

**SUBMISSION A National Framework for Regulation, Registration and Licensing of Heavy Vehicles – Consultation Regulatory Impact Statement**

March 2009



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## 1 Executive Summary

There is no doubt that good uniform national laws would reduce the compliance burden on interstate operators. The ATA therefore supports in-principle further advancement of uniformity that will also achieve gains in efficiency, effectiveness and safety for all operators. In conjunction with governments, the trucking industry must achieve broad scale productivity gains in order to efficiently meet a growing road freight task which will otherwise require more and more trucks with resulting negative safety effects.

However, most trucking companies only operate within their state or territory boundaries. For these companies, uniform national laws would only be worthwhile if they resulted in the introduction of best practice regulation and no disadvantage to intrastate efficiencies.

Uniform national laws would also need to be accompanied by extensive consultation arrangements to ensure the ATA and its member organisations, including those representing intrastate operators, continue to have an input into the uniform laws and regulatory decisions. There must be mechanisms that allow timely response to local matters and facilitate decisions on local issues being made by relevant regional officials holding local knowledge.

The new arrangements would need to provide for local, regional or state variations that boost the industry's productivity, and would also need to include a no disadvantage test so that operators do not lose the concessions they currently hold under the existing state and territory systems.

ATA member associations are strongly of the view that the new arrangements must also ensure that the police – and not just state road agencies – enforce the uniform laws consistently.

Despite the industry's in-principle support for uniform, streamlined national laws, the reform options set out in the consultation RIS do not provide adequate details for the ATA and its members to fully commit at this time to a particular way forward that would provide the desired uniformity, and manage the process so there was no-disadvantage in productivity or access or process from going forward to uniform laws.

## 2 Recommendations

### *Recommendation 1*

**Governments should continue to develop the national heavy vehicle regulation concept, which has the in-principle support of the trucking industry, but must address the issues raised in this submission and the caveats to the ATA's policy position to the industry's satisfaction.**

### *Recommendation 2*

**In continuing to develop the national heavy vehicle regulation concept, governments must understand that most of the trucking industry does not operate across state borders and will not directly benefit from uniform laws. These companies will only benefit if the uniform laws are easier to understand and comply with. Any change must not disadvantage intrastate efficiencies, while promoting similar positive outcomes for interstate operators.**

### *Recommendation 3*

**The national heavy vehicle regulation concept has the potential to benefit local operations of national companies, due to increased synergies in operations providing administration and operational savings. Again the companies will only benefit if uniformity delivers positive change.**

### *Recommendation 4*

**Any national heavy vehicle laws must be based on the latest evidence about road safety and facilitate productivity, efficiency and effectiveness, and recognise national energy efficiency policy and industry environmental best practice. They must not adopt the most punitive or restrictive regulations in order to secure the involvement of all of the states. The industry must be allowed to adopt emerging technology and lead innovation. The ATA should have a seat at the Australia Transport Council (ATC) during the consideration of any road transport reform matter and be able to bring to the table relevant expert knowledge from within its affiliates.**

### *Recommendation 5*

**Governments should ensure laws arising from national reforms provide a clear delineation between the road transport laws and other laws affecting road transport.**

### *Recommendation 6*

**While recognising the special circumstances faced by Western Australia and animal welfare considerations, governments must ensure that any new way forward delivers uniform fatigue management and speed laws and consistent enforcement.**

### *Recommendation 7*

**The extent of the proposed laws and their technical coverage should draw upon the National Transport Commission's work to date. However, without the details of the proposed way forward the industry cannot commit.**

*Recommendation 8*

**Should a National Heavy Vehicle Regulator be established under option 4 it must have an organisational structure that facilitates consistent enforcement, and provides access for the industry including state-based, sectoral, and national operators and their associations, including at the service agency level. Within this, it is critical the agencies have the knowledge base and are accessible by the whole industry including local operators and that timely consistent decisions are made.**

*Recommendation 9*

**The development of any uniform national laws must include comprehensive arrangements for the ATA, and its member organisations, including those in place for intrastate trucking operators, to have an input into the decision-making process on both local issues and on the development, implementation and review of the national laws.**

*Recommendation 10*

**The uniform national laws must include scope for local, regional and state-based variations of benefit to the industry, where they exist now or can be justified, including provisions so local operators and associations can have input into those variations.**

*Recommendation 11*

**There must be a no disadvantage test, so no trucking operator is adversely affected by the implementation of uniform laws. That is, existing local or state based mass, access or other concessions must be retained.**

