Glossary

ABN – Australian Business Name

Accreditation Agreement – entered into by a business to become an accredited provider

Accredited Provider – Business accredited by Roads and Maritime Services to arrange escort vehicle services to the heavy transport sector

Authorised Escort Vehicle Driver – person appointed by Roads and Maritime to perform traffic direction while escorting oversize and/or overmass vehicles

Full Accreditation – accreditation granted to providers from phase three

HVNL- Heavy Vehicle National Law

NHVR – National Heavy Vehicle Regulator

OSOM EVDS – Oversize and/or Overmass Escort Vehicle Drivers Scheme

OSOM EVDS Business Rules - OSOM EVDS Business Rules for Accredited Providers and Authorised Escort Vehicle Drivers

OSOM EVDS Code of Conduct - OSOM EVDS Code of Conduct for Accredited Providers and Authorised Escort Vehicle Drivers

OSOM EVDS Operating Guidelines - OSOM EVDS Vehicle Requirements and Operating Guidelines


OSOM Movements – Journeys by oversize and/or overmass vehicles

OSOM Operators – Heavy haulage companies which transport oversize and/or overmass freight

Police - NSW Police

Provider Representative – person nominated by a company or partnership Accredited Provider to represent them in dealings with Roads and Maritime

Provisional Accreditation – Accredited providers will only be accredited during phases one and two

Road Rules (2014) – the NSW Road Rules

Statement of Appointment – Roads and Maritime will provide this document to authorised Escort Vehicle Drivers confirming their appointment to the role

Statement of Attainment - issued by the relevant Registered Training Organisation to confirm that the applicant has completed the required units of competence training

TMP – Transport Management Plan which is required for certain larger oversize and/or overmass vehicles (eg particular ones over 6 metres wide)
1. About the OSOM EVDS Business Rules for Roads and Maritime Services Accredited Providers and Authorised Escort Vehicle Drivers

1.1 Purpose

The purpose of this document (OSOM EVDS Business Rules) is to set out the administrative framework for the NSW Oversize and/or Overmass Escort Vehicle Drivers Scheme (OSOM EVDS). Under the OSOM EVDS, Roads and Maritime Services (Roads and Maritime) will:

i) Accredit persons, partnerships or corporations to provide OSOM vehicle escort vehicle services (Accredited Provider).

ii) Authorise persons, other than Police officers, who drive escort vehicles, to exercise traffic direction powers under rule 304 the Road Rules (2014) (Authorised Escort Vehicle Drivers).

iii) Take action to ensure that Accredited Provider and Authorised Escort Vehicle Drivers comply with the requirements of the OSOM EVDS.

Roads and Maritime and NSW Police (Police) will both continue to undertake routine enforcement action as part of their function of ensuring that all road users comply with their legal obligations.

This document should be read in conjunction with the OSOM EVDS Vehicle Requirements and Operating Guidelines (OSOM EVDS Operating Guidelines) and the OSOM EVDS Code of Conduct for Accredited Providers and Authorised Escort Vehicle Drivers (OSOM EVDS Code of Conduct) which together with these OSOM EVDS Business Rules make up the OSOM EVDS Policies and Procedures. Accredited Providers should also refer to the OSOM EVDS Accredited Provider accreditation agreement for phases one and two (Accreditation Agreement).

1.2 Background

Under the Heavy Vehicle National Law (NSW) (HVNL), heavy vehicles that exceed specified dimension and mass limits may only operate on NSW roads under the authority of an exemption notice or exemption permit issued by National Heavy Vehicle Regulator (NHVR) or NHVR delegate. Full details of the dimension and mass limits are available on the Roads and Maritime website. These vehicle movements are known as OSOM movements.

Notice or permit conditions may require an OSOM movement to be accompanied by an escort vehicle driven by a police officer or another person authorised to direct traffic under an Australian road law. Under the OSOM EVDS, Roads and Maritime will authorise certain persons who are not police officers to drive escort vehicles by appointing each of them as an authorised person to direct traffic under rule 304 of the Road Rules 2014 (NSW). Roads and Maritime will also accredit providers to manage the Authorised Escort Vehicle Drivers.

Until the commencement of the OSOM EVDS, Police will remain responsible for all OSOM escort vehicle services in NSW. A phased implementation is planned to facilitate the reallocation of Police resources.

(a) Phased Implementation

i) Phase one: The OSOM EVDS will commence, subject to the training and appointment of Authorised Escort Vehicle Drivers, in the Hunter region of NSW. Industry has a high demand for OSOM escort vehicle services in this region. This phase will use trained and experienced Authorised Escort Vehicle Drivers and will be monitored and evaluated by Roads and Maritime.

ii) Phase two: Following evaluation of phase one, phase two will cover a broader geographic region (including Western NSW) to include movements by the agricultural industry.
iii) Phase three: Following an evaluation of phases one and two, Roads and Maritime intends to complete the implementation across NSW in phase three.

As the OSOM EVDS is implemented, Police will progressively withdraw from providing escort vehicle services. Police will continue to provide traffic management control at certain pinch point locations for particular “critical high risk” OSOM movements, as detailed below.

(b) OSOM EVDS Overview

The OSOM EVDS is intended to ensure the continued availability of effective, reliable and safe escort vehicle services for OSOM movements.

