

Heavy Vehicle National Law Regulation 2014

Explanatory notes for SL 2014 No. 7

made under the

Heavy Vehicle National Law Act 2012

General Outline

Short title

Heavy Vehicle National Law Regulation 2014

Authorising law

Sections 37, 43 and 50 of the *Heavy Vehicle National Law Act 2012*.

Policy objectives and the reasons for them

The *Heavy Vehicle National Law Act 2012* contains the Heavy Vehicle National Law. The national law regulates vehicles with a gross vehicle mass of more than 4.5 tonnes. The national law has been drafted for adoption in all participating jurisdictions in Australia. The Act also contains Queensland's local application provisions, that is, provisions containing matters specific to the application of the national law in Queensland.

There are sections in the local application provisions of the Act which envisage matters to be dealt with by a regulation. The policy objective of the *Heavy Vehicle National Law Regulation 2014* is to provide for these matters.

Achievement of policy objectives

The amendments achieve the policy objectives by :-

- specifying the width and length of heavy vehicles for which the consent of the Queensland Commissioner of Police is necessary prior to a mass or dimension exemption being granted under the national law;
- providing for the fee payable for a route assessment under the Heavy Vehicle National Law (Queensland), section 159; and

- including declaratory provisions which provide examples of how the general transitional provision in the national law is intended to operate in a Queensland context.

Consistency with policy objectives of authorising law

The amendments are consistent with the main objectives contained in section 3 of the national law, in particular, to establish a national scheme for facilitating and regulating the use of heavy vehicles on roads.

Inconsistency with policy objectives of other legislation

The regulation is consistent with the policy objectives of other legislation.

Benefits and costs of implementation

An independent cost benefit analysis was commissioned to ascertain the net benefits possible through adoption of the Heavy Vehicle National Law. The outcomes of this analysis are summarised in the explanatory notes for the Heavy Vehicle National Law Bill 2012.

Consistency with fundamental legislative principles

It is considered that the amendments are consistent with fundamental legislative principles.

Consultation

Consultation on the proposed amendments was undertaken with the Department of the Premier and Cabinet, the Department of Justice and Attorney-General, the Queensland Police Service, Queensland Treasury and Trade and the Office of Best Practice Regulation. All agencies support the amendments.