




Speech By
Hon. Mark Bailey

MEMBER FOR MILLER

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HEAVY VEHICLE NATIONAL LAW AMENDMENT BILL

 **Hon. MC BAILEY** (Miller—ALP) (Minister for Transport and Main Roads) (5.18 pm), in reply: I would like to thank all members for their contributions to the debate of the Heavy Vehicle National Law Amendment Bill 2019. It is refreshing to see support for these reforms across the House. Firstly, a national bill like this takes a great deal of work from a wide range of stakeholders. I acknowledge the contribution of interstate officers, the National Transport Commission and the National Heavy Vehicle Regulator for their ongoing collaboration with jurisdictions and their commitment to ensuring that the national law remains fit for purpose.

While this bill is not extensive, it does continue the work of delivering amendments to the national law that will improve safety and efficiency for all those involved in the transport of goods by heavy vehicle. As I noted earlier, industry stakeholders were consulted extensively throughout the development of the bill and have been positive in their support. Engagement with industry will be an ongoing focus as the regulator's functions are expanded to expressly provide for the giving of advice, information and education to duty holders about complying with their primary duties under the law.

Proposed amendments support the regulator's commitment to administration of the national law, while providing industry with much anticipated access and productivity benefits such as 4.6-metre-high specified semitrailers and defect notice improvements. New national law provisions that improve harmonisation across borders are also welcomed by the industry. A number of inconsistencies with how the national law is applied have been removed, along with some unnecessary administrative processes. This has also been achieved without diminishing industry and governments' commitment to road safety or decreasing red tape.

The Palaszczuk Labor government is committed to supporting the heavy vehicle industry. Ongoing legislative work through the maintenance bills program is supported by on-the-ground action. This includes the delivery of infrastructure to assist the industry.

The Toowoomba bypass is indeed the jewel of Toowoomba, the Darling Downs and the Lockyer Valley, but if those opposite had their way it would have been well and truly tarnished with the highest toll in Australia. It would have indeed been 'Trevor's terrible Toowoomba toll tax'. But thanks to Labor, Toowoomba residents and Darling Downs—

Mr WATTS: Mr Deputy Speaker, I rise to a point of order. My title is the member for Toowoomba North. I keep being referred to as Trevor. If we are going to go on a first name basis, then I have an objection to—

Mr BAILEY: Mr Deputy Speaker, I rise to a point of order.

Mr DEPUTY SPEAKER (Mr Kelly): Members, while I am ruling on a point of order I will have silence. Minister, I will ask you to use correct titles when referring to members of this chamber.

Mr BAILEY: I do point out that I was not actually referring to the member specifically in his role here. I was referring to the toll.

Mr DEPUTY SPEAKER: Minister, we will refer to members by their correct titles in this chamber.

Mr BAILEY: I certainly take your direction there, Mr Deputy Speaker. It would then be classified as the 'Tories' terrible Toowoomba toll tax' because they kept it secret for seven years.

Mr LISTER: Mr Deputy Speaker, I rise to a point of order. The minister should well know he is not discussing something which is central to the bill. I ask that he be brought back to the long title.

Mr DEPUTY SPEAKER: Minister, I bring you back to the long title of the bill in your summation.

Mr BAILEY: Certainly. I was just responding to the contributions of those opposite during the bill. Upon the opening of the Toowoomba bypass, the type 1 road train and performance based standards level 3A networks up to 36.5 metres will be extended to the eastern side of the Gatton interchange. Temporary short-stay road train transfer facilities have been developed at the Gatton interception sites on the Warrego Highway while a permanent facility is in planning. All type 1 road trains and performance based standards level 3A combinations must conform to a complying B-double or otherwise permitted combination for travel east of the dedicated Gatton road train transfer facility.

All of this contributes to productivity for the heavy vehicle industry, which is a key area for the sector. In this regard heavy vehicle access permits are crucial, but they must be balanced with the need to protect our infrastructure where there are vehicle size and weight limits. Since introduction of the National Heavy Vehicle Regulatory Portal in October 2017, my department has seen a 25 per cent increase in the volume of applications for heavy vehicle access permits.

As with the amendments in this bill that are designed to balance road safety without increasing red tape, my department has been looking for opportunities to streamline business processes and increase permit durations to provide industry with greater flexibility. For example, my department has recently announced extensions to the current permit durations for class 1 oversize and overmass heavy vehicles. Extending class 1 permits to 12 months shows the Palaszczuk government's continued commitment to supporting the heavy vehicle industry. It is estimated that industry will save around \$1 million in fees and 3,000 hours of paperwork. Transport and Main Roads have also worked with the National Heavy Vehicle Regulator to transition to the full National Heavy Vehicle Regulator Road Manager Portal system. In August 2019 the department returned permit processing functions for interstate class 1 agricultural applications to the regulator, which means that industry will have a single processing system and will be able to easily track applications online.

