

2014 Livestock and Bulk Carriers Association Conference

Speaking date and time: Saturday 8 March, 10:00am

Venue: Tamworth Regional Entertainment and Conference Centre

Speaking time: 15 minutes including question time.

Other speakers: Liz Schimdt, President, ALRTA and Mat Munro, Executive Director, ALRTA

Topic: National issues driving the agenda in 2014

****Check against delivery****

Good morning and thank you for having me here as part of your conference today.

So what are the NTC doing to make your job easier, more efficient and safe during 2014 and beyond?

Today I'm going to provide a quick update on the projects we are working on that are important to you as livestock and bulk carrier transporters.

Current project updates

One Tonne Mass Transfer

A project that I know you are definitely keen to hear about is our work on the 'one tonne mass transfer'.

Last year, the NTC developed a proposal to allow up to one tonne of mass to be transferred between tri-groups or from tandem to tri-groups in a heavy vehicle combination, so long as the gross mass of the combination is within its legal limit.

This was in response to feedback from industry that the current requirement to load each axle group precisely to their respective mass limit is very difficult to achieve in practice, as the load has to be placed within a few millimetres of the optimum position.

At their meeting in October, the Transport and Infrastructure Senior Officials Committee— heads of various transport departments and road agencies - approved the policy proposal and instructed the NTC to draft the regulations to support this change.

The regulations have now been drafted and are currently with state and territory road agencies to ensure that they reflect the agreed policy outcomes.

The regulations will be submitted to transport ministers from the Council on Transport and Infrastructure for final approval.

Heavy Vehicle Roadworthiness Project

In October 2013, the NSW Roads Minister, the Hon Duncan Gay, wrote to the National Heavy Vehicle Regulator and NTC, requesting they undertake a package of work to identify measures to improve heavy vehicle roadworthiness levels and the effectiveness of inspections.

This request followed a fatal incident in NSW involving a fuel-carrying road tanker.

The NTC has now brought forward the planned project to review heavy vehicle inspection regimes as part of a joint program with the NHVR, who are reviewing the National Heavy Vehicle Accreditation Scheme.

The program will aim to improve the level of heavy vehicle roadworthiness and identify the most effective use of accreditation schemes, including NHVAS, to achieve that objective.

This program will be overseen by a steering committee jointly chaired by the CEO of the NTC and the CEO of the National Heavy Vehicle Regulator.

Work is underway on the first phase of the program, which includes a literature review and analysis of current inspection and roadworthiness regimes.

The work will involve consulting with operators and drivers like yourselves, as well as governments, to identify areas for improvement. Yesterday we released an industry survey which I'd encourage you to fill in as the information you can provide is extremely important. There's a link to the survey on the handout which we have given to you all today.

The survey is looking for information about how companies go about keeping their vehicle fleets in road worthy condition. All responses will be recorded anonymously.

Heavy Vehicle Charges

As many of you would be aware, for the past two years the NTC has been working on a new Heavy Vehicle Charges Review and Determination – the process through which we set the registration and fuel or road user charges.

I'd like to thank those of you who attended a forum or made a submission as part of this project.

The NTC has submitted charges options to ministers and I would expect they will make a decision by late March.

There are also several projects currently underway to prepare for upcoming vehicle technologies and to improve compliance and enforcement:

Heavy Vehicle Compliance Review

In September 2013, the NTC released a review of heavy vehicle compliance which aims to find ways to promote better compliance within the heavy vehicle industry.

Following a public consultation period late in 2013, the NTC is consolidating the feedback received in order to finalise the review paper for submission to ministers in May.

Penalties

The national penalties framework includes the maximum penalties able to be imposed by a court if you break the law. It also includes penalties for offences that can be dealt with using infringement notices and specifies offences that attract demerit points.

The Heavy Vehicle National Law approval process included some compromises on penalties. Government and industry stakeholders asked the NTC to undertake a formal review of the framework following the establishment of the regulator.

The NTC called for public comment on the framework in January and February this year as an opportunity to make any refinements to the framework.

We received some excellent feedback from stakeholders, including from the Australian Livestock and Rural Transporters Association on behalf of their state associations such as the LBCA.

