

A NATIONAL OPERATING STANDARD FOR HEAVY VEHICLE OPERATORS



Australia's Heavy Vehicle National Law should:

- encourage and embrace the use of technology for safety and access purposes; and
- ensure operators have suitable safety management systems in place and the capital necessary to ensure the safe operation of heavy vehicles.

The Australian Logistics Council (ALC) believes these goals can be achieved through the incorporation of a national operating standard for heavy vehicle operators into the Heavy Vehicle National Law (HVNL).

The National Operating Standards

1. Creating a list of operators

An operator must identify the entity operating a heavy vehicle(s) and the place(s) heavy vehicles are garaged.

- Amongst other things, it will help monitor and control the incidence of phoenixing in the industry.

2. Ensuring an operator has the capital to maintain a heavy vehicle

An operator must prove to the satisfaction of the NHVR that a nominated amount of Capital is available to the business.

- Maintenance has been found to be one of the discretionary expenses cut by some operators to make ends meet.
- The community must have confidence that heavy operators have available the funds to undertake regular and appropriate vehicle maintenance.
- The enabling legislation could be modelled on NSW laws¹ requiring accredited bus and coach operators to be able to prove they have access to capital so that vehicles can be maintained.



3. Mandatory collection of data

A heavy vehicle must use equipment compatible with standards made under the National Telematics Framework to collect identified information.

- ALC members advise that for around \$2500 (for hardware) plus approximately \$30 a month for service fees, a compliant unit can be obtained that provides:
 - ➔ compliance with NHVAS mass, maintenance and fatigue modules;
 - ➔ electronic work diaries and electronic fit for duty declarations;
 - ➔ integration with on board weighing systems, electronic braking systems, transport/freight management systems, distraction monitoring services and cameras;
 - ➔ applications to calculate Fuel Tax credits, location and speed monitoring services, trailer tracking and driver navigation services; and
 - ➔ assistance in fuel management and the production of engine information.

- On this basis, it is no longer feasible to argue that compliance costs outweigh the benefits of mandatory recording of data, which include:
 - ➔ allowing road owners to fully understand the volumes of heavy vehicle traffic on their network;
 - ➔ providing the NHVR with information on speed and fatigue, where there is cause to investigate;
 - ➔ providing operators with data that can help them develop their business;
 - ➔ giving road owners the best data to make decisions as to whether a particular vehicle should access a road; and
 - ➔ providing data that can be used in a National Freight Data Hub, to enable industry and government freight sector participants make better informed operational, planning and investment decisions.²



4. Making safety management systems mandatory

An operator must maintain and follow a safety management system (SMS) appropriately scaled to business needs, meeting standards made by the NHVR.

- The enabling legislation could be modelled on NSW laws³ requiring accredited bus and coach operators to have an SMS complying with guidelines made under the bus safety law.⁴

This would provide:

- communities with assurance that operators have systems in place to manage safety; and
- create productivity gains through a reduction in audit duplication through the provision of a common set of standards.



and so encouraging the operators of heavy vehicle safety schemes to mutually recognise each other's audits and so reduce the number of audits that operators have to undergo and pay for.

1 Section 10 of the Passenger Transport (General) Regulation 2017(NSW)

2 See Transport and Infrastructure Council (2019) National Freight and Supply Chain Strategy National Action Plan: 22 - <https://www.freightaustralia.gov.au/sites/default/files/documents/national-action-plan-august-2019.pdf>

3 Section 9D of the Passenger Transport Act 1990 (NSW)

4 Found at: <https://www.rms.nsw.gov.au/documents/business-industry/buses/boas-safety-management-system-guidelines.pdf>