*Recommendation 12*

**Governments must ensure that Australia's road agencies and police forces enforce the uniform national laws as intended and consistently across the country.**

*Recommendation 13*

**In moving toward a more national heavy vehicle licensing system, governments should:**

- maintain the same heavy vehicle licensing classes (HR, HC, MC).
- ensure there is national consistency with regard to training and licensing requirements.
- include fatigue training in driver licensing.
- require all new drivers to be trained in first aid, provided it does not expose them to legal liability.
- establish competency, in addition to, aged based licensing, with training logbooks to confirm that drivers have achieved the necessary competencies.
- ensure the registered owner of a heavy vehicle must be advised as soon as is reasonably practicable if the heavy vehicle is involved in a safety-related offence, regardless of where it occurs in Australia.
- Ensure operators have uniform access to the currency of an employee's heavy vehicle licence.

*Recommendation 14*

**In moving toward a national registration system, governments must ensure that:**

- **Vehicles continue to be registered as components and not as combinations.**
- **Registration should be handled by a single national organisation with a minimum of cost and administrative burden. The best way of reducing cost to a minimum would be to collect the revenue through the road user charge, with nominal registration fees.**
- **The existing regional registration concessions should remain, if registration fees continue to be high, under a no disadvantage test.**
- **The distribution of revenue from the national system should be fair and transparent.**
- **The new system must not depend on the use of technology being fitted to vehicles.**
- **The current concessions for vehicle inspections must remain and be expanded nationally.**

### 3 Introduction

The road transport industry is still burdened by a complex array of overlapping regulations and quasi-regulations, despite 18 years of attempts to achieve regulatory reform.

In September 2008, the Acting Prime Minister, the Hon Julia Gillard MP, wrote to premiers and chief ministers proposing that governments should consider developing a single national system for heavy vehicle regulation, registration and licensing.

The Department of Infrastructure, Transport, Regional Development and Local Government subsequently released a consultation regulatory impact statement on the proposal.

The Australian Trucking Association, its member organisations and companies have provided considerable assistance to the department as it works to develop a benefit cost analysis into the proposal.

The ATA started formalising its position on developing a national regulation, registration and licensing system at its Council meeting on 18 June 2008. The council's resolution is set out in attachment 'A', and underpins this submission. Since then, the ATA's Transport and Economics Policy Committee has held a series of teleconferences to discuss the RIS and this submission.

Despite the industry's in-principle support for uniform, streamlined national laws, the reform options set out in the consultation RIS would all require considerable further development and further consideration by the ATA and its members in order to find a way forward that would be acceptable to the majority of the trucking industry.

### 4 Interstate operators and uniform laws

Improving operational efficiency and reducing the compliance burden for the important and growing sector of the road transport industry that operates across state borders is essential part of lifting transport efficiency, effectiveness, compliance and safety.

The current situation is that operators moving goods interstate have a high compliance burden because of inconsistent laws. Chapters 4 and 5 of the consultation RIS set out some of the benefits of moving to uniform road transport laws, as did the work of the Prime Minister's 2020 Summit. Two more examples of the cost of the black letter law inconsistencies between jurisdictions are below; there are many others.

#### The vertical exhaust rule

For years, Victoria has had a unique vertical exhaust rule for heavy vehicles. The rule reduces the load space available and can cause spotting on the products carried.

The cost of this rule is not limited to Victoria, as most manufacturers supply vertical exhausts to the whole Australian market. The impacts are therefore of some significance, and could amount to \$2,000 over the life of a vehicle (a very conservative estimate based on advice from vehicle manufactures). The total cost to the industry of this rule could be of the order of \$500 million.

### Road train open road speed limits

Road train open-road speed limits vary between 90 kph and 100 kph, depending on the jurisdiction. Supporting these rules are road train speed capability rules. These speed differences create business competition issues, fatigue issues, and costs as road trains are used for tasks that typically involve long haul distances involved. In addition, the speed difference between road trains and other traffic creates traffic interaction safety risks for all road users.

As a result, the ATA and its member organisations support in-principle the development of uniform laws, implemented uniformly with appropriate variations at regional levels, provided the caveats in our policy statement are addressed to the ATA's satisfaction and that details are provided that confirm policies that enable the industry to fully commit.

