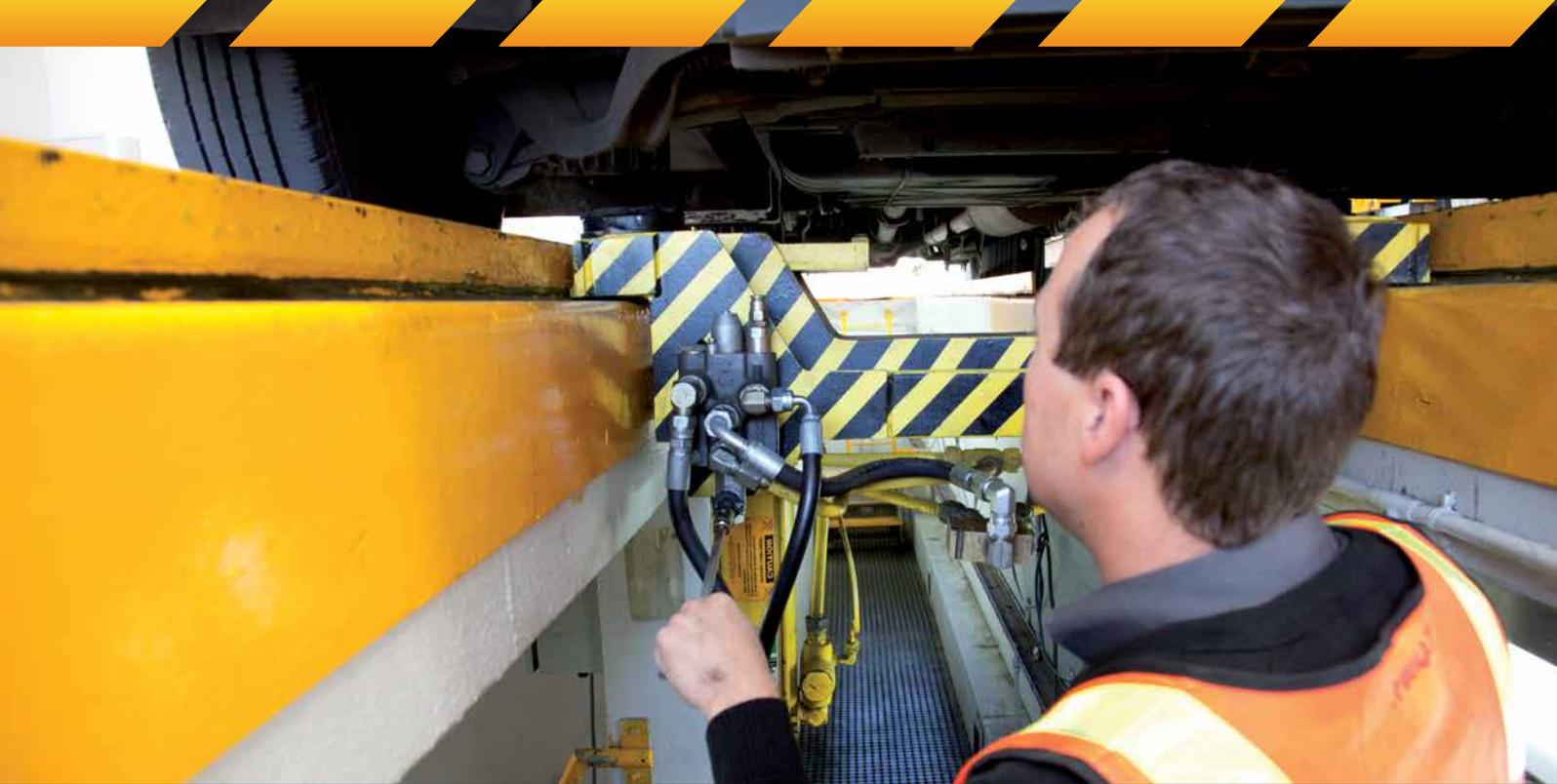
You may have noticed the new look branding of this edition of BSN. We recently revamped our organisational branding to provide better clarity for our stakeholders, which also includes maritime and rail industries.

