

***\*Check against delivery\****

**Nat Road Conference 2014  
Adelaide Convention Centre  
Friday 15 August 2014  
10:50am – 11:10am**

**SLIDE ONE: Introduction**

Thank you for the chance to speak to you today. My name is Paul Retter and I've been Chief Executive and Commissioner of the NTC since July 2013.

**SLIDE TWO: today**

First, I'd like to talk about exactly what the National Transport Commission is doing for you and your business. In short, we are working to make your business easier, safer and cheaper.

**SLIDE THREE: About us**

The NTC's role is to provide the best independent advice to transport ministers on reforms that make our transport system more productive, safer and environmentally

sustainable. We drive regulatory efficiency by ‘reducing red tape’.

The advice we provide to ministers is based on evidence. To that end, we work to ensure that our recommendations are based on thorough research on the costs and benefits to industry, governments and the wider Australian community.

Sometimes this involves practical trials. **Always** this involves in-depth and comprehensive discussions with the people who are affected by our work, whether they be other members of the Australian community, owner operators or drivers.

We have recently adopted a ‘co-design’ approach to designing our reform work and planning processes.

Our new approach means we are working collectively with our stakeholders through **all** stages of a reform project – through workshops, surveys, forums and other activities.

In addition to traditional public consultation periods on developed papers, we are now asking groups such as NatRoads to be involved in the initial design and development phase, as well as helping to implement the outcome.

The benefits of our co-design approach has already been seen on several projects, such as working through the complexities of heavy vehicle charges, as well as our 2014-15 strategic planning.

What we know is that we get the best results when those who are closest to the issue, and have the practical experience, are the ones who help identify how we can improve regulatory efficiency, productivity and safety.

Of course, we are not always going to have everyone agree on a recommendation we put to ministers, but we aim to work closely with people to better understand the problem being addressed, their issues and concerns, and, make sure we are working together to find the best solutions.

Ultimately, the decision on reforms is with ministers - but this approach gives us confidence that the reform advice we provide to ministers is the best advice we can possibly give.

## **Projects that affect you**

At NTC, we are often asked how our different projects relate to each other, how these projects help create a safer and more productive transport network, and, how we are helping to cut red tape.

Our projects don't exist in a vacuum, they are complementary, interconnected and consistent pieces of reform that help to create a more efficient economy.

In May this year, transport ministers approved a package of NTC projects that will help Australia's transport industry deliver freight more efficiently and reduce the risk of major crashes on our transport networks, some of which I'd like to talk you through today.

#### **SLIDE FOUR: Heavy vehicle charges**

As I mentioned, a co-design approach was used in the recent Heavy Vehicle Charges Determination. Even though ministers decided to defer implementing our recommended improvements until 2016, we are proud of the fact that these recommendations were not something that was dreamt up by an isolated public servant in an office cubicle, but developed in consultation with industry groups and individuals, authorities, and government representatives.

I would like to take this opportunity to thank those of you who were part of this project, whether by attending a forum or workshop, or sending in a submission. Your input and efforts is what gives me the confidence in the

recommendations we make.

In the short term, ministers have agreed that from 1 July 2014, an annual adjustment will be applied to registration charges of 1.3 per cent and the fuel charge will remain at 26.14 cents per litre.

### **SLIDE FIVE: One tonne mass transfer**

Essential to NTC's role is working with governments to monitor and review current laws and regulations, ensuring that they are both effective and practical.

Thanks to our one tonne mass transfer project, from 29 September 2014 important amendments are being made to mass regulations that will you time and money.

As no doubt you know the original heavy vehicle mass loading laws set the total weight allowed as the sum of the maximum masses allowed on each of the truck's axle groups - meaning that a truck carrying a maximum load must distributed its load perfectly across all axle groups.

In practical terms the margin of error for container loads is millimetres - people transporting mixed loads are essentially faced with an untenable three-dimensional puzzle to comply with the law.