Under the OSOM EVDS:

i) Roads and Maritime will appoint Authorised Escort Vehicle Drivers and accredit providers to manage the Authorised Escort Vehicle Drivers on a provisional basis for the length of phases one and two of the OSOM EVDS.

ii) Full accreditation and authorisation of Authorised Escort Vehicle Drivers and Accredited Providers will be granted from the end of phase two.

iii) For OSOM movements that are required to be accompanied by an escort vehicle, the permit will require permit holders to obtain the services of an Authorised Escort Vehicle Driver through an Accredited Provider. Some OSOM movements may require more than one escort vehicle depending on the nature of the OSOM load.

iv) Police will be involved where a Transport Management Plan (TMP) identifies Police resources to be deployed at specific pinch points along the route. Further detail in relation to TMPs is available on the Roads and Maritime website.

v) When a permit requires an escort vehicle for an OSOM movement, the move must be conducted in accordance with the OSOM EVDS Policies and Procedures and any conditions placed on the permit by Roads and Maritime.

A list of Accredited Providers will be maintained by Roads and Maritime. The list will be available on the Roads and Maritime website.

(c) Role of Roads and Maritime

Roads and Maritime is only involved in OSOM movements in its role of regulating the heavy vehicle industry and the road network. OSOM movements are not part of any undertaking of Roads and Maritime and each movement is the responsibility of the transport operator. Roads and Maritime has developed this scheme with the aim of ensuring that trained, competent and suitable persons are available to undertake traffic control while escorting the OSOM movement. This supports Roads and Maritime’s statutory functions including promoting traffic safety and improving traffic arrangements.

Roads and Maritime is not a party to, and does not take any responsibility for, any contracts or arrangements between the Accredited Provider and any Authorised Escort Vehicle Driver, or between the Accredited Provider and any OSOM operator.

Under the accreditation, Accredited Providers are accredited to provide the escort vehicle services to OSOM Operators under the HVNL. They are not appointed as a provider of services to Roads and Maritime and are not appointed to perform any services for or on behalf of Roads and Maritime. Nor are they appointed to exercise any powers on behalf of Roads and Maritime.

1.3 How the OSOM EVDS Business Rules will be amended

Roads and Maritime may amend the OSOM EVDS Business Rules from time to time. Amendments may constitute part of or the whole of this document. The current version of the OSOM EVDS Business Rules will be available on the Roads and Maritime website.
In particular, Roads and Maritime may make significant amendments to the requirements of OSOM EVDS following evaluation after each phase.

Before making amendments to the OSOM EVDS Business Rules, Roads and Maritime will notify the NHVR, Accredited Providers and Authorised Escort Vehicle Drivers of:

i) The amendments and the reasons for making them; and

ii) The date the amendments will come into effect.

1.4 **Requirement to comply with amended OSOM EVDS Business Rules**

i) Accredited Providers and Authorised Escort Vehicle Drivers are required to comply with the OSOM EVDS Business Rules as amended from time to time.

ii) Accredited Providers and Authorised Escort Vehicle Drivers must use the latest version of the OSOM EVDS Business Rules. Accredited Providers and Authorised Escort Vehicle Drivers are not entitled to rely on any earlier version of the OSOM EVDS Business Rules, as a reason for non-compliance with the latest version.

iii) Permit conditions will be drafted to refer to the OSOM EVDS Business Rules as amended from time to time.

## 2. Accreditation as an escort vehicle services provider

### 2.1 Purpose of accreditation

The purpose of accreditation is to ensure that providers have the capacity to provide escort vehicle services and that they provide them only in accordance with the requirements of the HVNL, the OSOM EVDS Policies and Procedures and the Accreditation Agreement.

As a condition of accreditation, a provider is required to enter into the Accreditation Agreement with Roads and Maritime. The Accreditation Agreement currently released is only for phases one and two of the OSOM EVDS and all current references to the Accreditation Agreement in these Business Rules are to the Accreditation Agreement for phases one and two. To be accredited for phase three onwards, providers will be required to enter into a new accreditation agreement which will be released closer to the commencement of phase three.

Nothing in the OSOM EVDS Business Rules obliges Roads and Maritime to grant accreditation to any provider.

### 2.2 Eligibility for accreditation

Applications for accreditation may be made by sole traders, partnerships or corporations with an ABN issued in the name of the applicant for accreditation. Applications for accreditation will not be accepted from Trusts.

In the case of an applicant that is a partnership or corporation, the applicant must nominate a representative (Provider Representative), for the purposes of representing the applicant in dealings with Roads and Maritime under the OSOM EVDS and for providing information relevant to the accreditation criteria and conditions. The Provider Representative must have the authority to sign documents on behalf of the applicant (including the application form and the Accreditation Agreement).
2.3 Eligibility criteria for accreditation

(a) Capacity to manage the provision of escort vehicle services
To be eligible to be an Accredited Provider in the OSOM EVDS, the applicant must meet all of the following criteria:

i) Ability to comply, and ensure that Authorised Escort Vehicle Drivers engaged by the applicant comply, with the requirements in the Accreditation Agreement and the OSOM EVDS Policies and Procedures.

ii) Ability to securely retain relevant records including records of escort vehicles and Authorised Escort Vehicle Drivers as required by the Accreditation Agreement and the OSOM EVDS Operating Guidelines.

iii) Ability to ensure the safety of traffic management operations by the Authorised Escort Vehicle Drivers in accordance with the OSOM EVDS Operating Guidelines.

iv) Ability to secure compliance by the applicant’s personnel with the OSOM EVDS Code of Conduct.

v) Ability to secure compliance of its Authorised Escort Vehicle Drivers with the ethical behaviour standards expected of a NSW public official as required by What it means to be a public official available on the Roads and Maritime website and the ability to secure compliance by the applicant’s other personnel with equivalent ethical behaviour standards, as if they were a NSW public official under Independent Commission Against Corruption Act 1988.

vi) Ability to ensure every vehicle used by the applicant and its drivers to provide escort vehicle services and all required equipment comply with the OSOM EVDS Policies and Procedures.

vii) Otherwise capable and suitable to be an Accredited Provider in the OSOM EVDS, as determined by Roads and Maritime.

