



HVNL REVIEW CONSULTATION RIS CHAPTER 10: SAFER VEHICLE DESIGN

AUSTRALIAN TRUCKING ASSOCIATION SUBMISSION 20 NOVEMBER 2020

1. About the Australian Trucking Association

The Australian Trucking Association and its member associations collectively represent 50,000 businesses and 200,000 people in the Australian trucking industry. Together we are committed to safety, professionalism and viability.

2. Introduction and summary

In June 2020, the National Transport Commission released the Heavy Vehicle National Law consultation regulation impact statement,¹ as well as a scenario setting out what the new law could look like.²

This submission responds to chapter 10 of the consultation RIS, which deals with safer vehicle design. The proposed options focus exclusively on PBS vehicles.

In the ATA's view, options 10.1 (streamlined PBS approval process) and 10.2 (PBS technology standard) should proceed. These options would represent improvements on the existing PBS process.

Additional options should include:

Option 10.1b (migration of some PBS vehicle combinations to the prescriptive heavy vehicle fleet). This would deliver on one of the original intents of the PBS scheme.

Option 10.4 (increasing PBS vehicle road access). This option would increase the viability and effectiveness of PBS vehicle take up.

Option 10.5 (modular high productivity freight vehicle framework and network). This option would expand the benefits of safer and more productive vehicle reform beyond the limitations of the PBS scheme.

The consultation RIS proposed **option 10.3 (increased vehicle width for PBS vehicles) should not proceed.** Instead, wider reform of the Australian Design Rules width requirements should be progressed by governments so that increased width is not restricted to PBS vehicles.

¹ NTC, [HVNL review consultation regulation impact statement](#). Report prepared by frontier economics. June 2020a.

² NTC, [HVNL 2.0: a better law scenario](#). June 2020b.

3. Analysis of option 10.1: streamlined PBS approval process

Option 10.1 focuses on streamlining the PBS approval process through a series of small amendments.

The amendments are:

- Giving the NHVR authority to assess and approve applications
- Linking access permissions to design
- Enabling manufacturers to self-certify that the build is as per the design
- Type approval of component vehicles
- Allow transfer of approvals with sale of a PBS vehicle.³

ATA assessment of option

The consultation RIS assesses that this option would streamline the PBS approval process which would result in more timely PBS vehicle approvals, lower the administrative burden for operators seeking PBS approvals and reduce administrative costs associated with the scheme as fewer approvals would need to go through the PBS Review Panel.⁴

In the ATA's view, option 10.1 should be supported. It would lower costs and produce more timely PBS vehicle approvals.

It is not clear, however, that this option would result in greater PBS vehicle uptake, as suggested by the RIS.

This is because the industry's major concern with PBS vehicles is about access. The ATA submission to the HVNL review issues paper on access called for reforms which would:

- Resolve and end situations where operators can go through the lengthy, expensive, PBS approval process for a new vehicle but then be denied road access
- Provide PBS road access to routes where access is already granted for equivalent combinations
- Improving road networks with as-of-right PBS access, to better enable operators to utilise PBS vehicles where freight tasks are not predictable or have sufficient lead times to seek access approvals.⁵

Option 10.1 only seeks to address the first of these issues.

The practical experience of road freight operators is that while the PBS scheme works well in particular sectors (such as the intense and high volume gravel and cement markets, and for container haulage (excluding containers with unknown load heights), it only has a limited at best application for the wider road freight sector.

It has not proven suitable for the significant part of the road freight task that does not have predictable freight volumes and does not provide sufficient lead time for PBS approval.

³ NTC. June 2020a. 161.

⁴ NTC. June 2020a. 163.

⁵ ATA. [Submission to HVNL review issues paper: Easy access to suitable routes](#). August 2019. 23.

Option 10.1 does not address these issues and is unlikely to result in a significant increase in PBS vehicles.

The ATA recommends three additional options in this submission:

- Option 10.1b: migration of some PBS vehicles to the prescriptive heavy vehicle fleet
- Option 10.4: increasing PBS vehicle road access
- Option 10.5: modular High Productivity Freight Vehicle framework and network.

Additional Option 10.1b: migration of some PBS vehicles to the prescriptive heavy vehicle fleet

The HVNL review issues paper on vehicle standards and safety noted that the PBS scheme was intended to be a testing ground, where new vehicles would transition to the prescriptive fleet. The issues paper highlighted that this has not been achieved, with no PBS vehicles having been transitioned into the prescriptive heavy vehicle fleet.⁶

Option 10.1 should be expanded to deliver on this original intent of the PBS scheme. The ultimate aim of the PBS scheme should not be ever increasing numbers of PBS vehicles, but increased productivity and safety of the wider fleet.

⁶ NTC. [Vehicle standards and safety issues paper](#). July 2019. 25.