In respect to buses, TSV will now be referred to as Bus Safety Victoria. We remain a branch of Transport Safety Victoria. Over time, all of our communication with you, such as letters, emails, guidance material, and even the way we identify ourselves over the phone, will reflect this branding.

It is important to keep in mind that the new brand will have absolutely no effect on our role and the duties we undertake. As the safety regulator, TSV will continue to seek the highest transport safety standards from the bus industry. In short, it will be business as usual.

If you have any questions about the new branding, don't hesitate to email us on information@transportsafety.vic.gov.au





ANNUAL AND QUARTERLY SAFETY INSPECTIONS

An annual safety inspection (ASI) may now be substituted for one of the required quarterly vehicle safety inspections (VSI). A VSI, however, may not be undertaken in place of an ASI.

All operators must ensure that each bus used to provide a service undergoes an ASI in addition to at least three VSIs each year.

TSV has produced guidance material which outlines the requirements and examples should you decide to introduce the process into your maintenance management system.

The material has been sent to all accredited operators and can be downloaded from the TSV website www.transportsafety.vic.gov.au/bus-safety

LATEST INCIDENT STATISTICS

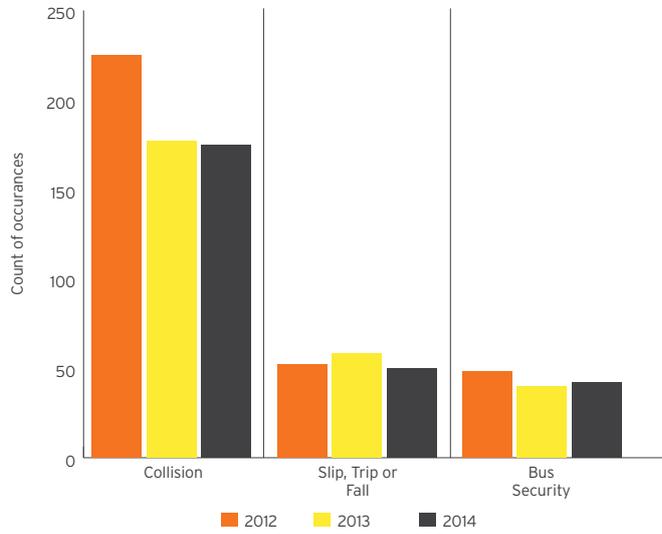
TSV has published the incident statistics for the fourth quarter of 2014 as well as the full calendar year on its website.

The statistics show some concerning trends relating to increases in collisions with cars and fires on buses. In the case of bus fires, there has been a steady increase in fires over the last five years.

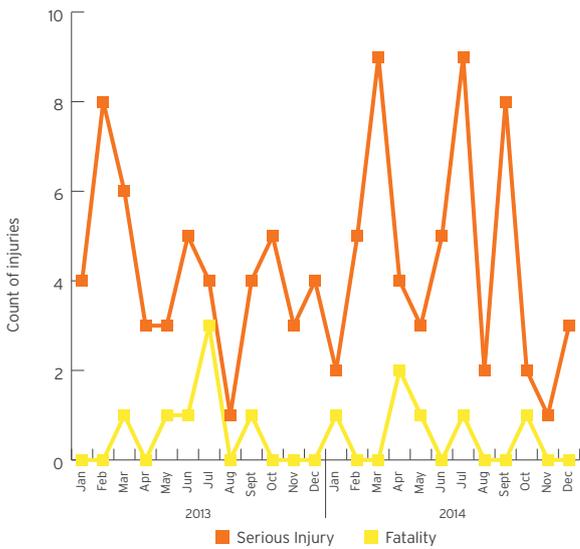
For this edition of BSN, TSV has also produced diagrams which show high level trend summary of incidents from the last three calendar years. These graphs are valid as at 28 January 2015 and are shown below.