(b) Relevant insurances
Accredited Providers are required to hold the following insurance, and in the case of an applicant that is a partnership or corporation, the insurance must cover the designated Provider Representative and all Authorised Escort Vehicle Drivers providing escort vehicle services for the applicant, whether the driver is an employee or contractor of the applicant or the applicant is the driver:

i) Public liability insurance (up to $20 million for a single occurrence); and

ii) Comprehensive motor vehicle insurance for all vehicles to be used by the applicant and its drivers to provide escort vehicle services (which includes up to $20 million public liability cover for a single occurrence).

See Schedule A of the Accreditation Agreement for more details on the required insurance policies.

In their application for accreditation, the applicant must provide copies of certificates of currency for the public liability insurance and comprehensive motor vehicle insurance policies.

(c) Induction Training
Applicants will be required to undertake induction training modules as part of the application process which deals with the OSOM EVDS Policies and Procedures. Further training modules will cover what it means to be a public official, compliance with standards of conduct applying to a public official and equivalent standards for those who are not a public official and road safety issues.

(d) Application and accreditation fees
From phase 3 onwards, Roads and Maritime will set a fee for applying for accreditation as an escort vehicle Accredited Provider to process the application.
2.4 Accreditation periods

Provisional accreditation will be granted during phases one and two of the OSOM EVDS (provisional accreditation). Roads and Maritime intends to terminate all provisional accreditations at the end of phase two.

Full accreditation will be granted from the commencement of phase three of the OSOM EVDS (full accreditation). Accreditation Providers will have the option to apply for full accreditation for periods of one, three or five years.

Roads and Maritime will notify all participants of the OSOM EVDS of the commencement and end dates of phases one, two and three of the OSOM EVDS.

2.5 Applications for provisional accreditation in phases one and two

Applicants for provisional accreditation during phases one and two of the OSOM EVDS must participate in the independent evaluation of the scheme.

Applications for provisional accreditation must be in the form approved by Roads and Maritime and published on the Roads and Maritime website.

(a) Checklist for provisional accreditation in phases one and two

Applications must include the following and be signed by the applicant:

i) The name, address and contact details of the applicant.

ii) The Australian Business Name (ABN), trading name and the name and contact details of the Provider Representative if the applicant is a partnership or corporation.

iii) Registration details of the vehicles which will be used as escort vehicles.

iv) The names and driver licence numbers of each Authorised Escort Vehicle Driver employed or contracted by the applicant (if any at the time of application).

v) Proof of currency for relevant insurances as required by Section 2.3(b) of the OSOM EVDS Business Rules.

2.6 Applications for full accreditation from phase three onwards

Applications for accreditation from phase three onwards must be in the form which will be approved by Roads and Maritime and published on the Roads and Maritime website.

To be accredited for phase three onwards, providers will be required to enter into a new accreditation agreement which will be released when Roads and Maritime invites applications for phase three. Roads and Maritime will provide further details for phase three accreditation prior to commencement of phase three.

2.7 Determining applications for accreditation

(a) Assessment of applications

Roads and Maritime will assess all applications received against the eligibility criteria in Sections 2.2 and 2.3 of the OSOM EVDS Business Rules.

Roads and Maritime may decline to assess applications that do not include all required information, and may contact the applicant to:

i) Advise what additional information is required to enable the assessment of the application; or

ii) Require the applicant to resubmit the application with all required information.

The application process may not proceed until all outstanding information is received from the applicant.
(b) **Granting accreditation**

Once Roads and Maritime is satisfied the applicant meets the eligibility criteria in [Sections 2.2 to 2.3](#) of the OSOM EVDS Business Rules, the applicant will be invited to complete induction modules including code of conduct training, to assess the applicant’s understanding of the HVNL, the road transport legislation and the OSOM EVDS.

Following successful completion of the induction modules, the following steps will be taken to grant accreditation to the successful applicant:

1. Roads and Maritime will confirm in writing that the applicant is eligible for accreditation as an Accredited Provider.
2. The applicant will execute the two copies of the Accreditation Agreement and send them to Roads and Maritime.
3. Roads and Maritime will issue the applicant a letter of accreditation and return the Accreditation Agreement executed by Roads and Maritime.
4. Roads and Maritime may publish the name and contact details of the Accredited Provider on a list of Accredited Providers on the [Roads and Maritime website](#).

(c) **Refusal to grant accreditation**

Where Roads and Maritime is not satisfied the applicant meets the criteria for accreditation, Roads and Maritime will advise the applicant in writing that Roads and Maritime declines to grant accreditation, and advise the applicant of the reasons why Roads and Maritime declines to grant accreditation with reference to the accreditation criteria.

