

FACT SHEET

Heavy Vehicle National Law (Tasmania) Bill 2013

The purpose of the Bill is to implement, in Tasmania, the Heavy Vehicle National Law for the regulation of heavy vehicles over 4.5 tonnes Gross Vehicle Mass (GVM). It also establishes a single Heavy Vehicle Regulator to administer the National Law.

The Bill is introduced pursuant to the Intergovernmental Agreement on Heavy Vehicle Regulatory Reform signed by the Council of Australian Governments on 19 August 2011. This reform represents a key component of the National Partnership Agreement to deliver a Seamless National Economy.

Economists estimate the benefits to the national economy to be up to \$12 billion over the next 20 years, through improved productivity and reduced regulatory burden on industry. Transport companies which operate exclusively within Tasmania, and who already have general access to the road network, are less likely to realise the full productivity benefits that will accrue from nationally harmonised laws. However there is a strong focus on safety in these reforms. In particular, for Tasmania, the introduction of Chain of Responsibility and fatigue management laws should improve awareness and good practice in a range of safety areas. Opportunities to gain accreditation in Basic and Advanced Fatigue Management Schemes also allow transport operators greater flexibility in how they manage fatigue risks to suit their business.

The Heavy Vehicle National Law (Queensland) Act 2011 passed through the Queensland Parliament and received Royal Assent in October 2011. A subsequent amendment was passed in February 2013 to clarify some policy and technical matters. In accordance with the Intergovernmental Agreement, this Bill seeks to apply that consolidated legislation as legislation of the Tasmanian Parliament (as will all other participating States and Territories).

The National Heavy Vehicle Regulator commenced operations from its head office in Brisbane on 21 January 2013 undertaking limited functions by way of a delegated model. The Regulator will be fully functional from later in 2013 when all jurisdictions (with the exception of WA which is yet to sign the Intergovernmental Agreement) have supporting legislation and systems in place.

The National Law aims to remove inconsistencies and duplication in the regulation of the heavy vehicle industry, which operates across jurisdictional borders, and brings together model legislation developed through national heavy vehicle regulatory reforms over the last twenty years.

The national law deals with:

- fatigue management,
- heavy vehicle accreditation schemes,
- mass, dimension and loading limits,
- compliance requirements,
- chain of responsibility; and
- enforcement powers.

The new National Law will introduce to Tasmania some key changes already in place in most other States and Territories. In particular, these will relate to chain of responsibility requirements and national fatigue laws. In Tasmania fatigue provisions under the National Law will have a delayed introduction by six months. These changes will require modifications to current business practices and processes to make the operation of heavy vehicles on our roads safer and fairer.

Once the National Regulator is fully operational, operators will be able to:

- apply online for access permits through one national business portal,
- deliver Australia's freight tasks under standardised regulations for mass dimension and loading,
- operate under harmonised, national standards for heavy vehicle inspections,
- take advantage of mutual interstate recognition of inspections and defect clearances, reducing vehicle downtime; and
- align business with nationally-consistent fatigue management laws.

In Tasmania, Police and local Transport Inspectors will continue to enforce heavy vehicle offences under the National Law and all heavy vehicle permits, exemptions and accreditations that currently exist under Tasmanian law have been specifically identified in the Bill to be recognised under the National Law.

Several aspects of heavy vehicle regulation will continue to be dealt with by state based laws. These include driver licensing, public passenger accreditation, road rules and matters related to dangerous goods vehicles.

Chapter 2 of the National Law, which relates to the registration of heavy vehicles, will remain switched off, and therefore continue to be the responsibility of jurisdictions. A target date of July 2015 has been identified for the introduction of a national approach to registration.