

Heavy Vehicle (Mass, Dimension and Loading) National Amendment Regulation

Explanatory notes for SL 2014 No. 216

made under the

Heavy Vehicle National Law Act 2012

General Outline

Short title

Heavy Vehicle (Mass, Dimension and Loading) National Amendment Regulation

Authorising law

Section 43 of the *Heavy Vehicle National Law Act 2012*.

Policy objectives and the reasons for them

Current mass and loading regulations require the heavy vehicle and/or combination and each axle group of the vehicle and/or combination to be loaded to no more than their (total) mass. If a heavy vehicle combination is loaded to its permissible vehicle mass limit, the load may be required to be placed with a high degree of precision which, in practice, can be difficult to achieve.

The National Transport Commission (NTC) consulted with jurisdictions, industry and governments about how to reduce the burden on heavy vehicle operators from this loading practice while still maintaining overall mass limits safely.

The policy has received strong support from the heavy vehicle industry who maintain that such a mass transfer allowance will enable heavy vehicles to be more effectively loaded to maximise carrying capacity and therefore increase the productivity and efficiency of freight movement across Australia.

The amendments commence on 29 September 2014.

Achievement of policy objectives

Allowing a “transfer” of mass by increasing the mass limit on one tri-axle group, while decreasing it on other axle group(s) by a corresponding amount would serve the policy objective, without compromising vehicle safety, and with minimal additional road wear or other infrastructure damage.

This policy excludes any mass transfer (increase or decrease) to a steer axle or twinsteer axle group.

The consequence of transferring up to one tonne of load mass to a tri-axle group reduces the load on single or dual axle groups (while maintaining the overall mass limit).

However the successful application of the mass exception is conditional on a heavy vehicle/combination being loaded to no more than the applicable total mass limit for the vehicle/combination.

Consistency with policy objectives of authorising law

The amendment regulation remains consistent with the main objectives and safety standards of the *Heavy Vehicle National Law Act 2012* while reducing the burden on heavy vehicle operators from what can be a burdensome loading practice.

Inconsistency with policy objectives of other legislation

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

Benefits and costs of implementation

There are no financial benefits nor costs associated with this amendment.

Consistency with fundamental legislative principles

The amendment does not breach any fundamental legislative principles.

Consultation

Consultation was undertaken on a national level by the National Transport Commission with the Commonwealth Office of Best Practice Regulation, other Australian jurisdictions, industry and governments.

Queensland's Department of Transport and Main Roads has also consulted with the Queensland Office of Best Practice Regulation, Queensland Competition Authority.

This amendment was supported by the Transport and Infrastructure Council on 23 May 2014.