



Australian Government

Department of Infrastructure, Transport,
Regional Development, Communications and the Arts

Heavy Vehicle National Law Reform Implementation Steering Committee

Statement on Heavy Vehicle Reform Outcomes

October 2024

In August 2022, a package was presented to Infrastructure and Transport Ministers with a series of legislative and non-legislative recommendations for heavy vehicle reform. Since then, the National Transport Commission (NTC), transport agencies and the National Heavy Vehicle Regulator (NHVR) have worked together with industry to progress reforms that support better safety and productivity outcomes.

This work has been overseen by a Steering Committee comprising of senior officials from the Australian Government, New South Wales, Queensland and Tasmania, with advice from the Australian Local Government Association and Mr Ken Kanofski.

Towards 2025 | Real world changes

Following agreement by ministers to a package of reforms based upon advice from Mr Ken Kanofski, a significant amount of legislative and non-legislative work has been done to deliver real world outcomes for industry. This includes a package of legislative reforms that will be delivered by the NTC for ministers in the coming months.

Amendments to the *Heavy Vehicle National Law* (HVNL) will support a more flexible, less prescriptive legal and regulatory framework that responds to an evolving and diverse industry. These amendments will be coupled with a raft of non-legislative reforms which, together, will facilitate improved safety outcomes, greater flexibility, increased productivity, streamlined access, and enforcement options other than fines.

Improved Safety

To prioritise and assist industry to focus on safety outcomes, whilst minimising prescriptive requirements, the reforms will:

- Put a new safety management system at the core of an improved National Heavy Vehicle Accreditation scheme (NHVAS);
- Enhance the driver duty to prohibit drivers from driving when unfit to do so;
- Enable a National Audit Standard to support the integrity of accreditation, facilitate continuous improvement in safety practices and help those in the Chain of Responsibility demonstrate compliance with their obligations; and

- Make it easier for industry to adopt Fatigue Detection and Distraction Technologies using best practice guidance material produced by the NHVR.

Greater Flexibility

The new law will:

- Enhance the NHVAS to provide greater choice for operators who implement management systems that address risks associated with their operations;
- Give the NHVR the power to initiate, develop and approve new industry codes of practice to support safety, innovation and provide guidance to drivers and chain of responsibility parties on risk management methods; and
- Enable elements of the legal framework to be more responsive by shifting some prescriptive and administrative detail out of the primary law and into regulations.

Efficient Access and Increased Productivity

Enhance access and productivity without compromising safety, by:

- Increasing the HVNL General Mass Limit to reflect current Concessional Mass Limits;
- Increasing General Height and Length Limits to 4.6 metres and 20 metres respectively (subject to safety assessments); and
- Delivering automated and real time access decision making through a National Automated Access System.

Risk based and Fairer Enforcement

To promote safety outcomes, facilitate fairer and risk-based enforcement, and make a real difference to the compliance environment for drivers and operators, the reforms will:

- Increase NHVR Safety and Compliance Officers' discretion by removing existing barriers to issuing formal warnings;
- Amend penalties to ensure they are consistent and proportionate to the seriousness of the offence; and
- Introduce formal education options as an alternative to fines for certain offences.

Improved Access through a National Automated Access System

A great deal of work is underway to provide industry and road managers with efficient access decisions. Of particular note is the commitment to deliver real time access decision making within three years, and reduce permit numbers by 90% within five years. In delivering on this commitment, a National Automated Access System (NAAS) based on the Tasmanian Heavy Vehicle Access Management System (HVAMS) is being rolled out initially in the near term across several jurisdictions. The NAAS is poised to deliver significant productivity benefits for the heavy vehicle industry by reducing time applying for permits and producing instant and tailored network access maps for each applicant. The system will provide industry with the ability to test and iterate on a specific vehicle's characteristics (such as axle spacing and mass distribution) to determine the most productive combination for a particular freight task.

Committed to providing a simplified and customer focused approach to network access, the NHVR Portal will provide the entry point to the NAAS. By accessing the NAAS in the NHVR Portal, industry will have an integrated and personalised view of their access in one location including fleet combinations for permit applications, permitted and notice networks, Performance Based Standards (PBS) approvals, as well as other regulatory services.