The applicant may apply for an internal review of the decision by another person at Roads and Maritime who is no less senior than the person who undertook the original assessment. The notice declining the application will advise the applicant of the way to apply for the internal review of the decision.

### 2.8 Obligations of Accredited Providers

The Accredited Provider is required to comply with all of its obligations set out in the Accreditation Agreement, the OSOM EVDS Business Rules, the OSOM EVDS Operating Guidelines and OSOM EVDS Code of Conduct as amended from time to time. Some of those obligations are set out below.

(a) **Escort vehicle drivers**

The Accredited Provider may only use Authorised Escort Vehicle Drivers listed on its Driver Roster (Schedule B of the Accreditation Agreement) to provide escort vehicle services. The Accredited Provider must ensure that all drivers listed on its Driver Roster:

1. Are employed or contracted by the Accredited Provider to provide escort vehicle services;
2. Hold a current appointment to be an Authorised Escort Vehicle Driver issued by Roads and Maritime under the OSOM EVDS; and
3. Comply with all the requirements and eligibility criteria for Authorised Escort Vehicle Drivers under the OSOM EVDS Policies and Procedures.

If the Accredited Provider is an individual they may also be an Authorised Escort Vehicle Driver and maintain their own Driver Roster.

The Accredited Provider must send any amendments to its Driver Roster to Roads and Maritime within two business days of the change by email or by post to the Roads and Maritime Contacts set out in [Section 6](#) of the OSOM EVDS Business Rules.

Roads and Maritime may advise Accredited Providers in the event that an Authorised Escort Vehicle Driver has their appointment suspended or revoked.
The Accredited Provider is responsible for ensuring that any of their Authorised Escort Vehicle Drivers has a valid appointment.

If an Accredited Provider removes a person from its Driver Roster for reasons relating to the driver’s performance or satisfaction of requirements under the OSOM EVDS, it must inform Roads and Maritime of the reasons.

The Accredited Provider is responsible for its Authorised Escort Vehicle Drivers and must ensure that they comply with the OSOM EVDS Policies and Procedures, the HVNL, and any other requirements of Authorised Escort Vehicle Drivers. A breach by its Authorised Escort Vehicle Drivers of the standards set by the OSOM EVDS Policies and Procedures or the HVNL constitutes a breach of the Accreditation Agreement by the Accredited Provider.

The Accredited Provider must monitor the performance of its Authorised Escort Vehicle Drivers and take all necessary action to improve their performance and manage any unsatisfactory performance. Roads and Maritime may also require the Accredited Provider to take particular action to address performance of its Authorised Escort Vehicle Drivers, including supervision and further training.

An Authorised Escort Vehicle Driver can be engaged and appointed by more than one Accredited Provider at the same time.

(b) Other obligations

The Accredited Providers must also:

i) Securely collect and retain all records required under and in accordance with the Accreditation Agreement and the OSOM EVDS Policies and Procedures by keeping records for at least 7 years.

ii) Produce records and give access to vehicles on request and co-operate with any inspections or audits concerning compliance of the Accredited Provider and its Authorised Escort Vehicle Drivers with the Accreditation Agreement, OSOM EVDS Policies and Procedures by Roads and Maritime.

iii) Maintain a fleet register of all vehicles used to provide escort vehicle services including make, model and registration numbers.

iv) Ensure that all escort vehicles on the vehicle register comply with requirements in the OSOM EVDS Operating Guidelines.

v) Maintain all relevant insurances required under the Accreditation Agreement and submit evidence of the annual renewal of insurance policies to Roads and Maritime within seven days of the expiry date.

vi) Submit periodic statistical reports, on request from Roads and Maritime, in a form approved by Roads and Maritime, providing details of all escorted OSOM movements.

vii) Notify Roads and Maritime in writing of any change of circumstances in any matter related to the Accredited Provider’s eligibility for accreditation within seven days of the change.

viii) Comply with the audit requirements in Section 5.2 of the OSOM EVDS Business Rules and in the Accreditation Agreement.

ix) Comply with all applicable laws, including the HVNL and all associated notices, permits, conditions and other requirements, privacy laws and Work Health and Safety laws.

x) Carry out all activities with transparency and integrity, without any conflicts of interest and must not engage in bribery, corruption or collusion.

(c) Statements about accreditation and appointment

Accredited Providers and Authorised Escort Vehicle Drivers must not make any representations about their relationship with Roads and Maritime, including any claim that Roads and Maritime endorses or recommends any services provided by the Accredited Provider or its drivers. Similarly they must not represent that they are a provider of services to Roads and Maritime, nor must they represent that they are appointed to perform any services for or on behalf of Roads and Maritime or that they are appointed to exercise any powers on behalf of Roads and Maritime.

Accredited Providers and Authorised Escort Vehicle Drivers must not use any trade mark or logo of Roads and Maritime without prior written approval.

2.10 Suspension and termination of accreditation

Roads and Maritime may suspend and/or terminate the accreditation of an Accredited Provider to provide escort vehicle services in accordance with the Accreditation Agreement.

(a) Suspension of accreditation

Roads and Maritime may suspend an Accredited Provider’s accreditation under the Accreditation Agreement if it believes on reasonable grounds that:

i) The Accredited Provider or its Authorised Escort Vehicle Drivers have breached the standards set in the OSOM EVDS Policies and Procedures, HVNL or the Accreditation Agreement; or

ii) The performance of the Accredited Provider or its Authorised Escort Vehicle Drivers has been unsatisfactory.

