

Bus safety worker competence

The excerpt from the BSA and the BSR are as follows:

BSA Division 2—Safety duties

BSA 15 Duty of operator

(1) An operator of a bus service must, so far as is reasonably practicable, ensure the safety of the bus service.

BSA 16 Duty of procurer

(1) A procurer of a bus service must, so far as is reasonably practicable, ensure the safety of the bus service.

(2) Without limiting subsection (1), a procurer of a bus service contravenes that subsection if the bus service is procured on terms that impose conditions or obligations which prevent or threaten, or are reasonably likely to prevent or threaten, the safe operation of the bus service.

(3) A person is not a procurer of a bus service only because the person provides funding to the operator of the bus service.

(4) An offence against subsection (1) is an indictable offence.

BSA 17 Duty of bus safety worker

(1) A bus safety worker must take reasonable measures to ensure the safety of persons who may be affected by the acts or omissions of the bus safety worker.

(1) An offence against subsection (1) is an indictable offence.

BSR Sch 3.8 Competence management

Programs for the management of competence to ensure that each bus safety worker and each person who has a role under the management information system is competent and appropriately trained to carry out the bus safety work or role they are employed or engaged by the bus operator to carry out.

BSR Sch 4.2 Competence management

Programs and processes for the management of competence to ensure that each person who has a role under the maintenance management system is competent and appropriately trained to carry out the role under that system that they are employed or engaged by the bus operator to carry out.

Regulation 40 Qualification or experience required to conduct vehicle safety inspections

(1) A person must not conduct a vehicle safety inspection unless the person satisfies the requirements specified by the Safety Director in accordance with subregulation (2).

(2) The Safety Director must, by notice published in the Government Gazette, specify the requirements that must be satisfied by a person to qualify as a person who may conduct a vehicle safety inspection.

- (3) For the purposes of subregulation (2), the Safety Director may specify any of the following—
- (a) relevant qualifications;
 - (b) relevant experience.

What does this mean – what do you need to do?

You are required to develop and maintain the records that are sufficient to record the competence of your bus safety workers to undertake their roles. Your records should include things like drivers' licence details but will also include information such as training undertaken. It is up to you to decide on the records that are relevant for the different bus safety workers that are involved in your operations.

This document refers to maintaining records that contain and monitor the ongoing currency of bus safety worker competencies.