In the past, if you were under the total mass limit, you were still liable for fines if the mass or any of the truck's axle groups exceeded the prescribed limit. This is despite the fact that your load was doing less damage to our roads.

The laws are 20 years old, out of date and impractical. They create unnecessary and unreasonable work for truckers and an update is well overdue.

The amendment being introduced builds in greater flexibility that reflect the reality of transporting goods.

The NTC, in consultation with our stakeholders, developed a proposal to allow up to one-tonne to be transferred between tri-groups, or from tandem to tri-groups in a heavy vehicle combination, as long as the gross mass is within its legal limit.

In other words, as long as the total weight does not exceed the legal limit, you will have more flexibility when loading each axle group so you can get on with the job and not waste time packing and repacking loads.

The changes make life easier, improve loading efficiency and also make it clearer and more practical to comply.

## **SLIDE SIX: Heavy vehicle telematics compliance framework and electronic work diary policy setting**

Fatigue continues to be a factor in about 12 per cent of all serious incidents and at the moment someone is killed in crashes involving heavy trucks or buses every two days.

Telematics is playing an increasing role in reducing fatigue-related accidents and, at the same time, reducing the regulatory burden on owners and operators.

The compliance framework for using heavy vehicle telematics sets out practical ways to use on-board technology - helping better manage risks affecting you, like speed, fatigue and truck maintenance. This new framework will protect your private data with transparent regulatory policies and processes and standards to protect drivers from inappropriate enforcement.

We know operators and drivers take their own safety and the safety of other road users very seriously.

By implementing this framework we hope to provide you with policy certainty that gives you confidence to use these technologies.

Ministers also approved new electronic work diaries policy settings. These policy settings are designed to help the transition from written to electronic records for those who want to. Changes to the Heavy Vehicle National Law will make sure people using EWDs are not unfairly penalised.

Drivers who choose to use an EWD won't be fined for low-risk breaches of less than eight minutes. The eight minute rule applies to work periods, allowing drivers up to eight minutes aggregate in a 24 hour period, starting from a major rest break.

In effect, if you inadvertently go a few minutes over time between breaks you won't be penalised for these low risk breaches. The new rules also help focus authorities on the few drivers who systematically flaunt safety laws.

Drivers who choose to use an EWD will waste less time filling in paperwork because EWDs automatically record how you are keeping safe by complying with things like work and rest rules. Automated records also mean that if you are using an EWD you don't have to record time in 15 minute blocks.

Now that ministers have endorsed the policy settings, NTC is drafting amendments to the existing law, which will be presented to ministers later this year.

### **SLIDE SEVEN: Heavy vehicle national law penalties review**

We continue to refine the national law. Ideally drivers should not have to check and recheck laws and penalties as they move from state to state. We recommended some changes to penalties to get greater consistency and to reduce the burden on the court system.

These incremental changes will make sure heavy vehicle drivers are treated more fairly and appropriately.

The NTC's Penalties Framework Review recommended penalties for eight offences to increase and penalties for one offence to decrease to make them more consistent.

Ministers agreed to these changes which will be reflected in the law soon.

### **SLIDE EIGHT: Chain of Responsibility Review**

Chain of Responsibility laws make sure that any person whose actions put other lives at risk is held accountable. Our

nation's chain of responsibility laws **are** contributing to safer roads.

A recent review of operations from an independent taskforce concluded that the chain of responsibility laws are working well, but that further work is needed in several areas to help improve the consistency and effectiveness of the laws.

These include:

- Review of duties under the Chain of Responsibility to examine whether changes are required to improve fairness and effectiveness
- Review of the director's liability provisions under the Heavy Vehicle National Law to ensure consistency with COAG's *Personal Liability for Corporate Fault Principle and Guidelines*.
- Working to identify whether there can be any improvements or additions to better recognise the actions, inactions and demands of off-road parties in the vehicle standards chapter of the current Heavy Vehicle National Law.