Roads and Maritime can suspend the Accredited Provider’s accreditation with immediate effect by a written suspension notice to the Accredited Provider which specifies the nature of the breach or unsatisfactory performance. The Accredited Provider must not provide escort vehicle services during any suspension.

If a suspension notice is issued, there is a process specified in the Accreditation Agreement by which the Accredited Provider is invited to respond to the concerns raised. Roads and Maritime will conduct a review to decide whether to terminate the accreditation and the Accreditation Agreement or to allow the accreditation and the Accreditation Agreement to resume and any conditions for the resumption.

(b) Termination of accreditation by Roads and Maritime for cause

Roads and Maritime also has various rights under the Accreditation Agreement to terminate for cause, including for breaches which are not remedied within the required time, similar or recurring breaches following the suspension and show cause process outlined above, fraud, dishonesty and misconduct.

(c) Specific events when Roads and Maritime may suspend or terminate accreditation

Without limiting the events which entitle Roads and Maritime to suspend or terminate accreditation, under the Accreditation Agreement, Roads and Maritime is entitled to suspend or terminate (or suspend and then terminate) the Accreditation Agreement, if the Accredited Provider and/or a Provider Representative:

i) Ceases to satisfy the eligibility criteria for accreditation set out in Sections 2.2 or 2.3 of the OSOM EVDS Business Rules.

ii) Is found to have breached the Accreditation Conditions set out in Section 2.8 of the OSOM EVDS Business Rules; or
iii) Is found to have provided false information to Roads and Maritime in relation to an application.

Roads and Maritime is also entitled to suspend or terminate (or suspend and then terminate) the Accreditation Agreement for:

iii) High risk behaviour by an Accredited Provider; or
iv) High risk behaviour by an Authorised Escort Vehicle Driver.

(d) Termination of accreditation by Roads and Maritime for convenience

Roads and Maritime has the right to terminate the Accreditation Agreement at any time without cause by giving at least 30 days written notice of termination to the Accredited Provider.

2.11 Surrender of accreditation

An Accredited Provider may at any time voluntarily surrender their accreditation by terminating the Accreditation Agreement by giving 30 days’ notice to Roads and Maritime in writing. Any application, accreditation or renewal fee paid by the Accredited Provider is not refundable.

Unless otherwise provided by these OSOM EVDS Business Rules and regardless of whether their accreditation has ceased, the Accredited Provider must retain the required records for a period of at least seven years after the date of the last movement for which escort vehicle services were provided.

3. Appointment as an Authorised Escort Vehicle Driver

3.1 Purpose of appointment

The purpose of an appointment by Roads and Maritime is to:

i) Ensure that escort vehicle drivers have the competence and capacity to safely provide escort vehicle services in accordance with the requirements of the HVNL and the OSOM EVDS Policies and Procedures.

ii) Ensure that escort vehicle drivers are fit and proper persons.

iii) Appoint escort vehicle drivers to exercise appropriate traffic direction powers under rule 304 of the Road Rules (NSW).

All activities an Authorised Escort Vehicle Driver performs must be carried out with transparency and integrity. The Authorised Escort Vehicle Driver must adopt the ethical behaviour standards expected of a NSW public official. The Authorised Escort Vehicle Driver must comply with the Code of Conduct available on the Roads and Maritime website.

NOTE: As well as obtaining an appointment, an Authorised Escort Vehicle Driver must be employed or engaged by an Accredited Provider (or be an Accredited Provider themselves) in order to drive an escort vehicle for an OSOM movement. OSOM vehicle operators are required to obtain escort vehicle services through an Accredited Provider. Authorised Escort Vehicle Drivers are not permitted to provide escort vehicle services directly to OSOM vehicle operators without engagement through an Accredited Provider.

An Authorised Escort Vehicle Driver may be employed or engaged by more than one Accredited Provider at the same time. For any particular OSOM movement, the Authorised Escort Driver will be engaged by one Accredited Provider to provide escort vehicle services.

Roads and Maritime is not a party to, and does not take any responsibility for any contracts or arrangements between the Accredited Provider and any Authorised Escort Vehicle Driver or between the Accredited Provider or Authorised Escort Vehicle Driver and any OSOM operator.
Authorised Escort Vehicle Drivers must not represent that Roads and Maritime endorses or recommends any services provided by them. Similarly, they must not represent that they are a provider of services to Roads and Maritime, nor must they represent that they are appointed to perform any services for or on behalf of Roads and Maritime or that they are appointed to exercise any powers on behalf of Roads and Maritime.

Authorised Escort Vehicle Drivers must not use any trade mark or logo of Roads and Maritime without prior written approval.

3.2 Eligibility for appointment

Only natural persons (i.e., individuals not companies) are eligible to apply for appointment as Authorised Escort Vehicle Drivers.

3.3 Eligibility criteria for appointment

All applicants for appointment must demonstrate and be found by Roads and Maritime to satisfy the following criteria to be Authorised Escort Vehicle Drivers. This will be measured in terms of the applicant’s health and legal history, as well as their skills, qualifications, and experience to drive an escort vehicle, manage the travel of an OSOM movement, and issue appropriate traffic directions, as set out below.

(a) Fitness and propriety

Applicants for appointment must demonstrate and be found by Roads and Maritime to be fit and proper persons to provide escort vehicle driver services.

Roads and Maritime will determine whether the applicant is a fit and proper person, by considering relevant:

i) Criminal history.

ii) Industry background.

iii) Driving record.

