

CM-074-C-00054.01



National Transport Commission

Level 15 / 628 Bourke Street
Melbourne VIC 3000

P 61 3 9236 5000
F 61 3 9642 8922

9 September 2013

Coroners Court of Victoria
Coroner Heather Spooner
Level 11
222 Exhibition Street
Melbourne VIC 3000



Dear Coroner Spooner

SUBJECT: Sabrina Brady, Madison Dobie and Justin Pomery

I refer to the letter of 30 March 2011 enclosing a copy of the inquest findings with respect to the deaths of the above named.

I apologise for a response not being previously provided to your inquest findings. The National Transport Commission (NTC) has considered the findings and your recommendation that the NTC work in conjunction with the Bus Industry Confederation of Australia to investigate bus occupant safety measures in addition to seat belts, including retentive window glazing.

It is assumed that this recommendation was made following from the evidence of Mr John Lambert that seat belts are not an isolated measure to protect bus occupants in the event of a crash and a different approach to bus window design may be possible whereby they flex and contain occupants rather than break.

The Coroners recommendation is unable to be implemented by the National Transport Commission as the recommendation relates more to the Australian Design Rules (ADRs), and especially ADR 8 with respect to window glazing. The ADRs are the national standards for vehicle safety, anti-theft and emissions. All motor vehicles including buses imported into Australia or manufactured in Australia must comply with the ADRs.

While the NTC is responsible for in-service vehicle standards (called the Australian Vehicle Standards Rules) these support and do not displace the ADRs. The Vehicle Safety Standards Branch of the Department of Infrastructure and Transport is the appropriate agency to consider the recommendation and engage in consultation with all relevant stakeholders about possible amendments to the ADRs that may enhance bus occupant protection. The NTC has liaised with the Department and the relevant point of contact is Mr. Robert Hogan, Administrator of Vehicle Standards, Vehicle Safety Standards, Surface Transport Policy, Department of Infrastructure and Transport, GPO Box 594, Canberra ACT 2601.

www.ntc.gov.au

A.B.N 67 890 861 578

If you require any further information on this matter, please contact Ms Michelle Hendy on (03) 9236 5027 or mhendy@ntc.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read "Paul Retter". The signature is fluid and cursive, with the first name "Paul" written in a larger, more prominent script than the last name "Retter".

Paul Retter AM
Chief Executive and Commissioner