

May 2019

## POLICY CLARIFICATION

# Crush protection devices on quad bikes

### Purpose

This policy clarification sets out WorkSafe's expectations about installing crush protection devices (CPDs) on quad bikes used for work.

You should read this policy clarification if you use quad bikes for work.

### What does the law say?

As a person conducting a business or undertaking (PCBU) you must ensure, so far as is reasonably practicable, your health and safety, and the health and safety of your workers and any other workers who are influenced or directed by the business. You must also look after other people who could be at risk from work carried out on the property, such as visitors.

If a risk can't be eliminated, you must take steps to minimise it so far as is reasonably practicable.

### Key points

- Quad bike rollover accidents show they can happen on almost any part of the property – to experienced and inexperienced riders.
- CPDs are designed to help prevent riders being pinned under a quad bike if it rolls. If a CPD isn't installed there's no crush protection for the rider if the quad bike rolls.
- We recommend you use an alternative vehicle or different work practices to avoid the risk of quad bike rollovers. If you have no reasonable alternative to using a quad bike we strongly recommend you get a CPD installed permanently.

- It's possible the CPD could cause an injury during a rollover. But we think the benefits of CPDs – fewer serious and fatal injuries – outweigh this risk.
- We recommend you buy a CPD that's professionally designed and manufactured, and install it according to the CPD manufacturer's instructions.
- Everyone who uses the quad bike needs to keep themselves and others safe. This includes having up-to-date training on riding the quad bike for the tasks and terrain, and always wearing a helmet.

### When is a quad bike at risk of rollover?

On average, five people die in work related quad bike accidents each year and many more are injured. Most quad bike injuries and fatalities are caused by the quad bike rolling over. Our record of quad bike rollover accidents shows that rollovers can happen almost anywhere on a property and to experienced and inexperienced riders.

The risk of your quad bike rolling may be greater depending on the activities you're doing and the terrain you're crossing. Spraying, mustering stock, or dividing your attention between several tasks are examples of when you're at greater risk of the quad bike rolling. Travelling on hilly or uneven ground and rutted tracks is also likely to increase the risk of rollover.

### We strongly recommend you install a CPD to reduce the risk of suffocation and crush injuries

Rollovers put the rider at risk of becoming trapped under the quad bike and being suffocated by its weight or suffering crush injuries. Unlike a ute, side-by-side, or tractor a quad bike has no mechanism to create a safe space for you if it rolls.

This is why we recommend you use an alternative vehicle or different work practices. If you have no reasonable alternative to using a quad bike we strongly recommend you get a CPD installed permanently.

It's possible CPDs could cause injuries but, like wearing a seatbelt in a car, they may also save lives.

### **Buy a CPD that's professionally designed and manufactured**

CPD designers and manufacturers have duties to make sure their products have been thoroughly tested, are fit for purpose, and come with information about the results of testing and how to use the product safely. If you install a CPD yourself make sure you follow the CPD manufacturer's installation instructions.

### **Why have we changed our advice about CPDs?**

In 2014, we said fitting CPDs was a matter of personal choice. We took this view because, at the time, there weren't many studies about CPDs available. More research has been published since then.

It's our view CPDs are likely to prevent serious and fatal injuries. We want to reduce the number of people who are seriously injured or killed in quad bike accidents. That's why we strongly recommend you have a CPD installed.

### **Should I ignore the quad bike manufacturers' advice about installing CPDs?**

Your quad bike manufacturer may advise you not to retrofit CPDs to your quad bike. Although we usually recommend you follow manufacturers' guidance, in this case we strongly recommend you do have a CPD installed. This is because we think CPDs have the potential to prevent serious and fatal injuries.

### **Are you going to enforce this?**

There's growing evidence CPDs reduce harm. On balance we think installing CPDs is the right thing to do and we strongly recommend you do this. In the future we are likely to require CPDs and will then enforce compliance if necessary.

If you install a CPD according to the manufacturer's instructions, and it harms a person in a rollover, we won't take enforcement action regarding your decision to install the CPD.

### **Safer use of quad bikes**

Everyone who uses a quad bike needs to keep themselves and others safe. This includes:

- choosing the right vehicle for the job
- having the knowledge, skills and training you need for the tasks and terrain
- always wearing a helmet
- not letting children under 16 ride adult-sized quad bikes.