The applicant must provide a national criminal history check no more than one month old.

An applicant may not be considered to be a fit and proper person for a number of reasons, including if they:

iv) Have been found guilty of a driving criminal offence such as menacing driving, negligent driving and/or drink driving;

v) Have been disqualified, or the licence has been cancelled or suspended in the past five years;

vi) Fail to satisfy Roads and Maritime that they have the competence and capability to perform the escort vehicle driver services with reasonable skill and care and in a manner that does not put the health and safety of any person at risk;

vii) Are the subject of an adverse national criminal history check which reveals convictions for offences relevant to the application such as violence offences including manslaughter, sexual assault, or assault occasioning actual bodily harm; or drug-related offences such as manufacture and supply of prohibited drugs, or similar offences;

viii) Have provided escort vehicle services in any circumstances where they were not authorised to do so under the OSOM EVDS including by providing escort vehicle services directly to an OSOM Operator rather than providing them through an Accredited Provider;
ix) Have failed to perform escort vehicle services with reasonable skill and care or failed to perform escort vehicle services in a manner that does not put the health and safety of any person at risk;

x) Have failed to maintain the confidentiality of Roads and Maritime’s confidential information or have caused or contributed to a breach of privacy laws; or

xi) Have committed any breaches of: the HVNL, the standards set in the OSOM EVDS Business Rules, the OSOM EVDS Operating Guidelines, the OSOM EVDS Code of Conduct and any other OSOM EVDS Policies and Procedures or caused any Accredited Provider to breach an Accreditation Agreement including any breaches of obligations relating to confidentiality, intellectual property, privacy, probity events, bribery, conflict of interest and representations concerning Roads and Maritime.

(b) Training Requirements
The applicant must have successfully completed units of competence delivered by a Registered Training Organisation which Roads and Maritime may from time to time prescribe.

Presently these are:

i) TLIB2004 Carry Out Vehicle Inspection.

ii) TLIC3010 Pilot or Escort OSOM Loads.

iii) TLI3009 Use Pilot and Escort Communication.

iv) TLIF3013 Coordinate Breakdowns and Emergencies.

v) TLIF3060 Control Traffic as a Pilot Vehicle Operator.

vi) TLIH3002 Plan & Navigate Routes.

Proof of successful completion of the units of competency set out above will be required by the production of a Statement of Attainment issued by the relevant Registered Training Organisation. The Statement of Attainment will be verified by Roads and Maritime as part of the application assessment process.

NOTE: The “TLIF3060 Control Traffic as a Pilot Vehicle Operator” unit of competence must have been undertaken not more than 3 years before an application for a new appointment or a renewal of appointment as an Authorised Escort Vehicle Driver.

(c) Driver’s licence
Applicants must hold a current unrestricted class C driver’s licence for at least five years issued by the licensing authority of an Australian State or Territory. If the applicant holds a driver’s licence outside NSW, they must provide a copy of their traffic and licence history for at least five years.

(d) Induction training
Once the Escort Vehicle Driver has completed the requirements for their application, they will need to complete induction modules which will cover:

i) The OSOM EVDS Code of Conduct.

ii) What it means to be a public official.

iii) Road safety issues.

iv) OSOM EVDS Business Rules and the OSOM EVDS Operating Guidelines

v) Details of what traffic control powers the Authorised Escort Vehicle Driver will exercise under rule 304 the Road Rules (2014).
(e) **Experience in driving pilot vehicles**

The applicant must demonstrate experience in driving pilot vehicles for OSOM vehicles, including evidence of at least 100 hours experience and a minimum of 20 trips as an OSOM vehicle pilot.

Evidence will require letters from transport operators listing permit numbers and trip details (date, route, duration, etc.) or copies of movement record books or log books as required in other jurisdictions.

In addition applicants will provide the names and contact details of two referees from the heavy haulage industry who can verify the number of trips they have undertaken as an OSOM pilot vehicle driver. These referees will be contacted by Roads and Maritime as part of the application assessment process.

(f) **Medical Requirements**

The applicant must be mentally and physically fit to perform the role of an Authorised Escort Vehicle Driver.

The applicant must declare if they have any medical condition or physical or mental incapacity which may prevent them from satisfactorily performing the role of a Roads and Maritime Authorised Escort Vehicle Driver. If so they must provide a doctor’s certification that they are mentally and physically fit to perform the role.

(g) **Application fees**

From phase three onwards, Roads and Maritime will set a fee for applying for appointment as an Authorised Escort Vehicle Driver to process the application. Roads and Maritime will provide further details for phase three accreditation prior to commencement of phase three.

3.4 **Applications for provisional appointment**

There is no application fee for provisional authorisation during phases one and two of the OSOM EVDS. Applications for provisional appointment must use the form approved by Roads and Maritime and published on the Roads and Maritime website.

(a) **Checklist for provisional appointment in phases one and two**

Applications must include the following and be signed by the applicant:

i) The name, address and contact details of the applicant.

ii) A national criminal history check no more than one month old as required by Section 3.3(a) of the OSOM EVDS Business Rules.

iii) Certified copies of Statements of Attainment for the units of competence included in Section 3.3(b) of the OSOM EVDS Business Rules.

iv) A current unrestricted class C driver’s licence held for at least five years issued by the licensing authority of an Australian State or Territory as required by Section 3.3(c) of the OSOM EVDS Business Rules together with their traffic and licence history for at least five years if their licence was not issued in NSW.

v) A written statement of the applicant’s experience in driving pilot vehicles for OSOM vehicles, including supporting evidence and details of referees as required by Section 3.3(e) of the OSOM EVDS Business Rules.

vi) Medical declaration or certification as required by Section 3.3(f) of the OSOM EVDS Business Rules.

