



Australian Government
Department of Infrastructure and Transport

Reference: 02542-2012

Ms Cheryl Vella
Coroner's Registrar
Coroners Court of Victoria
Level 11
222 Exhibition Street
MELBOURNE VIC 3000

Dear Ms Vella

Thank you for your letter dated 2 May 2012 to the Hon Anthony Albanese MP, Minister for Infrastructure and Transport, about the investigation into the death of Mr Stuart Bullas on 25 April 2011 at the intersection of Sydney Road and Phoenix Street in Brunswick, Victoria (Court Ref: COR 2011 001465). The Minister has asked me to reply on his behalf.

The Vehicle Safety Standards Branch of the Department of Transport and Infrastructure is responsible for administering the *Motor Vehicle Standards Act 1989*. The Australian Design Rules (ADRs) are national standards under the Act and all road vehicles must comply with the relevant ADRs prior to supply to the market for use in transport in Australia.

The Australian Government has previously investigated the case for mandating underrun protection devices for heavy vehicles through the ADRs and as a result has required front underrun protection to be fitted to new vehicle models beginning January 2011. Front underrun protection has been found to be effective in preventing smaller vehicles from becoming trapped under larger vehicles during a collision.

At the time, the case for mandating side and rear underrun protection was not able to be justified. However, voluntary adoption of both side and rear protection is being actively promoted within the heavy vehicle industry and by road safety organisations and governments. The complementary nature of the ADR and these voluntary initiatives will help to reduce underrun events generally, including incidents such as the one that led to the death of Mr Bullas. The Department will continue to monitor the need for any further regulation through the ADR development process and the recommendation of Coroner Olle will remain an important consideration in this.

Yours sincerely

Robert Hogan
General Manager
Vehicle Safety Standards Branch
Surface Transport Policy



3 July 2012