



Persatuan Pengguna Pulau Pinang Consumers Association of Penang

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Press statement

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CAP: Address plight of heavy vehicle drivers to curb road accidents

The Consumers Association of Penang (CAP) wishes to draw attention to disturbing findings made from its recent survey on drivers of commercial express buses and cargo lorries in light of the continuing incidences of fatal road accidents involving these vehicles. CAP calls on the authorities to take this matter seriously and institute strong measures to curb this scourge.

Between 2007 and 2016 lorries and buses alone accounted for 2,525 road deaths. Out of fear for their own lives, more people now are opting to travel using Electric Train Services (ETS).

Responding to CAP's concerns about road safety, Works Ministry secretary-general, Datuk Sri Zohari Akob, pointed out in a letter on 2 Aug 2018 that the attitude of drivers, especially those driving heavy vehicles and buses, has a vital role to play in curbing accidents. They need to abide by legal limits on driving duration to avoid "driver fatigue".

Uncontrolled Issuance of Licences

Uncontrolled issuing of licences to transport companies leads to cut-throat competition. The transport companies in turn cut corners and pay very low basic wages to drivers and neglect workers welfare.

Low Pay

The commercial express bus and lorry drivers interviewed by CAP only receive a basic salary of about RM1,000 a month, with extra pay of RM180 per trip for a distance such as between Penang and Kuala Lumpur. Although they are required to have a co-driver for each trip, most prefer to drive alone, as they can then pocket the full RM180, which includes cost of meals, which by right should be split evenly between two drivers.

They drive to and fro so that they can earn the RM180 for each direction. Many make one or two additional trips along the same route to earn extra income. Between Penang and Singapore they make R360 each way. In total, each driver can earn only about RM3,500 to RM4,000 a month.

They rush, putting themselves at risk of accident, because they have to unload their cargo and do not want to be caught in a queue at the destination factory or godown. Sometimes they do not even break for food. They just buy a bun and eat while driving or while waiting in queue upon arrival.

Many small transport companies do not provide co-drivers for long distances. Recently even some of the bigger operators have ceased having co-drivers, as the number of passengers has dropped, since many are opting for ETS. Many operators have also reduced the number of express bus trips per day for long distance routes.

Mental Stress

Bus drivers face enormous work stress, especially in dealing with traffic jams, and dangers and inconveniences on the road. They are forced to speed because their employers pressure them to reach on time, as there are passengers waiting for the next trip at the other end.

Accidents happen mostly because drivers are tired and sleepy, making them less alert. This is why it is vital for commercial vehicles travelling at night to have co-drivers. They are often forced to drive even if they are sick, because there are not enough drivers available, as drivers' pay is low and the work is tough and risky. A driver who is very ill and unable to work would sometimes ask his friend to drive on his behalf even though the trip is marked under his name.

They therefore rely on artificial energy boosters and stimulants like Red Bull and caffeine drinks. Some take drugs like ice (Crystal methamphetamine) to stay awake and alert for a long period of time.

Driving Conditions

The vehicles are not maintained regularly for safety parts like brakes and tyres. Their emissions are also mostly dirty and polluting. Each commercial bus and lorry should be checked for optimum functionality, safety and minimal pollution. There should be a depot to regularly check the heavy vehicles, including mandatory PUSPAKOM checks to ensure they are roadworthy.

The drivers should ensure and be allowed to have adequate sleep and food. Their cargo lorries are often overloaded as they try to transport as much as possible in one trip.

Non Compliance with Laws

They also do not abide by the Employment Act 1955 in terms of number of hours worked, salary, overtime pay EPF, Sosco and basic welfare of the drivers. The survey revealed that many drivers work well over 12 hours per day. The drivers are only hired based on contract of service which is renewable every year without any termination benefits.

The Safety Health and Environment Code of Practice (ICOP SHE) was formulated in order to ensure driver and bus safety many years ago and further developed by DOSH and SPAD and entrusted to bus operators and drivers in 2013. Compliance with driving hours is now being monitored by SPAD and JPJ enforcement through GPS records of the vehicles.

The drivers also are not given proper training. According to Road Transport Act 1987 heavy vehicle drivers should possess a Competent Driving Licence (CDL) and Goods Vehicle Driving Licence (GDL). Moreover, foreigners are not allowed to drive heavy vehicles, but between January to April 2019, 65 foreigners were caught driving heavy vehicles.

Apparently all the laws are in place, so why do we still see more and more horrifying and increasing number of accidents caused by heavy vehicles? Only after any major fatal heavy vehicle accident the public get a shock of their lives, when it is revealed that several laws had been broken by transport operators and drivers and how negligent enforcement agencies had been all along?

Urgent Action Needed

In light of the alarming feedback received, CAP calls on the government to urgently institute the following strong measures:-

- > Initiate a public inquiry on road transport safety in Malaysia, and form a commission to specifically oversee the commercial bus and lorry driving sector;
- > Licences for commercial vehicles need to be controlled to prevent unhealthy competition among operators;

- > Ensure that all heavy vehicles are fitted with GPS system and ICOP SHE and SPAD ICOP 2013 are followed strictly by operators and bus drivers and buses are sent for regular PUSPAKOM tests as per requirement;
- > Ensure that the drivers are provided with decent salaries, benefits and allowances and ensure operators strictly comply with mandatory contribution of Social Protection such as SOCSO;
- > Ensure there is a co-driver for all long-distance vehicles;
- > Ensure there are no more foreign drivers;
- > Accidents happen in a split second. Drivers should be healthy and alert, and not tired from long hours of work. They should have access to appropriate medical treatment when necessary.
- > Transport companies that flout the laws must have their licences terminated and their owners be forced to perform social work as punishment;

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