



Prime Mover Magazine – TIC Article for December 2019 Issue.

Catching the cheats

Almost from the day that heavy vehicle manufacturers were legally required to supply vehicle road speed limiting to prevent truck and bus speeding on our highways, making our roads safer and reducing crashes and engine emission control systems to reduce harmful tailpipe pollutants, providing cleaner air for all of us to breathe, there have been a minority who have felt the need to devised ways and means to disable, or modify, these systems. The result being more trucks speeding on our roads and higher levels of exhaust pollutants.

TIC and TIC members have long condemned these behaviours. Speeding heavy vehicles are a danger to all road users, including the driver of the speeding truck. While increased levels of exhaust pollutants such as oxides of nitrogen gases and particulate matter (black soot) can harm the health of all Australians. For a number of years now, TIC has lobbied all levels of government to introduce laws that make it illegal to sell, use, or be in the possession of tools and/or information that allows the disabling, or recalibration, of a heavy vehicle's road speed limiting and engine emission systems. TIC and TIC members have also call upon authorities to provide increased in-service enforcement of these critically important safety and environmental systems.

Enforcement is of course more difficult in the current age of electronically controlled engines and truck systems. Unlike the days when mechanical control systems ruled, where it was visually more transparent to see if an engine's fuel pump had been modified, or if the speed limiting governor had been tampered with, today we are faced with illegal "pirate" software changes that can be much harder to detect, both for the vehicle, or engine manufacturer and regulators. TIC and TIC members have been working with both enforcement officers, as well as the National Heavy Vehicle Regulator (NHVR) to provide training and information to assist in detecting illegal system modifications, which includes the "remapping" of vehicle Electronic Control Units (ECUs).

TIC was pleased to hear of the recent joint investigation by both the NHVR and South Australia Police into allegations of the remapping of truck engine ECU's throughout Australia. The NHVR's Director of Investigations, Steve Underwood, released details of an investigation that involved Police agencies from South Australia, New South Wales and Queensland as well as NHVR investigators from Brisbane and Adelaide and includes VicRoads officers. Further details included the execution of search warrants in mid October 2019 at a business premises and a private dwelling in Victoria where information, documents and other evidence obtained from these premises were currently being subject to analysis.

According to Mr Underwood, the allegations were very serious and the NHVR was concerned as to how widespread the practice might be. "This operation commenced after police intercepted a number of heavy vehicles in South Australia that were found to have had their engine (ECUs) modified" he said. "This level of cooperation speaks to the complexity and seriousness of these allegations" Mr Underwood detailed. "This is a timely reminder to all parties in the heavy

vehicle supply chain to ensure they take all steps reasonably practicable to ensure they comply with their safety duties to eliminate or minimise public risk” and “Remapping engines allows trucks to exceed the speed limit unimpeded, endangering all other road users” Mr Underwood went on to explain.

The NHVR is further concerned that operators, executive officers and companies who illegally modify vehicle systems may also encourage drivers to speed in direct contravention of their safety duties under the Heavy Vehicle National Law. The NHVR detailed that penalties for these serious criminal offences are up to five years imprisonment for an individual and up to \$3,000,000 in fines for a company, if found guilty.

TIC applauds the work and cooperation shown by the National Heavy Vehicle Regulator, as well as the State and Territory agencies in detecting and bringing to justice those individuals and organisations who choose to illegally modify heavy vehicles. TIC believes these recent actions send a clear message to those wishing to illegally tamper with trucks safety and emission systems. TIC along with our members, will continue to work with officials to catch out those persons who make a conscious decision to cheat the system and in turn jeopardise the safety for road users and the health of all Australians.

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