#### *Recommendation 1*

**Governments should continue to develop the national heavy vehicle regulation concept, which has the in-principle support of the trucking industry, but must address the issues raised in this submission and the caveats to the ATA's policy position to the industry's satisfaction.**

## **5 Intrastate operators and uniform laws**

The majority of trucking operators in Australia do not carry out interstate work. They work locally, perhaps within a local region, a capital city, or on intrastate runs.

The consultation RIS does not currently adequately address the legitimate interests of these operators. They may not benefit from any reduction in compliance costs from establishing uniform laws.

Instead, they would face the risk that:

- they could have to meet additional regulatory requirements, if the uniform national laws added a burden over the ones formerly imposed by their state or territory;
- their access to key officials and decision makers could be reduced, if decisions were made by a national regulator in Canberra under option 4 or by the parliament of a different state under option 3.
- they could lose access to their existing regulatory and licensing concessions in the pursuit of national uniformity without regard to these special circumstances.

Accordingly, the way forward must not disadvantage intrastate efficiencies. We note that ATC Ministers also wish to retain local productivity schemes.

#### *Recommendation 2*

**In continuing to develop the national heavy vehicle regulation concept, governments must understand that most of the trucking industry does not operate across state borders and will not directly benefit from uniform laws. These companies will only benefit if the uniform laws are easier to understand and comply with. Any change must not disadvantage intrastate efficiencies, while promoting similar positive outcomes for interstate operators.**



## 6 Local operations of national companies and uniform laws

Currently national companies operating transport businesses in different jurisdictions are unable to achieve administration savings and operational efficiencies from uniformity in operating environment. Further they cannot simply transfer equipment and staff between jurisdictions. Each business unit needs to address the particular laws in its jurisdiction and same operations in different states often require different solutions due to the inconsistent laws. This often requires duplication in management and administration streams and therefore inefficiencies on a whole of business basis.

### *Recommendation 3*

**The national heavy vehicle regulation concept has the potential to benefit local operations of national companies, due to increased synergies in operations providing administration and operational savings. Again the companies will only benefit if uniformity delivers positive change.**

## 7 Using uniform laws to deliver best practice

Nonetheless, there is widespread in-principle support across the trucking industry for uniform laws, provided they deliver a streamlined, best practice regulatory regime and meet the other concerns set out in this submission. Further we believe a safe and productive road transport industry requires evidence based laws that enhance outcomes for the industry that benefits its clients and the community. Road reform should not interfere with national energy efficiency policy; rather it should promote productivity to assist the industry in achieving reductions in energy consumption.

It is essential, then, that governments do not attempt to achieve national uniformity by adopting the most restrictive and punitive regulations as a way of persuading all of the states to sign on. This would guarantee that Australia would fail to achieve best practice and impose inefficiencies; the industry would not support uniform laws on these terms.

Because of the knowledge of the ATA and its affiliates, we consider that the ATC would benefit if the ATA was able to contribute during their consideration of road transport reform matters.

### *Recommendation 4*

**Any national heavy vehicle laws must be based on the latest evidence about road safety and facilitate productivity, efficiency and effectiveness, and recognise national energy efficiency policy and industry environmental best practice. They must not adopt the most punitive or restrictive regulations in order to secure the involvement of all of the states. The industry must be allowed to adopt emerging technology and lead innovation. The ATA should have a seat at the Australia Transport Council (ATC) during the consideration of any road transport reform matter and be able to bring to the table relevant expert knowledge from within its affiliates.**

### Eliminating overlapping and inconsistent laws

The industry also considers that any uniform laws should provide a clear delineation between the road transport laws and general OH&S laws, industrial award instruments and the environmental laws. It is incongruous to require companies to comply with different and conflicting rules about the same issue; for example, fatigue in New South Wales.

*Recommendation 5*

**Governments should ensure laws arising from national reforms provide a clear delineation between the road transport laws and other laws affecting road transport.**

Achieving more uniform fatigue and speed laws

The recent reforms to the fatigue management laws in some states and the impending speed law reforms are the most important safety-focused changes to the road transport laws in decades.

These reforms have the potential to deliver major safety gains, but their implementation has caused substantial and counter-productive inefficiencies and compliance problems as they are not genuinely uniform, at least in respect to all the key elements.

To date, the industry has had to drive a cumbersome and slow process to seek uniform implementation of the fatigue laws. This process is continuing, and there is no certainty it will resolve the key issues.

