



Speech By
David Lee

MEMBER FOR HERVEY BAY

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HEAVY VEHICLE NATIONAL LAW AMENDMENT BILL

 **Mr LEE** (Hervey Bay—LNP) (7.41 pm): I rise to speak to the Heavy Vehicle National Law Amendment Bill 2025. A recent Australian government heavy vehicle road deaths report reveals that there were 205 road deaths involving heavy vehicles and 98 deaths involving heavy rigid trucks in the past 12 months. This amendment bill has a strong focus on the safety and wellbeing of the heavy vehicle industry.

The heavy vehicle transport industry is integral to the success of our economy and is a critical element in our transport infrastructure. At the outset I want to acknowledge the work of the Minister for Transport and Main Roads, Hon. Brent Mickelberg, in bringing this important legislation before the House. How refreshing it is to have a minister who displays visionary leadership and is across his brief. It is a real contrast to the conga line of failed former Labor ministers for transport and main roads. I also recognise the diligent work of the State Development, Infrastructure and Works Committee.

A heavy vehicle is defined as a vehicle that has a gross mass of more than 4.5 tonnes and may include semitrailers, freight trailers, road trains, passenger buses, vehicle carriers, livestock and other agricultural vehicles, and even mobile cranes. The Bruce Highway runs through the Fraser Coast and is a major and critical logistical route for heavy vehicles. We have heavy vehicle providers including Richers Transport in nearby Maryborough and Wide Bay Transit. Both provide important logistical and passenger services throughout the Wide Bay.

I must confess that my education about the heavy vehicle industry is limited to a periodic viewing of *Outback Truckers*. However, I can make some subjective observations. Our all-weather heavy vehicle drivers are resilient and ingenious and provide invaluable services to our community. We saw some of them in action in Hervey Bay in the aftermath of ex-Tropical Cyclone Alfred delivering life-sustaining food and products to replenish our local supermarkets.

The Heavy Vehicle National Law and its associated national regulations regulate heavy vehicle operations across Australia except for Western Australia and the Northern Territory. The heavy vehicle laws have been in operation since 10 February 2014. The Heavy Vehicle National Law is incorporated in the Queensland Heavy Vehicle National Law Act 2012. Any changes made to the Heavy Vehicle National Law need to be enacted in Queensland before its application in other participating jurisdictions.

Since 2019 the Heavy Vehicle National Law has been under review. That review is a collaboration between the National Transport Commission, the regulator, transport ministers across Australia and heavy vehicle industry stakeholders. This bill amends the Heavy Vehicle National Law Act to implement the amendments arising from that review. There are several substantive amendments calculated to reduce the regulatory burden and improve safety and productivity. This bill will provide, firstly, for an enhanced accreditation framework to improve safety that requires operators to have a safety management system, an SMS. The SMS helps operators to identify hazards, assess and control risks, and implement continuous quality improvement. The bill also proposes to replace the current module system with the ability for the regulator to grant alternative compliance accreditations.

I now turn to an expanded duty to be fit to drive. A driver of a heavy vehicle is unfit to drive the heavy vehicle on a road if the driver is not of sufficiently good health or fitness to drive a heavy vehicle safely. The bill expands the new duty to not drive while fatigued to include a duty not to drive when unfit. Furthermore, the bill places 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.

Enforcement will be implemented jointly by the National Heavy Vehicle Regulator through their authorised officers and relevant police agencies. This bill will also implement changes to penalties for offences under the Heavy Vehicle National Law recommended by a National Transport Commission review. The bill increases penalty amounts and expands the use of formal warnings. Enforcement will be expedited through a reduction in red tape, particularly in relation to fatigue management record keeping and the issue of notices. The National Transport Commission reviewed the penalties. A total of 349 offences were reviewed using a transparent methodology known as the Heavy Vehicle National Law penalties assessment matrix. As a result of that review, 50 penalties were increased and 21 penalties were decreased. A further penalties review and evaluation is planned in three years to ascertain the effectiveness of the program.

This bill, furthermore, introduces an improved code of practice framework that simplifies the process and shifts responsibility for development and approval of a code of practice to the regulator. The Department of Transport and Main Roads submitted to the committee that a code of practice 'is a document providing practical guidance on how to comply with legal obligations, setting out good practice methods for managing safety in a particular industry or area of work'. The regulator will create and approve the code of practice following industry consultation. The draft code must be made publicly available for 42 days to allow time for industry to respond. Ministers will have oversight of the process.

In relation to ministerial oversight, new ministerial direction and approval powers will support changes to the accreditation and code of practice frameworks and provide an appropriate balance between regulatory discretion and ministerial oversight.

I now turn to the governance arrangements of the regulator. This bill will modernise the operation of the regulator's board and provide for responsible ministers to approve a statement of expectations for the regulator in exercising their functions. The purpose of these amendments is to reflect the process and arrangements in place for other government owned corporations and regulators. The Heavy Vehicle National Law establishes a governing board for the regulator, the board. The bill proposes to make the following changes to the board appointment and governance process: number of board members, appointments of members, terms of appointment and removal of members.

In closing, this bill will improve the safety and wellbeing of the heavy vehicle transport industry through a range of mechanisms. I commend the Heavy Vehicle National Law Amendment Bill 2025 to the House.