

## Executive summary

### About the Bill

The Heavy Vehicle National Law Amendment Bill 2025 (Bill) proposes to amend the *Heavy Vehicle National Law Act 2012* and the Heavy Vehicle National Law (HVNL) to implement recommendations made by the National Transport Commission and endorsed by infrastructure and transport ministers across Australian jurisdictions. The Bill follows the HVNL Review process, undertaken over several years, which sought to support a more flexible, less prescriptive legal and regulatory framework that responds to an evolving and diverse industry.

The objectives of the Bill are ‘improving safety and productivity, reducing regulatory red tape, improving regulatory functions, and simplifying administration of the law’ through, amongst other things:

- an enhanced accreditation framework that requires operators to have a Safety Management System (SMS) and broadens the types of accreditations that the Regulator may grant
- a new duty to be fit to drive to be combined with the existing duty not to drive fatigued and apply to all heavy vehicle drivers regulated by the HVNL
- an improved code of practice framework that simplifies the process to make new codes of practice
- new ministerial direction and approval powers that support the changes to the accreditation and code of practice frameworks
- improved governance arrangements to modernise and increase ministerial oversight of the operation of the Regulator Board
- improved enforcement arrangements in respect of fatigue management record keeping and the issue of notices
- amended penalty amounts to deliver proportionate outcomes for particular offences under the HVNL
- moving particular matters into regulations for further flexibility
- consequential amendments to Queensland law where it duplicates a section of the HVNL.

**The committee has recommended that the Bill be passed.**

### Stakeholder views

There was general support for the Bill from stakeholders, particularly in relation to changes to simplify the safety accreditation scheme (and the availability of alternative compliance accreditation for unique fatigue management protocols) and the reduction in penalties for particular administrative offences.

However, stakeholders also highlighted the need for targeted education and support for drivers and operators to inform them of key changes and provide practical guidance for compliance with new aspects of the HVNL. It was also noted that monitoring of the impacts of the amended regime and scanning for possibilities of future reform were both of high importance.

At the committee's hearing in Cairns, industry representatives spoke to the unique challenges and complexities facing drivers in north Queensland, and considered that a flexible, practical and common-sense approach to regulation was required to ensure that businesses remain viable, increases in productivity can be achieved, and services can continue to be provided for communities in north Queensland.

Inquiry participants also called for ongoing consultation with industry regarding the implementation of the Bill and development of new codes of practice.

### **Legislative compliance**

The committee concluded that the Bill is compatible with the *Legislative Standards Act 1992* and the *Human Rights Act 2019*.