It is timely to update the House on the comprehensive review of the heavy vehicle national law, as this review is likely to mean that we may not bring further maintenance bills to the review unless there are urgent issues that industry needs us to address. Through the Transport and Infrastructure Council, the review of the national law has been brought forward by two years. The review will initially consider the effectiveness of the heavy vehicle national law framework along with the structure and form of the heavy vehicle national law and its regulations. The National Transport Commission has created a stand-alone website that provides easy access to all the information on the review, including issues papers as they are released and information on how to be involved and make submissions. I encourage all stakeholders to take some time to look at this and make a contribution based on their experience and skills in the industry.

It is not just in the legislative space that the Palaszczuk government demonstrates its commitment to the heavy vehicle industry. Road safety is a critical aspect for all road users, but particularly for heavy vehicles. Where an authorised officer has identified a vehicle defect, they will issue a vehicle defect notice for a minor or major safety risk or a self-clearing defect notice where the use of a vehicle does not pose a safety risk. Each jurisdiction uses their own form approved by the National Heavy Vehicle Regulator, but in most cases jurisdictions have combined vehicle defect notices and self-clearing defect notices into the one form. However, inconsistencies exist between the requirements that must be addressed when issuing a vehicle defect notice or a self-clearing defect notice. This makes using a single form confusing.

A consistent regulatory approach will be achieved by ensuring the same requirements must be addressed when issuing a vehicle defect notice for a self-clearing defect notice. The following amendments are examples of this newly consistent regulatory approach: the approved form for a vehicle defect notice must state the day and time that the notice was issued, which will align vehicle defect notices with current requirements for a self-clearing defect notice; authorised officers can permit the use of a heavy vehicle that is subject to a self-clearing defect notice after the period to take corrective action has expired to align with how a minor defect notice is currently handled; the time frame a driver must provide a vehicle defect notice to the operator will align with the period currently stipulated for a self-clearing defect notice.

Amendments to the heavy vehicle national law are required to fully implement certain provisions of the Heavy Vehicle National Law Amendment Act 2018, which commenced on 1 October 2018. Namely, the act permits PBS vehicles at general mass limits greater access to the road network.

Amendments are required to harmonise penalty provisions to ensure that PBS vehicles travelling on a road without authorisation are subject to the same enforcement and penalty provisions as any other heavy vehicle on that route that may be detected over mass or dimension limits. PBS vehicles pose the same risk to infrastructure as any non-PBS vehicle when travelling on roads not assessed and approved for BPS use; therefore, the same penalties for breach of general mass and dimension requirements should apply.

The importance of having a national law that is fit for purpose cannot be understated. The amendments before you today support a pro-active approach to managing safety and will see a reduction in regulatory burden for those involved in the heavy vehicle transport industry. Western Australia and the Northern Territory have not applied the heavy vehicle national law and are not participating jurisdictions at this point in time. Vehicle modifications approved in nonparticipating jurisdictions are not currently recognised under the heavy vehicle national law, which means that an operator is required to have a modification reassessed if the vehicle is to be operated in a participating jurisdiction.

Modifications approved in a nonparticipating jurisdiction, which comply with the National Heavy Vehicle Regulator's Code of Practice for the Approval of Heavy Vehicle Modifications, will be deemed to have been approved under the heavy vehicle national law. The proposed amendment only applies to common modifications that comply with Vehicle Standards Bulletin 6 issued under the code of practice. Other modifications will continue to require approval under the heavy vehicle national law. The proposed amendment will remove the need for an operator from a nonparticipating jurisdiction—namely, Western Australia or the Northern Territory—to have the modification reassessed and approved under the heavy vehicle national law.

Another key area for the heavy vehicle industry is productivity. In this regard, heavy vehicle access permits are crucial, but they must be balanced with the need to protect our infrastructure where there are vehicle size and weight limits. I have already made some pertinent points on the road manager portal system and the permit processing functions. They returned in August 2019 for intrastate class 1 agricultural applications to the regulator. Indeed, that means that the industry will have a single processing system and be able to easily track applications online.