Any mechanism to deliver a single national heavy vehicle law, or uniform laws across multiple jurisdictions, must deliver uniform fatigue management and speed laws and uniform and consistent enforcement. However, these laws will also need to recognise the special circumstances faced by Western Australia and the animal welfare considerations required in some operations.

*Recommendation 6*

**While recognising the special circumstances faced by Western Australia and animal welfare considerations, governments must ensure that any new way forward delivers uniform fatigue management and speed laws and consistent enforcement.**

The need for more detail

The consultation RIS understandably does not go into detail about the proposed uniform laws, their extent and their technical coverage. The matters the NTC has already considered in the past are generally considered informative. Before making any commitments, governments must provide the industry with this detail so the proposals can be assessed fully and our views put.

*Recommendation 7*

**The extent of the proposed laws and their technical coverage should draw upon the National Transport Commission's work to date. However, without the details of the proposed way forward the industry cannot commit.**

## **8 Establishing proper governance arrangements**

Option 4 of the consultation RIS proposes the establishment of a National Heavy Vehicle Regulator (NHVR). The trucking industry has important concerns about its structure and potential consultation arrangements.

Should it be established, the NHVR must have an appropriate governance structure that ensures it is responsive to the views and issues of state-based operators and associations as well as interstate operators and peak national bodies like the Australian Trucking Association. Service

agencies must provide opportunities for local matters to be raised and addressed in a timely manner.

It must be overseen by the Australian Transport Council, even if it is established as a Commonwealth statutory authority.

It must have an organisational structure that facilitates the access of the industry, including state-based operators and associations, and which ensures a high degree of local knowledge of and understanding by the NHVR staff based in regional offices or in contracted state agencies.

It must drive an agenda to deliver consistent enforcement, consistent with the industry's wishes over many years. This action must include police agencies – see below.

The proposed NHVR should not be responsible for developing policy. Policy development should be carried out through consultative mechanisms, including balanced representation from industry and state authorities.

#### *Recommendation 8*

**Should a National Heavy Vehicle Regulator be established under option 4 it must have an organisational structure that facilitates consistent enforcement, and provides access for the industry including state-based, sectoral, and national operators and their associations, including at the service agency level. Within this, it is critical the agencies have the knowledge base and are accessible by the whole industry including local operators and that timely consistent decisions are made.**

## **9 Consultation arrangements**

The establishment of national heavy vehicle laws must not make it harder for intrastate operators and their state and sector representative associations to provide input and advice on both local and national issues.

These operators and associations are legitimately concerned that their future could be decided by the NHVR in Canberra (under option 4) or the Parliament of another state (under option 3).

Since intrastate operators make up the majority of the industry, it is essential that governments focus on how they can develop a plan that will deliver an ongoing and effective capacity for ATA and its member organisations, including those in place for intrastate operators, to have a direct input into the decision-making process for:

- the development, implementation and review of the national laws; and also
- for the relevant local entities to be directly involved in local decisions and issue resolution.

#### *Recommendation 9*

**The development of any uniform national laws must include comprehensive arrangements for the ATA, and its member organisations, including those in place for intrastate trucking operators, to have an input into the decision-making process on both local issues and on the development, implementation and review of the national laws.**

## 10 Accommodating local, regional and state variations

Australian trucking companies carry out their businesses across a wide range of environments. Completely uniform laws are neither sensible nor desirable: there must be scope for local, regional and state variations relevant to the circumstances. Existing local enhancements must be retained, and ideally available to others in same circumstances.

Section 7.4.4 of the consultation RIS is a useful starting point for considering how to accommodate these variations; however, it is important that variations to boost the industry's productivity are not limited to local issues like the seasonal registration of agricultural vehicles.

The variation system must, for example, be broad enough for the Western Australian Government to retain its existing fatigue management system, which is supported by industry and delivers strong safety outcomes. The current recognition by WA of national fatigue regulations for short term interstate visitors is one method by which state or regional operating conditions can work alongside national regulations.

If governments decide to establish the proposed NHVR under option 4, the state-based implementers/managers of the national laws must:

- be required to seek input and guidance from local operator associations, in line with recommendation 6, as well as from the ATA; and
- have the delegated authority to make appropriate variations within national guidelines under the NHVR regime.

The national guidelines for the NHVR must be developed and kept under review in close consultation with the industry as a whole, including the peak national and state bodies.

If governments decide to adopt uniform laws across multiple jurisdictions, the challenge will be to accommodate the above local input and local variation requirements while preventing wholesale variations from the national model.

