




Speech By
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MEMBER FOR GLADSTONE

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HEAVY VEHICLE NATIONAL LAW AMENDMENT BILL

 **Mr BUTCHER** (Gladstone—ALP) (5.30 pm): Thank you for the chance to speak tonight on the Heavy Vehicle National Law Amendment Bill. I am sure members have heard the intriguing speeches on this bill so far. This is a very special bill to be talking about, particularly given the number of heavy vehicles used in my electorate of Gladstone with its wonderful port facilities.

I take this opportunity to thank my fellow members of the Infrastructure, Planning and Natural Resources Committee for the work they do in putting these reports together to present to the House. As the chairman of the committee commented earlier, the government, opposition and crossbench members of the committee worked well together when considering this bill. As the chairman did, I make special mention of the secretariat of our committee. Without the hard work that those ladies put in, it would make our job as committee members a whole lot harder. To the secretariat, I must say a special thankyou.

I start my speech on the Heavy Vehicle National Law Amendment Bill by giving some background to this reform. It is a national scheme that has been approved by ministers from around Australia who sit on the Transport and Infrastructure Council. The objective of this reform is to reduce the compliance burden for the heavy vehicle industry, improve Australia's international competitiveness, improve productivity and safety and make it easier for business to operate across state borders. That is important. Keeping our country moving is a vital part of this bill. We need to make sure that we do not have borders when it comes to moving around our country.

The objectives were achieved by the creation of the National Heavy Vehicle Regulator, NHVR, and a consolidated body of heavy vehicle legislation to govern all vehicles over 4.5 tonne, with the exception of matters relating to heavy vehicle driver licences, bus operator accreditation and the transport of dangerous goods. This bill amends the Heavy Vehicle National Law and provides for the implementation of further national reforms for the heavy vehicle industry by facilitating the introduction of electronic work diaries and the greater harmonisation of penalties under the national law.

Electronic work diaries are an alternative to the old-style written diaries for fatigue regulated heavy vehicle drivers to record their work and rest hours, which is vitally important. We know the number of road fatalities in Queensland which particularly involve trucks and heavy vehicles and the damage that those vehicles can cause. This bill makes sure that the drivers of these heavy vehicles have their breaks when they are doing long hauls across our country or are driving on the Bruce Highway or are driving on our western roads in Queensland, which is where our heavy vehicles are utilised to do the much needed work in our country.

During our hearing there were lots of questions regarding electronic work diaries. Most questions related to the difference in reporting using the written diaries and the new electronic diaries. The department had to clarify quite a few issues the committee had with regard to the difference between the written diaries that truck drivers and heavy vehicle drivers now use and the electronic diaries that are being trialled at the moment. The answers given by the department most definitely assisted the

committee in gaining an understanding of the difference between what truck drivers and heavy vehicle write down when completing written diaries and what is recorded in an electronic diary. The argument we had was around timing and when truck drivers can put their hours into their diaries. Of concern was the time frame around writing hours down in a written diary as opposed to recording them in the electronic diary which is quicker and more precise. The committee was happy when the department explained that the electronic diary system makes an allowance of eight minutes. They still have a little flexibility which the written diary has. The work done by the department to give us the information that was required to make our recommendation was fantastic.

The use of these diaries will help keep pace with the changes in technology and international standards that we see in our state and country. It will help us keep on the front foot when it comes to maintaining world standards when it comes to the moving of equipment and natural resources around our state.

The electronic work diaries approved under this bill will replace, if drivers so choose, the written work diaries. The bill does not require drivers to use electronic diaries. It allows drivers to use a written diary, if they so choose. It is great that our truck drivers and heavy vehicle drivers can choose to use written diaries if they have used them for a long time.

Electronic work diaries offer the prospect of a considerable reduction in the amount of red tape faced by operators and drivers as well as an improvement in compliance for some drivers. The pilot for electronic work diaries found that a nine per cent take-up of electronic diaries could deliver more than \$200 million in net present value terms to operators, system managers and authorities over five years. As we heard during the hearing, currently there is a lot of paper shuffling involved and the moving of written diaries to a second person who collates them. They have to go through another system and it goes on and on. This takes a fair amount of time to get through. As I said, there could be \$200 million in savings over five years if there is a nine per cent take-up of the electronic diary system.

This bill also makes a number of minor technical amendments identified by the Heavy Vehicle National Law maintenance program managed by the National Transport Commission. They aim to improve safety outcomes and correct minor errors and reduce red tape for the heavy vehicle industry.

One of the more difficult issues to be harmonised under the heavy vehicle national law system has been the setting up of penalties for these offences. The National Transport Commission has undertaken a review of these penalties and developed a national penalties framework. The framework establishes the underpinning principles for setting the appropriate penalty level for these offences. The bill includes a number of amendments to existing penalties to address the identified inconsistencies in the system. In our proceedings the committee noted the national approach taken with respect to the amendment penalties in order to achieve consistency across those jurisdictions. In light of the development of this national framework, the committee considered that adequate justification was proven in this bill. I commend the bill to the House.