It is timely to update the House on the comprehensive review of the heavy vehicle national law, as this review is likely to mean that we may not bring further maintenance bills to the House during the review unless there are urgent issues that industry needs us to address. Through the Transport and Infrastructure Council, the review of the national law has been brought forward by two years. The review will initially consider the effectiveness of the heavy vehicle national law framework along with the structure and form of the heavy vehicle national law and its regulations.

The National Transport Commission has created a standalone website that provides easy access to all the information on the review, including issues papers as they are released and information on how to be involved and make submissions. I encourage all stakeholders to take some time to look at this and contribute. The importance of having a national law that is fit for purpose cannot be emphasised enough. This proactive approach before the House in terms of managing safety will see a reduction in the regulatory burden for those involved in the heavy vehicle transport industry.

I also welcome the broad contributions from all members of the House here today on these amendments. I acknowledge what I thought were sincere contributions when it came to commitments about road safety. I heard a range of people making comments about the importance of road safety. That is highly pertinent to a bill concerning heavy vehicles. When it comes to crashes and trauma on our roads involving heavy vehicles, the fault very rarely lies with the heavy vehicle itself. Truckies know their equipment, they know the roads and they are generally very safe drivers compared to other drivers.

We certainly have more to do in terms of educating other road users about driving safely around heavy vehicles because of limitations to do with their size, mass and configuration. I welcome the efforts of the National Heavy Vehicle Regulator which at the moment has an education campaign that is led by Supercars champion and Bathurst winner Garth Tander. It is aimed at educating people on how to drive around heavy vehicles because clearly the statistics there are not very good. While the number of crashes has come down nationwide, we are still seeing a lot of preventable crashes because people do not understand heavy vehicles.

Education is very important. That campaign by the National Heavy Vehicle Regulator is a very good one. I urge all members, particularly members in regional areas who have a lot of constituents who are putting in a lot of kilometres on country and regional roads, to share those videos and share that information because I think it would be of interest to them. It also applies to people in the city because we do see a lot of heavy vehicles coming through metropolitan areas and we need to get that information and education out to people so they know how to drive safely around heavy vehicles.

I acknowledge the sincere contributions made by members about road safety, and I thank them for their commitment around that, but we need to back that up. When it comes to road safety, it is not enough to say that we all support road safety. From a policy point of view, we all have to support moving forward on road safety. We cannot go backwards. The opposition's position on abolishing covert speed cameras will increase speed deaths in Queensland. There is no doubt about that whatsoever.

I acknowledge the sincere contributions made by the members for Chatsworth, Burdekin, Coomera and others about the commitment to road safety. Let us be bipartisan and ensure we make road safety a base line that we all add to. The debate should be about how we add to road safety to reduce deaths, crashes and trauma. If we abolish covert speed cameras at any stage in the future, I can guarantee there will be more speeding—the stakeholders will certainly support that—and there will be more speeding related crashes and deaths. Let us back that up with policy and let us all do what we can within our realms, our parties and our groups because I think that is a very irresponsible policy. It is something that should be forgotten about. We should have a very clear view about increasing road safety.

Let us have a battle about ideas on how best to do road safety. That is the space we need to be in. We do not need to be going backwards and retreating from road safety. A lot of jurisdictions look to us for our leadership in this regard. It is not just about saving lives here in Queensland; it is about saving lives in other states and jurisdictions in our country and also internationally. When you look at some of the jurisdictions in the US, a lot of the states are a long way behind Queensland when it comes to road safety policy. We have to keep adding to that road safety bank of reform and policy so that more people can have long healthy lives.

I would like to conclude by thanking all the stakeholders for their valued contributions that helped bring these reforms before the House. The national heavy vehicle process is probably considered a fairly dry one for a lot of people and not necessarily the most exciting one.

Mr Minnikin: Not at all.

Mr BAILEY: I take the interjection from the member for Chatsworth, who believes it is much more exciting than that. I acknowledge his enthusiasm. It is an important process when we are looking at lots of different jurisdictions. Road transport is critical in this country so harmonisation across state and territory boundaries is actually a real micro-economic reform. We have to keep at it because if we get a more efficient supply chain in there we will create more and more jobs. While it can be a dry process for some, it is something that the industry is very committed to and very involved in. I know our government and this department are very committed to working closely with industry to get the best possible outcomes for the economy and the heavy vehicle industry. If heavy vehicles are cheaper and more efficient, then our products will be cheaper, the economy will be better and we will all be better off. We all depend on freight every day of our lives.

I would like to acknowledge and thank all the stakeholders for their contributions in this process. I also acknowledge officers of my department and the ministerial office for their hard work on this bill. I thank them for their commitment to regulatory reform and to promoting road safety. I commend the bill to the House.