If you have any questions about these diagrams, please contact us at information@transportsafety.vic.gov.au

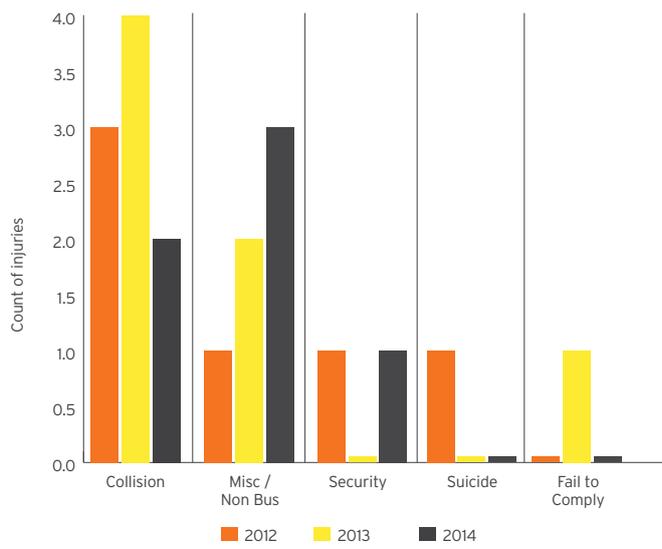
OCCURRENCES - TOP 3 OCC TYPES



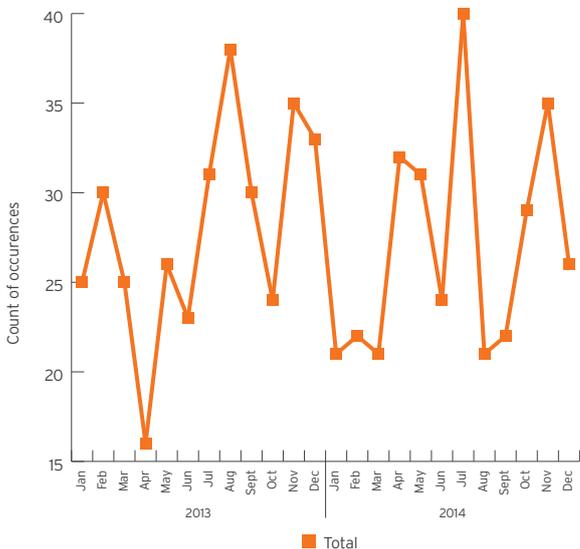
INJURIES - LAST 24 MONTHS



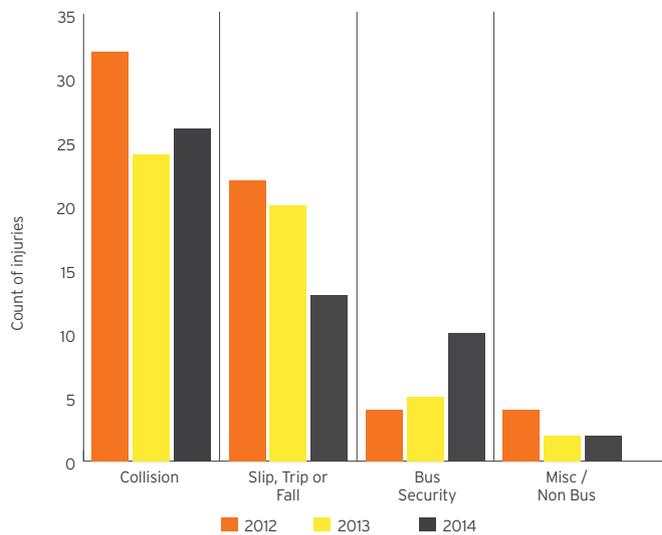
FATALITIES - OCCURRENCE TYPES



OCCURRENCES - LAST 24 MONTHS



SERIOUS INJURIES - OCCURRENCE TYPES



WHERE TO GET MORE INFORMATION

Transport Safety Victoria
121 Exhibition Street,
Melbourne, Victoria, 3000

PO Box 2797,
Melbourne, Victoria, 3001

T. 1800 223 022
F. (03) 9655 6611

E. information@transportsafety.vic.gov.au

W. www.transportsafety.vic.gov.au

Twitter. @TSVsafety

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This publication is also published as a PDF on www.transportsafety.vic.gov.au.

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This document should not be relied upon as a substitute for the relevant legislation, legal or professional advice.

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