NTC is now working with stakeholders to examine these.

### **SLIDE NINE: Heavy vehicle roadworthiness review**

Late last year at the request of ministers and in response to the Mona Vale Road fatal crash involving a heavy vehicle

tanker, the NTC brought forward this project to review heavy vehicle inspection regimes as part of a joint roadworthiness program with the NHVR.

This joint program aims to improve the level of heavy vehicle roadworthiness and identify the most effective way we can use accreditation schemes, inspections and other mechanisms, to make Australia's heavy vehicles safer.

The program will involve consulting with technical experts, operators and drivers, as well as government agencies and police, to identify possible ways to deliver real improvement in heavy vehicle roadworthiness.

NTC and National Heavy Vehicle Regulator have completed the first phase of the project, looking at current maintenance practices. We now have a useful start point to investigate how to improve roadworthiness across the country.

This issue is being examined over the next few months and the NTC and the NHVR will present recommendations to the next meeting of transport ministers scheduled in November – after which we will tell you about the outcome.

## **SLIDE TEN: Future directions**

Looking to the future, the NTC released a package of new productivity boosting projects in our Strategic Plan and 3 Year Work Program.

The work program outlines the NTC's short and medium term reform priorities. This was developed in close consultation with our industry and government stakeholders to identify and prioritise projects which have real opportunities to impact productivity, safety and regulatory efficiency.

The NTC's new program includes a range of projects aimed at improving access for higher-productivity vehicles that deliver proven benefits without comprising safety.

Under the Performance Based Standards scheme, 6 and 7-axle truck-trailer combinations can operate with 20 per cent higher payloads than their non-PBS equivalents. Over the past 18 months, PBS applications and approval numbers for this combination have doubled. The NTC will explore the possibility of allowing these combinations to run at the higher PBS mass limits without having to apply through the PBS scheme, which would allow more operators to take

advantage of these benefits, if the proposal is deemed feasible.

With the help of our stakeholders, we also identified some medium to long term reform directions, such as:

- Updating the Load Restraint Guide to ensure it continues to meet best practice and meets the needs of people in this room.
- Researching the costs and benefits of substituting electronic for paper documents, for things like permits, exemptions and dangerous goods.
- Exploring how mass management regulations can help industry innovate and move freight more productively, such as by using on-board mass monitoring technologies.
- Investigating ways to increase steer axle mass limits to accommodate the increased pressure on limits from new engine emissions standards, additional vehicle equipment, stronger axles and operational requirements for longer-distance fuel tanks.

- Investigating a framework to help us collect heavy vehicle driver fatigue data, so we can better monitor whether any reforms in this area are required.
- Identifying opportunities to improve heavy vehicle compliance with speed limits through things like updating penalties or introducing new or revised sanctions.

As the first step in these potential projects we are developing businesses cases with stakeholders for the ministers to consider. Ministers will then decide whether the NTC can proceed further with the projects.

### **SLIDE ELEVEN: Conclusion**

Today I've talked about some of the ways the NTC has been working to improve productivity, safety and cut red tape across Australia's transport networks and create a more efficient economy for the nation.

Quickly, before I go I'd like to mention one more way that we are trying to make life easier for you and also encourage you to get involved in our work. We have just launched our new website and I'd like to invite you to check it out at

[www.ntc.gov.au](http://www.ntc.gov.au).

Some of our improvements include:

- having a responsive design so you can easily access information on your smartphones and tablets
- providing many ways for you to find our most accessed information to suit your different preferences
- allowing you to subscribe to our e-newsletter on the information you are interested in
- enabling you find our reports, guidelines, legislation or whatever you are looking for much more quickly through our advanced search
- making changes to how you make a submissions so it's easier for you to have your say on our policy work.

There's also a link to a **survey on the new site and we'd be very interested in your feedback.**

Thank you for your time.

**Ends**