



BIC Annual National Conference 2022



HVNL Update

HVNL Review – January 2019 to May 2021

*Determined **what** needed to change in the HVNL*

HVNL Safety and Productivity Program – May 2021 onwards

*Will determine **how** the HVNL should be changed*



Additional consultation

RAC+ chaired by Ken Kanofski

- Law reform propositions (law reforms)
- Other options for reform (non-law reforms)

Tested the package with NTC's Industry Advisory Group

78% stakeholder support

www.infrastructure.gov.au/infrastructure-transport-vehicles/transport-strategy-policy/infrastructure-and-transport-ministers-meetings

Additional work streams (non-law reforms)

Twenty elements:

- Administrative improvements to access (incl automated system) and PBS
- Encourage fatigue and distraction technology
- Improve *Assessing Fitness to Drive*
- Improve compliance and enforcement
- Monthly registration charging
- Governance



Law reforms

Thirty elements:

- Overall principles for the law
- Administrative changes to improve access
- Fatigue management and enforcement
- Duties and driver health
- Improved NHVAS
- Technology and data
- Safety obligations and CoR
- Delegation of authority in the HVNL



Objectives and principles for the new HVNL

- Retain current objects of the law
- Clarify the roles of parties (including NHVR) in productivity
- New law to be outcome based while also allowing for a prescriptive approach
- New law should place detail into regulations and subordinate instruments to the maximum extent possible





Law reforms

Access

- Road managers are the ultimate access decision makers – need make decision in an efficient, transparent and accountable way
- Mass and dimension increases (subject to a RIS)
- Performance Based Standards improvements
- Recognise official network maps and automated approvals
- Allow regulator to update gazettal notices in certain circumstances





Law reforms

Fatigue and driver health

- Scope of Fatigue regulated Heavy Vehicles
- Two-tiered fatigue management regime
- Record – keeping
 - Streamline and place in regulation
 - Incentivise electronic record keeping
- Streamline fatigue enforcement
 - Focus on immediacy and overall risk profile of breaches
 - Administrative offences should focus on deceptive conduct; rectifying errors
- Duty to not drive when fatigued to be expanded (e.g. not fit to drive)



Improved NHVAS



- Core Safety Management System principles
- More flexible and diverse alternate compliance
- Electronic documentation
- Reduce reliance on customer audits
- National Audit Standard
- Transitional arrangements for currently accredited operators

Technology and data

- Standards
- Protect on-board data
- Privacy
- System certification
- Clarify legal status of data
- Ministers appoint one or more Framework Administrator(s)



Law reforms

Safety obligations and CoR

- Create Heavy Vehicle Safety Obligations – prescriptive requirements in regulation
- Existing requirements on relation to fatigue, mass management and vehicle maintenance will be recast (where appropriate)
- HVSOs can apply to ‘off-road parties’
- Provisions for specific offences for off-road CoR parties

Delegation of authority

- Range of recommendations to enable NHVR to regulate and be held accountable for doing so.



What's next



- Steering Committee
- Ongoing RAC+ meetings
- Decision RIS (2Q 2023)
- Draft new HVNL
- Develop and consult on regulations
- Ministerial approval
- Passage through Queensland

Safe Systems Review

National Road Safety Strategy 2021-2030

National Road Safety Action Plan

Review of Australian Road Rules

Safe Systems Review

What we will be thinking about:

1. Evidence base for road rules
2. Impact of infrastructure design changes
3. Safe transition to automation
4. National consistency and simplicity