3.5 **Applications for appointment from phase three onwards**

Applications for appointment from phase three onwards must be in the form which will be approved by Roads and Maritime and published on the Roads and Maritime website. Roads and Maritime will provide
further details for appointment as an Authorised Escort Vehicle Driver for phase three prior to commencement of phase three.

3.6 Determining applications for appointment as an Authorised Escort Vehicle Driver

(a) Assessment of applications
Roads and Maritime will assess all applications received against the eligibility criteria in Sections 3.2 to 3.3 of the OSOM EVDS Business Rules. Roads and Maritime may not assess applications that do not include all required information, and may contact the applicant to:

i) Advise what additional information is required to enable the assessment of the application; or

ii) Require the applicant to resubmit the application with all required information.

Roads and Maritime may not process the application until the outstanding information is provided.

(b) Granting provisional appointment in phases one and two
During phases one and two, if Roads and Maritime is satisfied the applicant meets the eligibility criteria in Sections 3.2 to 3.3 of the OSOM EVDS Business Rules, the applicant will be invited to complete induction modules to assess the applicant’s understanding of the relevant law and the OSOM EVDS.

Following successful completion of the induction modules, Roads and Maritime will:

i) Issue the applicant a letter of provisional appointment that includes the full name of the applicant, either their driver licence number or the Roads and Maritime customer number for Authorised Escort Vehicle Drivers with an interstate drivers licence, their appointment number for an initial period covering phase one and two of the OSOM EVDS.

ii) Issue the applicant with a statement authorising the applicant to exercise specified powers of an appointed person under Road Rule 304.

(c) Completing appointment in phase three
Roads and Maritime will provide further details for appointment as an Authorised Escort Vehicle Driver for phase three prior to commencement of phase three.

(d) Refusal to grant appointment
If Roads and Maritime is not satisfied the applicant meets the criteria for appointment, Roads and Maritime will advise the applicant in writing that Roads and Maritime declines to grant appointment, and advise the applicant of the reasons why Roads and Maritime declines to grant appointment, with reference to the appointment criteria.

The applicant may apply for an internal review of the decision by another person at Roads and Maritime no less senior than the person who undertook the original assessment. The notice declining the application will advise how the applicant may apply for an internal review.

3.7 Maintaining and renewing appointment

(a) Appointment period
Provisional appointment granted during phases one and two will expire at the end of phase two of the OSOM EVDS. Authorised Escort Vehicle Drivers will have the option to apply for appointment from the commencement of phase three for periods of one, three or five years.
(b) **Appointment conditions**
Authorised Escort Drivers must comply with, and appointment is maintained subject to the Authorised Escort Vehicle Driver continuing to comply with, all of the following conditions:

i) Compliance with the OSOM EVDS Policies and Procedures and not causing any Accredited Provider to breach an Accreditation Agreement.

ii) Continuing to satisfy all of the eligibility criteria for appointment in Sections 3.2 to 3.3 of the OSOM EVDS Business Rules.

iii) Satisfactory performance in providing escort vehicle services in accordance with the OSOM EVDS Operating Guidelines.

iv) Advising Roads and Maritime of any change of circumstances in any matter related to eligibility for appointment within seven days of the change, including suspension or cancellation of driver’s licence, any driving, criminal or other charges or convictions and any medical condition or physical or mental incapacity which may prevent the driver from satisfactorily performing the role of an Authorised Escort Vehicle Driver.

v) Participation in the independent evaluation process for phases one and two which includes providing feedback to the evaluator as required.

3.8 **Suspension and cancellation of appointment**

(a) **Criteria for suspension or cancellation**
Appointment may be varied, suspended or cancelled by Roads and Maritime by written notice at any time if Roads and Maritime considers that the holder:

i) Ceases to satisfy the criteria for appointment as set out in Sections 3.2 to 3.3 of the OSOM EVDS Business Rules;

ii) Is found to have breached the appointment Conditions set out at Section 3.7(b) of the OSOM EVDS Business Rules;

iii) Is found to have provided false information to Roads and Maritime in relation to an application;

iv) Has breached the HVNL, the standards set in the OSOM EVDS Business Rules, the OSOM EVDS Operating Guidelines, the OSOM EVDS Code of Conduct or any other OSOM EVDS Policies and Procedures; or

v) Caused an Accredited Provider to breach an Accreditation Agreement.

(b) **Notice of proposed suspension or cancellation**
Roads and Maritime will generally provide the Authorised Escort Vehicle Driver with written notice before varying, suspending or cancelling an appointment:

i) Of the breach or failure complained of; and

ii) Inviting the Authorised Escort Vehicle Driver to “Show Cause” within seven days why the appointment should not be varied, suspended or cancelled.

(c) **Immediate suspension or cancellation**
Appointment will be automatically suspended if the holder’s driver’s licence is suspended or cancelled.

