

14 May 2018

Committee Secretary
Transport and Public Works Committee
Parliament House
George Street
Brisbane Qld 4000

Email: tpwc@parliament.qld.gov.au

Dear Committee Secretary

Queensland Trucking Association Ltd

Founded in 1907, the Queensland Trucking Association Ltd (QTA) is the peak industry body representing road freight operators in Queensland. The QTA is committed to advocate for an efficient, safe industry and actively represents large and small road freight operators across varied sectors of the industry in regional and urban Queensland

Heavy Vehicle National Law Amendment Bill 2018

On 1 May 2018, the Hon Mark Bailey MP, Minister for Transport and Main Roads, introduced the Heavy Vehicle National Law Bill 2018 into the Queensland Parliament which was subsequently referred to the Transport and Public Works Committee (TPWC) for consideration. The committee is due to table its report on 28 June 2018.

Key Amendments

The QTA supports the Heavy Vehicle National Law Amendment Bill 2018 including the nationally agreed reforms that:

- Strengthen investigative and enforcement powers for Authorised Officers
- Increase Freight Volumes where Mass is not a constraint
- Transfer load restraint performance standards from the Load Restraint Guide to the Heavy Vehicle National Law (HVNL)
- Make minor or technical amendments resulting from the maintenance process for the HVNL, providing the amendments remove administrative and regulatory burdens.
- Amend the HVNL to streamline court processes for the prosecution of fatigue related offences in Queensland

Road network and freight fleet productivity

The QTA strongly supports the HVNL Amendment Bill 2018 which proposes to grant PBS level 1 heavy vehicles travelling at or below **General Mass Limits (GML)** the same road access as other heavy vehicles already accessing the road network at GML.

In the late 1990's the Queensland Government recognised freight efficiency, asset management and road safety gains in Queensland by introducing Higher Productivity Vehicles and Performance Based Standards and the QTA acknowledges the leadership by the Queensland Government.

On the 8th of May 2018, the National Heavy Vehicle Regulator (NHVR) and the Australian Road Transport Suppliers Association (ARTSA) released a joint report detailing the benefits of PBS vehicles. The report contained the following statements from both NHVR and ARTSA:

"The Performance Based Standards (PBS) scheme is a world-leading program that allows Australia's heavy vehicle industry to match the right vehicles to the right tasks."

"The scheme gives industry the opportunity to innovate with vehicle design to improve productivity for a given freight task, achieve safer performance and make the least possible impacts on road infrastructure. PBS vehicles are designed to perform their tasks as productively, safely and sustainably as possible, and to operate on networks that are appropriate for their level of performance."

"ARTSA and the NHVR believe that if a vehicle has been assessed against the strict PBS scheme safety and infrastructure standards and there is evidence that it passes all of them, it should be allowed to operate on the road, subject to road manager consent and individual route assessment if required."

"The National Transport Commission (NTC) implemented the current PBS scheme in 2007. Now 10 years later, the benefits can be fully measured. It shows that the scheme is delivering an opportunity to unlock productivity gains and improve safety outcomes."

The QTA continues to advocate for Heavy Vehicle productivity and encourage government initiatives to reduce permits requirements and improve permit approval timeframes

Research has positively indicated economic, environment and safety benefits from use of High Productivity Vehicles, therefore, initiatives to increase Road Freight safety and efficiency must be a priority to support Road Reforms with a strong focus on improving general gazetted road access to reduce the need for individual permits.

The QTA supports proposed amendments to increase Road Network access and Freight Fleet Productivity.

Load Restraint Guide. (LRG) and HVNL amendments

The QTA supports removing the enforceable load restraint performance standards from the LRG. The LRG should remain as guidance material only and the enforceable elements placed into the HVNL in order to provide clear information to industry on what is a load restraint obligation and what is guidance only.

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Investigation powers and enforcement of the HVNL:

The QTA supports the proposed amendments to:

- Clarify and strengthen authorised officers' information gathering powers;
- Remove unnecessary restrictions attached to certain powers of an authorised officer, who is not a police officer, to enter and inspect a vehicle involved in an accident;
- Provide a broader power to require inspection of a heavy vehicle fleet where there is a reasonable belief the class of vehicles does not comply with the HVNL or is defective;
- Provide additional sanctions, including the issue of a prohibition notice by an authorised officer and the issue of an injunction by the court where there is noncompliance with the HVNL;
- Permit the publication by the Regulator (NHVR) of details of court outcomes;
- Clarify the admissibility of evidence obtained by police under another Act and the admissibility of evidence obtained in another jurisdiction.

Fatigue Laws – Insertion of Queensland Specific Section into Part 4A of the Act

The QTA supports the proposed amendment to insert a new **Queensland specific** section into Part 4A of the Act that will allow a fatigue related offence to be heard where the offence was detected, i.e. court district where a driver was required to produce their work diary.

This amendment will allow multiple fatigue related offences to be heard in a single Magistrates Court which will reduce unnecessary burden for both the defendant and the prosecuting authority.

It will also mean that Queensland will have a similar approach to other jurisdictions where courts have greater discretion to determine the location of proceedings aligning QLD with other states.

The QTA thank the Transport and Public Works Committee for considering comments in this submission to assist with the committee's inquiry and report to Parliament regarding the Heavy Vehicle National Law Amendment Bill 2018

I am pleased to be available to give evidence before the Committee and or provide any other information you may require.

Yours Sincerely

A handwritten signature in black ink, appearing to read 'Gary Mahon', is written over a white background.

Gary Mahon
Chief Executive Officer

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