The NAAS will provide greater access certainty and consistency, and enhanced access to key routes for the newest and largest heavy vehicles. In Tasmania, the implementation of HVAMS has seen permits reduced by 80% for Oversize Overmass vehicles, and 95% for Special Purpose Vehicles and Restricted Heavy Vehicles through implementation of HVAMS, exceeding the three- and five-year targets respectively. Additional local road infrastructure data is required to continue progress towards automating access decisions in some jurisdictions and realising the target to reduce overall permit numbers by 90% in five years.

The rollout of the NAAS is set to occur through staged releases. The national roll-out involves an improved version of the HVAMS to be released in Tasmania for PBS freight vehicles around November 2024, Queensland's first release will be for Australian Defence Force vehicles, which will also occur in November 2024, with Oversize Overmass vehicles in the second quarter of 2025, followed by a later release for mobile cranes.

Supporting Improved Access

The National Access Framework for Heavy Vehicles (NAFHV) has been created to optimise access to the road network for vehicles, maximise productivity, whilst also improve road safety, reduce emissions and infrastructure wear. The framework and work program focuses on a range of tangible solutions such as supporting improvements to the PBS national network, harmonising road networks (and cross-border conditions) and facilitating implementation of best practice access decision making. In keeping with the ultimate goal of this reform, from 2026, regular reporting of access productivity improvements will commence.

Realising Productivity, Safety and Enforcement Improvements

Recently, Ministers took decisions which will see changes that deliver streamlined record-keeping requirements for driver fatigue, and increases to the General Access Limits that will result in improved efficiency and productivity benefits for the heavy vehicle industry.

Ministers have agreed to increase the General Mass Limits to match current Concessional Mass Limits. In consideration of increasing the permissible height and length limits, Ministers have directed safety assessments to be undertaken to support proposed height and length limits to 4.6m length and 20m respectively.

Recent Australian Design Rule changes to increase heavy vehicle width to 2.55m ("Safer Freight Vehicles") and mandate Euro VI (or equivalent) emission standards, have been introduced. The HVNL and regulations have been amended to facilitate these changes and ensure that newer, safer and cleaner heavy vehicles have a productive operating environment. This includes an additional 500kg mass allowance for Euro VI compliant vehicles.

To better assist industry to implement innovative safety technologies, the NHVR, working in partnership with industry, has released new good practice guidance to support industry uptake of rapidly emerging Fatigue Distraction Detection Technologies. The good practice guidance material (available on the NHVR website) includes sample templates from transport companies currently using the technology - which means they have been tested in real world settings.

To address industry concerns on the need for a more risk-based approach to enforcement, NHVR Safety and Compliance Officers have improved discretion to issue formal warnings, and jurisdictions will consider the legislative and operational implications (including maintaining the necessary systems and processes), of implementing formal education orders in lieu of fines. The NTC has also been working on a comprehensive review of all HVNL penalties. Throughout this review, the NTC has considered the penalty and demerit point amounts for each HVNL offence, to ensure penalties are proportionate, consistent and reflect appropriate levels of deterrence. This review aims to strike a sensible balance between compliance enforcement and taking a fair and reasonable approach towards minor and technical breaches under the HVNL that do not compromise road safety.

In supporting the shift to a risk-based, safety-focused law the NHVR continues to evolve into a modern, data-driven, risk-based regulator by applying data-driven intelligence to identify and address the greatest safety risks across industry and the supply chain. In doing so, the NHVR harnesses an appropriate and proportionate mix of regulatory activities and intervention tools that includes information, education, random and continuous compliance monitoring, as well as enforcement activities. Together, these tools assist in reducing the likelihood and severity of crashes, fatalities and serious injuries involving heavy vehicles and encourage voluntary compliance with the HVNL.

As a whole, these changes are expected to support improvements to safety and enforcement, reduce red tape and streamline governance and administration.

Next Steps

Ministers will receive the legislative reform package from the NTC in the coming months for their consideration. Once endorsed by all responsible Ministers, these amendments will be progressed through the Queensland Parliament as host jurisdiction for the HVNL. The draft amendment bill and regulations will be released for public consultation on 10 October.

Some of the reforms will be progressed through a future tranche of work which will include reforms such as a new technology and data framework, identifying heavy vehicle safety obligations for off road parties as well as the second iteration of PBS. Work will also continue on the non-legislative reforms and include the rollout of the NAAS based on HVAMS and delivering productivity and safety improvements through the NAFHV working group.