

# Lessons Learnt – LL199

## Title: Insecure load

Incident	Description		
<b>Event Date:</b> 19/01/2021	<b>Time:</b> 08.00	<b>Location:</b> Whitikahu Road, Gordonton	<b>NP Ref. / External Ref.:</b> INV #7323 Maximo#129591
<b>What Happened (re-enactment of how trailer was loaded)</b>	<p>On the 18<sup>th</sup> January two staff members were tasked with loading trailers with the insulator hardware required for the following days' work. The following day a driver of one of the vehicles thought the load was secured from the previous day, so he hooked the trailer on to the Ute and left the depot for site. On the way to site he ran over a significant pot-hole and one of the insulator crates came off the trailer and bounced onto the road shattering the insulator.</p>  <p><i>Figure 1: This is a re-enactment of how insulators in the trailer were stacked and not secured at the back.</i></p>		
<b>Why it Happened:</b>	<ol style="list-style-type: none"> <li>1. The driver did not check that the load was secure before leaving the depot and driving to site.</li> <li>2. The two staff members tasked with loading the trailers on the previous day did not secure the load.</li> </ol>		
<b>The important things you should remember about this:</b>	<p>The driver of any vehicle has the ultimate responsibility to ensure any load they are carrying is secure. This is the 'double check that MUST take place.</p>		
<b>What you must do in the future OR What will happen next:</b>	<ol style="list-style-type: none"> <li>1. Safe Team Meeting will be the tool used to remind everyone on their responsibilities of securing loads. Ultimately the driver is the one responsible for ensuring the load is secure, but anyone tasked with loading the trailer is also responsible for ensuring they have secured the load.</li> <li>2. Transmission evaluate need for driver pre-use trailer inspections.</li> <li>3. Critical Control for securing loads will be investigated as part of the moving vehicle Critical Risk</li> </ol>		

<b>NZ Transport Legislation</b>	<p><b>42 Failure to Secure Load</b></p> <p>(1) A person operating a motor vehicle on a road, and any person loading that vehicle, commits an offence if the person fails to ensure that any load carried in or on the vehicle, or in or on a vehicle being towed by the vehicle driven by the operator, is secured and contained in such a manner that it cannot fall or escape from the vehicle.</p> <p>(2) If a person is convicted of an offence against subsection (1),—</p> <p>(a) the maximum fine for an individual is \$2,000 and the court may disqualify the person from holding or obtaining a driver licence for such period as the court thinks fit;</p> <p>(b) the maximum fine for a body corporate is \$10,000.</p> <p>Compare: 1962 No 135 s 70(1)  Section 42(1): amended, on 22 June 2005, by section 26 of the Land Transport Amendment Act 2005 (2005 No 77).</p>
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