

HEAVY VEHICLE NATIONAL LAW AMENDMENT BILL 2025

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Chair
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State Development, Infrastructure and Works Committee
1 William Street
Brisbane Queensland 4000

Tuesday 16th September 2025

Dear Chair and Committee Members,

Re: Submission on the National Heavy Vehicle Law Amendment Bill 2025

I am writing to convey the collective views of the Heavy Vehicle Safety Network (HVSN), operating under the auspices of the Australasian College of Road Safety. Our members represent a broad and experienced cross-section of professionals and stakeholders dedicated to improving safety outcomes across the heavy vehicle road transport sector.

As a network grounded in evidence-based advocacy and collaboration, we believe the proposed amendments to the Heavy Vehicle National Law 2012 require careful consideration and targeted refinement. While we acknowledge the intent to modernise and streamline regulatory frameworks, several aspects of the Bill warrant further consultation to ensure they genuinely enhance safety and operational clarity.

Given that the National Heavy Vehicle Law Amendment Bill 2025 is currently under review by your committee, we submit that our recommendations are vital to safeguarding all road users—both in Queensland and across Australia. As a Queensland resident and an active member of the road safety community, I believe these changes deserve thorough scrutiny and meaningful public input to ensure they reflect the values and practical needs of our society.

We respectfully request that the committee give due consideration to our submission and continue to engage in broad consultation with all industry stakeholders, including affected communities, subject matter experts, and advocacy groups, before finalising any recommendations. Transparency and inclusivity are essential to maintaining public trust in the legislative process.

Thank you for your attention to this matter. I would welcome the opportunity to provide further input or appear before the committee if required.

Warmest Regards

Marcus J Cosgrove MBA (AIM)

The proposed Heavy Vehicle National Law Amendment Bill 2025 makes several changes to existing Heavy Vehicle National Law (HVNL) and is aimed at improving safety and productivity in the Australian road transport industry. Of significance are amendments incorporating all heavy vehicles with a gross vehicle mass (GVM) of greater than 4.5 tonnes into fatigue management regulation. Specifically, they are to be captured by a new duty to be ‘fit to drive’. This is a welcome measure that closes a gap that previously did not include drivers and operators of trucks between 4.5 tonnes GVM and 12 tonnes GVM. However, it also introduces a new cohort of truck drivers (all light rigid and medium rigid licence holders in Australia), business operators and transport managers who will now need to manage fatigue in the context of compliance with these new regulations. This new cohort is likely to include many small, medium and large businesses for whom truck driving is not the primary focus of their operations (for example, tradespeople or farmers), if they operate trucks in excess of 4.5 tonnes GVM.

Furthermore, the proposed re-definition of ‘fatigue regulated heavy vehicle’ from a vehicle with a GVM of more than 12 tonnes, to a GVM ‘prescribed by the national regulations’, suggests that fatigue regulations are likely to apply to a wider cohort. Regardless of the GVM prescribed, ensuring any new cohort is educated regarding these changes is crucial to the success of these amendments. Current research, however, demonstrates that a lack of knowledge regarding complex fatigue management laws amongst Australian truck drivers, transport managers, police and regulators, inhibits compliance with fatigue laws (Casey, Miles-Johnson & Stevens, 2024; 2025, 2025a). It is argued that a lack of knowledge is likely to reduce the efficacy of fatigue management laws aimed at making Australian roads safer.

The evidence suggests that truck drivers' and transport managers' knowledge and experience regarding fatigue and fatigue compliance is developed over many years (Casey, et al., 2025a). It is reasonable therefore, to expect that the new cohort of drivers, operators and managers who, for the first time, may be captured by the amended definitions contained in this bill, will also develop their knowledge over many years. This could include learning how to fulfil obligations regarding record keeping and assessing employees' fitness to drive, while some may now also require alternative compliance accreditation (new section 457, 457A and 462). Without immediate intervention, this is likely to obfuscate and delay improvements to truck driver fatigue related crash rates that this bill seeks to achieve.

To improve and accelerate the efficacy of these amendments, it is recommended that;

- Consistent training be made available for drivers, transport managers, operators and all others in the chain of responsibility, particularly those new to the concepts and obligations placed on them to manage fatigue.
- This must include improving the knowledge and confidence of police and regulators regarding their capacity to enforce and regulate the amended fatigue laws.
- As a lead agency, the National Heavy Vehicle Regulator is best placed to develop and deliver training packages across all jurisdictions participating in Heavy Vehicle National Law. A package developed and delivered by this one lead agency is more likely to ensure consistency in training and knowledge across all stakeholders.
- This should be developed and ready for delivery prior to the commencement of these amendments.

References

Casey, Gregory J., Miles-Johnson, Toby. & Stevens, Garry J., 2025a, Breaching rest requirements: Perceptions of fatigue management by truck drivers and transport managers, *Transportation Research Part F: Traffic Psychology and Behaviour*, Vol 114, Pages 562-574, <https://doi.org/10.1016/j.trf.2025.06.013>.

Casey, Gregory J., Miles-Johnson, Toby., Stevens, Garry J., 2025, Lack of consistency in truck driver fatigue management: Australian law enforcement officer's and transport regulation agent's perceptions of enforcement, *Transportation Research Part F: Traffic Psychology and Behaviour*, Vol 112, pp 322-341, <https://doi.org/10.1016/j.trf.2025.04.007>.

Casey, Gregory J., Miles-Johnson, Toby. & Stevens, Garry, J., 2024, Heavy vehicle driver fatigue: Observing work and rest behaviours of truck drivers in Australia, *Transportation Research Part F: Traffic Psychology and Behaviour*, Volume 104, 2024, Pages 136-153, <https://doi.org/10.1016/j.trf.2024.05.016>