4. Analysis of option 10.2: PBS technology standard

The consultation RIS sets out that a PBS technology standard would allow for recognition of technology as an alternative means of complying with PBS scheme standards, for both infrastructure and safety. Some aspects of vehicle performance could potentially be managed using technological rather than conventional options.⁷

ATA assessment of option

The consultation RIS assessment states that option 10.2 could be expected to lead to an increase in safety-related technology in PBS vehicles, leading to safer vehicles and fewer crashes.⁸

It is also listed as potentially leading to greater uptake of PBS vehicles.

In the ATA's view, the intent of option 10.2 should be supported.

However, the assessment of this option lacks detail and is not supported in the RIS with evidence or a technical and safety assessment of the impact of the likely technologies envisioned under this option. Ultimately the proposed process for recognising technology as an alternative means of complying with PBS standards would need to ensure appropriate engineering and safety analysis, to ensure the aspects of vehicle performance can be appropriately managed with selected technologies.

⁷ NTC. June 2020a. 162.

⁸ NTC. June 2020a. 163, 164.

Table 1: Qualitative analysis of option 10.1 and 10.2

Industry		Government and community		Other
Compliance costs	Improvements in operational efficiency	Government admin costs	Enforcement and compliance monitoring costs	Avoided costs associated with reduced crashes
1. Consultation RIS assessment of option 10.1				
Quicker more certain process would reduce compliance costs associated with obtaining PBS approval.	Should increase uptake of PBS vehicles and hence improve operational efficiency.	Reduce admin costs associated with reduced number of approvals going through PBS Review Panel.		Evidence suggests newer vehicles are safer than the general heavy vehicle fleet. Hence, increase in PBS vehicles could reduce crashes.
2. ATA assessment of option 10.1				
Agreed.	Unclear evidence that option will increase the number of PBS vehicles.	Agreed.		Unclear evidence that option will increase the number of PBS vehicles.
3. ATA assessment of additional option 10.1b				
Migrating mature PBS vehicles to the prescriptive fleet would further reduce PBS approval costs.	Increased productivity in the prescriptive heavy vehicle fleet.	Migrating mature PBS vehicles to the prescriptive fleet would further reduce PBS approval costs.	Increasing productivity of the wider heavy vehicle fleet will move the freight task in less vehicle movements.	Increasing productivity of the wider heavy vehicle fleet will move the freight task in fewer vehicle movements.
4. Consultation RIS assessment of option 10.2				
Impact on compliance costs unclear	May increase number of PBS vehicles and hence improve operational efficiency			Likely to increase the safety of PBS vehicles Hence, could reduce crashes.
5. ATA assessment of option 10.2				
Agreed.	This is unclear, unlikely to result in a significant increase in PBS vehicles.			Agreed.

5. Analysis of option 10.3: Increased vehicle width

Option 10.3 would seek to align heavy vehicle width with international width standards, but only for PBS vehicles. The consultation RIS sets out that it would create a short-form PBS approval process for heavy vehicles whose only departure from the ADRs is that they exceed the permitted widths (2.5m).⁹

ATA assessment of option 10.3

The ATA **does not** support this option.

The width of Australian heavy vehicles should be aligned with international standards by amending the Australian Design Rules.

The consultation RIS states that amending the ADRs would be an alternative approach to option 10.3 but it could not be addressed through the HVNL and was outside the scope of the RIS.

Instead, the option that has been proposed is merely a workaround solution which will fail to have a major productivity impact.

Separate to the HVNL review, governments have been considering the issue of increasing heavy vehicle width. The Strategic Vehicle Safety and Environment Group (SVSEG), a group of government officials and industry representatives, considered a possible timeline for ADR amendments to heavy vehicle width in 2019. The timeline would have included some amendments to European equivalency (except for refrigerated vehicles) in 2020.¹⁰ This has not occurred.

Additionally, in 2019, governments commissioned an Austroads study into heavy vehicle width. The study recommended an increase in heavy vehicle width to 2.55m, with future consideration to be given to 2.6 metres.

The Austroads report was never released to the public and the Australian Government refused an ATA request to release the report under the *Freedom of Information Act 1982* (FOI).

In refusing the FOI request, the Australian Government advised the ATA that there would be further opportunities during 2020 to participate in ongoing discussions and public consultation on this issue. This has not occurred and the RIS makes it clear it is out of scope in the current HVNL consultation process.

Considering the slow track record of governments on amending heavy vehicle width, option 10.3 would likely stall progress on reforming the ADRs and if it was ever implemented ultimately achieve little in terms of productivity gains. It should not proceed.

Instead, the Australian Government should focus on amending the ADRs to align heavy vehicle width with international standards.

⁹ NTC. June 2020a. 163.

¹⁰ SVSEG meeting agenda papers, 5 June 2019.