Where Roads and Maritime considers it appropriate, Roads and Maritime may immediately suspend or cancel an Authorised Escort Vehicle Driver’s appointment. Appropriate circumstances may include serious road safety breaches with significant impacts on network efficiency, or high risk behaviour by the driver, or where Roads and Maritime becomes aware that the Authorised Escort Vehicle Driver no longer satisfies all of the eligibility criteria.
(d) **Internal Review**

If an Authorised Escort Vehicle Driver’s appointment is varied, suspended or cancelled (except in the case of an immediate suspension or termination on the basis of high risk behaviour or serious breaches), the Escort Vehicle Driver may seek an internal review of the decision by another person at Roads and Maritime who is no less senior than the person made the decision. The notice of variation, suspension or cancellation will notify the driver the method for seeking a review.

### 3.9 Surrender of appointment

An authorised driver may at any time voluntarily surrender their appointment by advising Roads and Maritime in writing and returning their Statement of Appointment to Roads and Maritime.

### 4. Interstate escort and pilot vehicle drivers

#### 4.1. Escort and level two pilot vehicle driver requirements

Escort vehicle drivers and level two pilot vehicle drivers who are registered or licensed, certified or accredited in other states or territories of Australia may apply for appointment in NSW under these OSOM EVDS Business Rules as an Authorised Escort Vehicle Driver by providing their qualifications (including the required units of competency) and experience in response to the requirements under [Section 3.3](#) of the OSOM EVDS Business Rules. They will also be required to provide any additional material required under [Sections 3.3](#) and [3.4](#) of the OSOM EVDS Business Rules to complete their application.

### 5. OSOM EVDS Governance

#### 5.1. Complaint Investigations

The OSOM EVDS will be described on the [Roads and Maritime website](#) and current versions of the OSOM EVDS Policies and Procedures will be posted on the [Roads and Maritime website](#). A single Roads and Maritime point of contact will be posted on the website for the OSOM EVDS and feedback will be invited from the public and all stakeholders.

A complaint relating to the compliance of an Accredited Provider or Authorised Escort Vehicle Driver may be made to Roads and Maritime by any person, either verbally or in writing. If a complaint is made in writing, Roads and Maritime will respond to the complainant in writing. Roads and Maritime has the discretion not to act on complaints which are vexatious or anonymous.

Roads and Maritime may carry out an inspection or investigation in response to a complaint. The inspection or investigation will be carried out by a person who has knowledge and experience relevant to the nature of the complaint.

While a complaint is being investigated, Roads and Maritime may elect not to advise the Accredited Provider or Authorised Escort Vehicle Driver of the complaint.

If, after inspection or investigation, the complaint is substantiated, Roads and Maritime may take action against the Accredited Provider or Authorised Escort Vehicle Driver. If action is taken, Roads and Maritime will keep a record of the incident and action taken, which will be filed with other information about the Accredited Provider and/or Authorised Escort Vehicle Drivers.

#### 5.2. Compliance and Audit

A compliance and audit program of Accredited Providers will be developed which will involve a comprehensive audit of compliance with the HVNL and the OSOM EVDS Policies and Procedures.
Particular emphasis will be placed on continuing compliance with all eligibility criteria and reporting requirements as well as vehicle compliance.

This program will be implemented by Roads and Maritime.

A report from the audit will be produced and the Accredited Provider audited will be advised of the outcome. Roads and Maritime may suspend or cancel the appointment of an Authorised Escort Vehicle Drivers and/or accreditation of an Accredited Provider where breaches of the HVNL, the standards set in the OSOM EVDS Policies and Procedures or an Accreditation Agreement are identified.

Random compliance checks may also be carried out by Roads and Maritime and Police.

Random compliance checks may include:

i) On-road intercepts.

ii) Triggered or random inspections and audits.

(a) On-road intercepts

Roads and Maritime may use on-road intercepts of OSOM movements to obtain information about compliance with the OSOM EVDS Operating Guidelines and HVNL. On-road intercepts can be carried out by Roads and Maritime authorised officers or Police officers.

An Authorised Escort Vehicle Driver must produce their appointment card or statement of appointment (in phases one and two), copy of the movement record and all other associated paperwork to the Police or Roads and Maritime authorised officers.

(b) Inspections

Roads and Maritime may order an inspection of a vehicle used for escort vehicle services to be carried out at designated premises.

A report is to be produced at the time of an inspection indicating any findings and if any action is recommended. A copy of the report is to be provided to the Accredited Provider and/or Authorised Escort Vehicle Driver.

If an inspection indicates non-compliance with the OSOM EVDS Vehicle Requirements and the OSOM EVDS Operating Guidelines or road transport legislation, Roads and Maritime may take action against the Accredited Provider and/or Authorised Escort Vehicle Driver.

(c) Audits

Roads and Maritime may order an audit of an Accredited Provider at any time.

During an audit, the auditors will inspect the business documentation including the records required to be kept by the Accredited Provider. The holder of an Accredited Provider accreditation must produce any records and/or identification when requested by a Roads and Maritime Authorised Officer.

Where an audit indicates non-compliance with the standards set in the OSOM EVDS Policies and Procedures, Roads and Maritime may take action against the Accredited Provider in accordance with the Accreditation Agreement.
6. Roads and Maritime Contacts

OSOM Escort Vehicle Driver Scheme
Roads and Maritime Services
Enrolment Services
PO Box 122 Glen Innes
NSW 2370

Telephone: 1300 791 186
Email: ais@rms.nsw.gov.au

7. Further reading and links

Further details and documents concerning the OSOM EVDS including helpful links are available on the Roads and Maritime website.