

HEAVY VEHICLE NATIONAL LAW AMENDMENT BILL 2025

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Heavy Vehicle National Law (HVNL) Amendment Bill 2025

Executive summary

- Industry must be consulted in the development and amendment of Regulations, Codes of Practice and Standards
- A Forward Work Plan must be established to ensure amendments to the Law continue to support productivity and safety
- Key Performance Indicators should be applied to the Forward Work Plan to ensure accountability and action
- Governments must abandon plans to reduce flexibility in managing fatigue
- Ministers should adopt a clear target of eliminating at least 90 percent of access permits by 2028.

Submission to the State Development, Infrastructure and Works Committee Inquiry into the Heavy Vehicle National Law (HVNL) Amendment Bill 2025

The [review of the Heavy Vehicle National Law \(HVNL\)](#) has largely failed to achieve its original objectives. Whilst NatRoad welcomes incremental improvements, the review has been held back by the unwillingness of some governments to demonstrate leadership and embrace real reform. NatRoad once again reiterates there has been a missed opportunity to deliver real change after a 6 year long review that has resulted in the proposed amendments to the Law rather than reform as was promised to industry.

Proposed improvements to enforcement by removing red tape and shifting details into regulations are steps in the right direction. Any changes to Regulations must be undertaken in partnership with industry following a minimum 42-day consultation period, this needs to be standardised for all national regulations to minimise unintended consequences and to ensure benefits outweigh risks and promote productivity through removal or duplication and red tape.

Productivity and genuine uplift to industry safety must be centric to the development of Codes of Practice, Regulations and Standards. Industry is already crippled by increasing regulation, the return must outweigh the investment. Although, broadly in agreement with the proposed Regulations, industry must be given the opportunity to genuinely consult on the proposed technical detail of Alternate Compliance Framework affecting, fatigue, mass and maintenance. Similarly, the development of the Safety Management System Standard (SMS) must be in consultation with industry to ensure smaller operators are not disadvantaged whilst genuine safety uplift is achieved.

Review background

The Heavy Vehicle National Law Amendment Bill was introduced to Queensland Parliament on 26 August 2025 following a review that commenced in May 2018. The terms of reference stipulated the following priorities:

- Safe and efficient heavy vehicle access, including simpler, quicker and more amenable access decision making
- Risk based approach to fatigue, based on evidence, to reduce complexity and administrative burdens
- Improved accreditation framework, designed to inspire and embed more innovative, more efficient and safer compliance
- Increasing use of technology and data for regulatory purposes
- Any other priorities identified during the review.¹

The Productivity Commission reported that there is difficulty in finding direct links between the introduction of the HVNL and regulatory reforms to improvements in heavy vehicle safety.²

The Commission found that “a greater emphasis on outcomes-focused approaches in legislation and regulation would improve road safety, reduce the burden of compliance and administration, and increase the efficiency of road transport.”³

In 2022 after several years of no progress, Ministers engaged former NSW Roads and Maritime Services CEO Ken Kanovski to undertake stakeholder consultation to identify potential reforms that had broad support, resulting in the ‘Kanovski Report’ which was presented to the Infrastructure, Transport Ministers Meeting (ITMM) in August 2022. NatRoad provided evidence at this meeting supporting the report’s outcomes and recommendations. At this meeting, Ministers endorsed the findings of this report. Unfortunately, Kanovski’s recommendations have since been watered down, resulting in amendments rather than reform and increased level of industry frustration at the lack of progress.

NatRoad response to the current inquiry

NatRoad broadly supports the Australian Trucking Association (ATA) submission to the Inquiry and the intent to provide a stronger administrative consistency, standardised permit system and more flexible but more tightly defined fatigue system. As with any legislative and regulatory change, the devil is in the detail and as such it is imperative that continued, genuine consultation with industry occurs to limit unintended consequences, particularly regarding development of Regulation, Codes of Practice and Standards.

NatRoad consider the Bill should be passed, despite the noted frustration and disappointment from industry the amendments detailed in the Bill do not go far enough.

¹ NTC. May 2023. Heavy Vehicle National Law high-level regulatory framework. 13.

² Ibid. 12

³ Productivity Commission. 2020. [National Transport Regulatory Reform](#). 25.