This will require jurisdictions to have a strong commitment to the national guidelines for these variations, as well as appropriate disincentives such as federal funding consequences to penalise significantly jurisdictions that go beyond the scope of the agreed national guidelines.

### *Recommendation 10*

**The uniform national laws must include scope for local, regional and state-based variations of benefit to the industry, where they exist now or can be justified, including provisions so local operators and associations can have input into those variations.**

## 11 Implementation of a no-disadvantage test

Regardless of the option used to deliver uniform laws, it is an essential and non-negotiable requirement of the trucking industry that existing local and state-based concessions, such as mass and access concessions, are maintained under a no-disadvantage test.

These concessions are an integral part of many operators' commercial arrangements and business cases; they are built into the rigid cost structures of their existing contracts.

The removal of these concessions without appropriate compensatory arrangements judged by the industry to be fair would threaten the viability of many businesses and jobs. It would also guarantee strong industry opposition to the national regulation proposal.

*Recommendation 11*

**There must be a no disadvantage test, so no trucking operator is adversely affected by the implementation of uniform laws. That is, existing local or state based mass, access or other concessions must be retained.**

## **12 Consistent agency and police enforcement of the road transport laws**

As section 4.1.4 of the consultation RIS points out, the approach to the enforcement of heavy vehicle regulations varies across jurisdictions, even where the same or very similar laws have been adopted. A long standing and well put desire by the industry is for consistent enforcement from road agency enforcement staff. The RIS points out that some difference of approach will be inevitable as enforcement of the heavy vehicle laws is as much in the hands of police as it is the relevant authorities, and we certainly often see departures from intended policies in the practices of some enforcement agencies.

The trucking industry does not accept that these differences in approach should be inevitable.

A failure to secure the uniform implementation of uniform laws, especially by the eight fiercely independent police forces, will severely limit the success of any shift to nationally uniform laws.

There is, however, absolutely no reason why the eight police forces should continue to adopt different philosophies and interpretations in relation to heavy vehicle laws and operations.

It should therefore be possible to secure police commissioners' collective support for and commitment to national uniformity.

The first step would be to utilise the Australian Police Ministers Council to secure their support and commitment to nationally uniform and consistent enforcement of the heavy vehicle laws, as a key way of improving road safety. The next step would then be for the police ministers put the issue on the agenda for police commissioners.

*Recommendation 12*

**Governments must ensure that Australia's road agencies and police forces enforce the uniform national laws as intended and consistently across the country.**

## **13 Towards a national licensing system**

One driver equals one licence, portability of that qualification and processes where employers can confirm validity of a driver to drive, enhanced safety outcomes, competency based progression and training services provided by experienced drivers are all elements of a national driver licence system that are attractive to the industry.

The trucking industry is therefore broadly supportive of the move to a more national licensing system, provided any new licensing system includes the following elements:

- Maintenance of the same heavy vehicle licensing classes (HR, HC, MC).
- National consistency with regard to training and licensing requirements.
- Fatigue training must be included in driver licensing.
- All new drivers should be trained in first aid, provided it does not expose them to legal liability.
- Competency, in addition to, aged based licensing, with training logbooks to confirm that drivers have achieved the necessary competencies.
- The registered owner of a heavy vehicle must be advised as soon as is reasonably practicable if the heavy vehicle is involved in a safety-related offence, regardless of where it occurs in Australia.
- Uniform access to the currency of an employee's heavy vehicle licence.

*Recommendation 13*

**In moving toward a more national heavy vehicle licensing system, governments should:**

- **maintain the same heavy vehicle licensing classes (HR, HC, MC).**
- **ensure there is national consistency with regard to training and licensing requirements.**
- **include fatigue training in driver licensing.**
- **require all new drivers to be trained in first aid, provided it does not expose them to legal liability.**
- **establish competency in addition to aged based licensing, with training logbooks to confirm that drivers have achieved the necessary competencies.**
- **ensure the registered owner of a heavy vehicle must be advised as soon as is reasonably practicable if the heavy vehicle is involved in a safety-related offence, regardless of where it occurs in Australia.**
- **deliver uniform access to the currency of an employee's heavy vehicle licence.**

## **14 Towards a national registration system**

A single national registration system may provide opportunities for better outcomes for the trucking industry, because it would enable vehicles to be used for their registered purposes anywhere. In addition, a national registration system would enable governments to adopt more efficient mechanisms for recovering the reasonable costs the industry agrees it should pay.