The NTC are now in the process of consolidating and reviewing this feedback in order to make final recommendations to ministers in May 2014.

Electronic Work Diaries

Last year, the NTC released the Preparing Australia for Electronic Work Diaries Regulatory Issues Paper for public consultation.

The paper examines the regulatory changes required to prepare Australia for the introduction of electronic work diaries as an alternative to a paper-based work diary and support the voluntary take up of this technology.

The widespread uptake of electronic work diaries has the capacity to significantly improve road safety, as they can help drivers and operators proactively manage their fatigue obligations in real-time, and also help operators improve operational efficiencies.

The NTC's paper was developed as a part of an Operational Pilot of Electronic Work Diaries conducted for Transport for NSW by NSW Roads and Maritime Services and Transport Certification Australia.

The paper makes a range of proposed recommendations, including an approach which would ensure that measures to protect privacy are integrated into the system, rather than mitigated after the design is finalised.

A wider policy framework is also being developed by NTC to support the use of in-vehicle telematics, to achieve improvements in safety and efficiency for both regulators and industry.

Following public consultation, the EWD paper and wider in-vehicle telematics policy framework are being finalised for submission to ministers for approval in May.

Fatigue/Counting Time (Residual Risk)

In May 2011, ministers agreed to adopt a uniform approach to the counting time rule in fatigue legislation, bringing Victoria and South Australia in line with New South Wales and Queensland.

This change was agreed to by the Victorian and South Australian ministers on the condition that the NTC undertake a project to explore whether schedules possible under the current counting rule create a 'residual fatigue risk'.

Under the NSW/Queensland version of the counting time rule, which now applies nationally, drivers are allowed to undertake long work shifts either side of a minimal sleep opportunity of seven hours. This is called 'nose-to-tail' scheduling.

As part of this project, the NTC has obtained expert fatigue advice and worked closely with government, police, and industry stakeholders, however has not been able to gather sufficient evidence to support changing the law.

A draft report was circulated amongst key industry and government representatives earlier this year, including to ALRTA. The draft report included three draft recommendations for feedback:

1: That the Heavy Vehicle National Law be amended to clarify that a 'relevant major rest break' means the longest continuous rest break required in a given period for each work and rest hours module, as this is currently causing some confusion.

2: That the NTC and NHVR collaborate with industry and governments to collect real life operational data to better inform future fatigue policy. This includes analysis of work diaries and shifts associated with recorded incidents. At the moment, there is inadequate evidence in relation to whether nose-to-tail schedules are a problem that justifies any changes/amendments to the law.

3: That the NTC lead a review of the Standard Hours module commencing next financial year, to address wider issues raised by fatigue experts as part of this project which many contribute to fatigue risk.

The NTC is now reviewing the feedback received from stakeholders in order to finalise recommendations for ministers to consider in May.

Heavy Vehicle National Law

As well as working on these projects, the NTC is responsible for the ongoing maintenance of the Heavy Vehicle National Law.

We have now established a maintenance group comprising of government and industry representatives to provide advice and guidance on this work.

The process for establishing the National Heavy Vehicle Law to underpin the National Heavy Vehicle Regulator resulted in some compromises between states and territories, and there is still room for improvement in the national law to achieve best practice.

It is expected that this will form a large component of the NTC's work over the next two to three years.

Upcoming projects

As well as ongoing work maintaining the Heavy Vehicle National Law, some upcoming projects include:

- Work to extend the modular A/B triple network by developing a vehicle specification that will meet the requirements of the type 1 road train network
- Work to allow 6 and 7 axle truck and dog trailer combinations at Performance Based Standards mass limits without a PBS assessment
- Working closely with the NHVR and Austroads to find ways to streamline the management of over dimensional and over mass vehicles across the country
- Evaluating the IAP program and whether it has achieved its intended outcomes

Our full work program including the work planned over the next three years will be available following the minister's meeting in May.

Conclusion

Well there's a snapshot of some of the current and upcoming projects the NTC are working on during 2014 and beyond.

We appreciate the input you may have made to these projects in the past and hope that you will continue to collaborate with us into the future to help make our roads safer and more efficient.

If you have any questions, I'd be happy to answer them now.

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