Penalties and Formal Warnings

NatRoad agrees with increased power to issue 'Formal Warning' (proposed Section 590) and with the reduction of twenty-one penalties less serious, more common offences and welcome the commitment to develop an 'Formal Education' option for minor offences. However, still note there is an increase in fifty offences, NatRoad maintain any increase to penalties must be clear, proportionate to the risk posed and defensible.

Forward Work Plan

NatRoad strongly advocates for the need for the Committee to recommend a 'Forward Work Plan' be established to systematic review and maintenance occurs for the Heavy Vehicle National Law and its regulations. These amendments should be brought to Queensland Parliament every two years. Key Performance Indicators (KPIs), agreed to by industry, should be attached to the plan to ensure accountability of governments, ministers, and bureaucracy.

As previously noted, six years of reform has resulted in minor amendments, despite significant investment by industry and government. Industry has engaged in good faith over a lengthy and tiring six-year consultation period that has resulted in minimal changes, further reform must be achieved to ensure the Law and Regulations meet the requirements for industry and support safety and productivity outcomes.

NatRoad reiterates further reform must not be delayed.

Alternative compliance framework

NatRoad understands the technical specifics of the Framework are currently under development by the Regulator and there will be several frameworks available for operators to be accredited for. NatRoad reiterate this needs to be developed with industry to ensure the existing work and rest hour limits for Alternate Fatigue Management (AFM) operators be translated into the regulations. **Accreditation schemes need to be scalable and provide operators with flexible options to manage fatigue, mass, and maintenance risks proportionate to their operations.**

NatRoad understands fatigue compliance frameworks are currently being developed by the Regulator however, detail is still scarce. NatRoad understands the intent is to leverage the current AFM Scheme requirements and note the Fatigue Risk Management Scheme is currently under review and will inform the proposed framework.

There are currently approximately 3,700 operators nationally operating under BFM and these operators will require support to transition to industry Accreditation Compliance Audits (ACAs). NatRoad notes the intention of the Regulator is to use their portal to provide templates, guidance and pre-suggested drop downs to assist operations in receiving customised ACAs. NatRoad is broadly supportive of this approach, dependent on technical detail.

Unfit to Drive

Along with the ATA, NatRoad has previously raised concern regarding the 'Fit to Drive' definition (proposed Section 225(2)), primarily that the wording is ambiguous. NatRoad understand the intent of the amendment is to:

“...place obligations on drivers to take a proactive and preventative approach to managing their health and fitness as they have a shared responsibility with operators to ensure they are fit to drive. The duty is designed to empower drivers to stop driving if their health or fitness impacts their ability to drive a heavy vehicle safely at any point in time...”⁴

NatRoad also understand this amendment is in line with broader Workplace Health and Safety (WHS) legislation and requirements. Caution must be advised to ensure that **Drivers must not be unfairly disadvantaged should they deem themselves unfit to drive, resulting in punitive action by an employer. This should be a consideration in the development of the SMS standards.**

Productivity and Access

Better access is critical to unlocking productivity in the road freight network. NatRoad notes the proposed changes to the Law including increasing GML to CML, increase in general access lengths from 19 to 20m (with swept path controls) and the removal of the restriction on Euro IV Prime Movers being used in a Road Train combination, aligning with the allowances previously afforded to b-double configurations.

There are currently more than 24,200 vehicles and 3,900 combinations⁵ operating under **Performance Based Standards (PBS)**, **proven combinations need to be moved into the regulations to ensure they can be used more widely**, reduce assessment times and enable improvement to safety and productivity outcomes.

NatRoad welcome the commitment to include increased trailer heights and B-Double lengths, this needs to be clearly articulated in the forward work plan with attached KPIs to ensure reform is timely and bureaucracy is held accountable to prevent further delays. Further reforms to deliver automated access should be prioritised with a clear delivery plan and resourcing commitment to build and deliver the new system.

Governments must commit to eliminate at least 90 percent of access permits by 2028 across all heavy vehicle classes.

Contact

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About NatRoad

The National Road Transport Association (NatRoad) is Australia's largest national representative road freight transport operators' association. NatRoad represents road freight operators, from owner-drivers to large fleet operators, general freight, road trains, livestock, tippers, express, car carriers, as well as tankers and refrigerated operators.

⁴ Explanatory Notes, Heavy Vehicle National Law Amendment Bill 2025 (QLD), 9

⁵ NHVR, Annual Report 2023-24. 68