However, the industry is concerned that a move toward a national registration system could result in the lost of the existing registration concessions that some operators receive. As set out in section 11, the adoption of a national system would need to be accompanied by a no-disadvantage test to ensure it does not make operators worse off.

The trucking industry is therefore broadly supportive of a move to a national registration system, subject to the following caveats:

- Vehicles should continue to be registered as components and not as combinations.
- Registration should be handled by a single national organisation with a minimum of cost and administrative burden. The best way of reducing cost to a minimum would be to collect the revenue through the road user charge, with nominal registration fees.
- The existing regional registration concessions should remain, if registration fees continue to be high, under a no disadvantage test.
- The distribution of revenue from the national system should be fair and transparent.
- The new system must not depend on the use of technology being fitted to vehicles.

- The current concessions for vehicle inspections must remain and be expanded nationally.

*Recommendation 14*

**In moving toward a national registration system, governments must ensure that:**

- **Vehicles continue to be registered as components and not as combinations.**
- **Registration should be handled by a single national organisation with a minimum of cost and administrative burden. The best way of reducing cost to a minimum would be to collect the revenue through the road user charge, with nominal registration fees.**
- **The existing regional registration concessions should remain, if registration fees continue to be high, under a no disadvantage test.**
- **The distribution of revenue from the national system should be fair and transparent.**
- **The new system must not depend on the use of technology being fitted to vehicles.**
- **The current concessions for vehicle inspections must remain and be expanded nationally.**

## Attachment A: ATA Policy statement and caveats

### **ATA position on the development of a national registration, licensing and regulatory system**

That the ATA's agreed in-principle position on the proposed national registration, licensing and regulatory system is as follows, subject to continued discussion as information becomes available:

#### National registration system

The ATA supports the development of a national registration system in-principle, subject but not limited to the following:

- Vehicles should continue to be registered as components and not as combinations.
- Registration should be handled by a single national organisation with a minimum of cost and administrative burden. The best way of reducing cost to a minimum would be to collect the revenue through the road user charge, with nominal registration fees.
- The existing regional registration concessions should remain, if registration fees continue to be high, under a no disadvantage test.
- The distribution of revenue from the national system should be fair and transparent.
- The new system must not depend on the use of technology being fitted to vehicles.
- The current concessions for vehicle inspections must remain and be expanded nationally.

The industry's in-principle support for a national registration system should not be interpreted as support for the indexation of the road user charge.

#### National licensing system

The ATA supports the development of a national licensing system in-principle, subject but not limited to the following:

- Maintenance of the same heavy vehicle licensing classes (HR, HC, MC).
- National consistency with regard to training and licensing requirements.
- Fatigue training must be included in driver licensing.
- All new drivers should be trained in first aid, provided it does not expose them to legal liability.
- Competency rather than aged based licensing, with training logbooks to confirm that drivers have achieved the necessary competencies.
- The registered owner of a heavy vehicle must be advised as soon as is reasonably practicable if the heavy vehicle is involved in a safety-related offence, regardless of where it occurs in Australia.
- Uniform access to the currency of an employee's heavy vehicle licence.

#### Possible national regulatory system

The ATA supports the development of a national regulatory system in-principle.

As a basic principle, there must be common rules across Australia that are framed so as to maximise the efficiency and safety of road freight and that are not dependent on the use of on-board technology.

The ATA recognises there will need to be special concessions and flexibilities in some areas of Australia.

The ATA's in-principle support is subject but not limited to the following:

- A suitable governance structure for the regulator. It should be one national body with branches throughout the country.
- Arrangements for the trucking industry at local level to have input into the development and implementation of national rules, local access and other issues, regardless of who owns the road.
- A streamlined regulatory regime that avoids the most unnecessarily burdensome rules currently in place throughout Australia. The regime should facilitate the transportation of freight in a safe and efficient way by adopting the most flexible solutions and facilitating ongoing innovation.
- Maintenance of the current regional, remote and state based mass, access and other concessions under a no disadvantage test, and the introduction of comparable arrangements in additional areas appropriate to the circumstances.
- A uniform solution on fatigue management for the nation that takes into account the unique characteristics of operations in Western Australia and other remote areas.
- Clarification of:
  - The extent of the rules
  - Their technical coverage
  - How the new regulator would deal with culture change and the interpretation of the rules.