Table 2: Qualitative analysis of option 10.3

Industry		Government and community		Other
Compliance costs	Improvements in operational efficiency	Government admin costs	Enforcement and compliance monitoring costs	Avoided costs associated with reduced crashes
1. Consultation RIS assessment of option 10.3				
<p>May reduce industry expenditure on secondary manufacturing which may no longer be required to meet Australian width requirements.</p> <p>Reduction in number of vehicles requiring PBS approval should make the process quicker which should reduce industry compliance costs.</p>	<p>Improved operational efficiency from greater vehicle choice i.e. the additional capacity and other features of newer wider vehicles may improve productivity.</p>	<p>Reduction in number of vehicles requiring PBS approval should reduce regulatory admin costs.</p>		<p>Potential road safety risk from more wider vehicles operating on network. Particularly in areas where lanes are narrow.</p>
2. ATA assessment of option 10.3				
<p>Potential benefit would only impact a small number of vehicles.</p>	<p>Potential benefit would only impact a small number of vehicles.</p>	<p>Potential benefit would only impact a small number of vehicles.</p>		<p>This risk has not been demonstrated. A standard traffic lane is 3.5 metres, going down to 3.3 metres in some urban areas.</p> <p>Truck width is currently 2.5 metres and should be harmonised with international standards at 2.6 metres.</p>

6. Analysis of additional option 10.4: increasing PBS vehicle road access

As outlined in the ATA assessment of option 10.1, road access approvals are a critical issue for PBS vehicles.

Option 10.4 should incorporate:

- Providing PBS road access to routes where access is already granted for equivalent combinations (such as granting PBS 2A combinations access to the existing B-double network)
- Improving road networks with as-of-right PBS access, to better enable operators to utilise PBS vehicles where freight tasks are not predictable or have sufficient lead times to seek access approvals.

ATA assessment of option 10.4

Increasing road access for PBS vehicles will increase their viability and uptake for industry.

Wider issues and recommendations on access approvals for heavy vehicles are covered in the ATA submission on chapter nine of the consultation RIS.

7. Analysis of additional option 10.5: modular HPFV framework and network

There is an implied assumption in the consultation RIS that a safer vehicle can only be a PBS vehicle, as all the proposed options in chapter 10 focus exclusively on PBS vehicles.

This assumption is incorrect.

High productivity freight vehicles (HPFVs) are safer, greener and more productive. Whilst a HPFV might be a PBS vehicle, not all HPFVs are PBS vehicles.

In contrast to PBS vehicles, a modular HPFV can be broken down into complying smaller combinations. For example, a modular A-double can be broken down into semi-trailers and a B-triple can be broken down into a compliant B-double.

The B-double is one of the most successful HPFV combinations on the Australian road network. Between 1971 and 2007, trucking industry productivity increased six-fold due to the uptake of high productivity vehicles like B-doubles. It has been estimated that in the absence of productivity improvements over this period that nearly 150,000 articulated trucks, in addition to the 70,000 registered for use in 2007, would have been required to undertake the 2007 articulated truck freight task.¹¹

¹¹ Bureau of Infrastructure, Transport, and Regional Economics. Truck productivity. 2011. xiv.

Part of the success of the B-double is directly attributable to its modular nature and flexibility for the operations of trucking fleets.

Governments have previously considered expanding this approach. In 2012, the NTC released a policy proposal for a single national approach to B-triple operations, including a B-triple road network, prescriptive modular B-triple vehicle specifications and operating conditions.¹²

Critically, the proposal included an identified road network.

Governments need to progress a heavy vehicle fleet which is safer and makes better use of modular HPFV combinations, such as a modular 35 metre A-double.

This should be progressed in addition to PBS reforms.

ATA assessment of option 10.5

Increased use of modular HPFVs would move the national freight task in less vehicle movements, improving operational efficiency, reducing road damage costs and improving safety outcomes.

It would also avoid increased PBS compliance and approval costs, by not forcing all productivity gains to be PBS vehicles.

¹² NTC. [A national framework for modular B-triple operations](#). 2012.

Table 3: Qualitative analysis of additional options 10.4 and 10.5

Industry		Government and community			Other
Compliance costs	Improvements in operational efficiency	Government admin costs	Enforcement and compliance monitoring costs	Avoided costs associated with reduced crashes	
1. ATA assessment of proposed additional option 10.4: increasing PBS vehicle road access					
Increased as-of-right access would reduce individual access permit compliance costs.	Increased access would improve efficiency for PBS vehicles and movement of the freight task.	Reduced permit processing costs.	Increased PBS vehicle use would move the freight task in less vehicle movements.	Increased PBS use would improve safety outcomes.	
2. ATA assessment of proposed additional option 10.5: modular HPFV framework and network					
A modular HPFV network would reduce access approval costs.	Modular HPFVs would improve the efficiency of freight operations.	Reduced permit processing costs.	Modular HPFVs would offer significant benefits for moving the freight task in less vehicle movements.		Reduced fuel use, emissions, and noise impacts on the wider community