

10 National road transport reform

Each State and Territory is responsible for road transport regulation in its jurisdiction. This approach led to diverse regulations for driver and vehicle operations and standards, weights and dimensions. In the early 1990s, governments agreed to measures to address the differences in regulation, establishing the Heavy Vehicles Agreement and the Light Vehicles Agreement in 1991 and 1992 respectively. The former agreement provides for the development of uniform or consistent national regulatory arrangements for vehicles over 4.5 tonnes gross mass; the latter extends the national regulatory approach to cover light vehicles.

The National Road Transport Commission developed the initial national road transport reform package, comprising 31 initiatives in six modules: (1) registration charges for heavy vehicles; (2) transport of dangerous goods; (3) vehicle operations; (4) heavy vehicle registration; (5) driver licensing; and (6) compliance and enforcement. The Australian Transport Council oversees implementation of the reforms. The Council of Australian Governments (CoAG) endorsed a framework comprising 19 of the 31 reforms, criteria for assessing reform implementation and target dates for the 1999 National Competition Policy (NCP) assessment, along with another framework comprising six reforms for the 2001 NCP assessment.

Governments have not listed several reforms from the original package — notably, the speeding heavy vehicle policy and the higher mass limits reforms — for assessment under the NCP. (Some governments have implemented these reforms, however, in part or in whole.) Governments have also not listed for NCP assessment the national road transport reforms (such as the second and third heavy vehicle reform packages) developed subsequently to the original six-module package.

Governments did not endorse a road transport reform framework for the 2002 and 2003 NCP assessments. The Council has assessed road transport reform implementation in the 2003 NCP assessment, however, considering governments' progress in undertaking reforms that were not implemented or operational at the time of the 2002 NCP assessment. In the 2002 assessment, the Council found that:

- New South Wales, Victoria, Queensland, South Australia and Tasmania had completed all NCP road transport reform obligations at 30 June 2002; and

- Western Australia, the ACT, the Northern Territory and the Commonwealth Government were continuing to implement those reforms for which they had not met completion targets advised in earlier NCP assessments.

Given that governments had demonstrated significant progress, the Council considered that additional time to complete the reform programs was warranted. It decided to reassess implementation in the 2003 NCP assessment. Tables 10.1 and 10.2 list the 1999 and 2001 reforms outstanding at 30 June 2002 and notes actions that jurisdictions have since taken.

Table 10.1: Incomplete or delayed 1999 NCP reforms, 30 June 2002

<i>Jurisdiction</i>	<i>Reform number and projection (actual or projected date)</i>	<i>Action taken or required to complete reform</i>
Western Australia	3 Driver licensing (spring 2003)	Final amendments to the Act and Regulations are to be introduced to Parliament in spring 2003.
	4 Vehicle operations (spring 2002)	The <i>Road Traffic Amendment Act 2001</i> gained royal assent on 22 December 2001. The supporting amended Regulations commenced operation on 1 November 2002.
	5 Uniform heavy vehicle standards (spring 2002)	
	13 Safe carriage and restraint of loads (spring 2002)	
	9 One driver/one licence (spring 2003)	Final amendments to the Act and Regulations to are to be introduced to Parliament in spring 2003.
ACT	2 Heavy vehicle registration scheme (January 2004)	The Legislative Assembly rejected regulations implementing continuous registration, but the ACT Government plans to implement continuous registration from 1 January 2004.
Commonwealth	2 Heavy vehicle registration scheme (2003-04)	The Commonwealth will decide whether it is required to implement the heavy vehicles registration scheme after a review of the <i>Interstate Road Transport Act 1983</i> . If legislative reform is required, then it will occur in 2003-04.

Table 10.2: Incomplete or delayed 2001 NCP reforms, at 30 June 2002

<i>Jurisdiction</i>	<i>Reform number and description (actual or projected date)</i>	<i>Action taken to complete reform</i>
Western Australia	1 Combined vehicle standards (spring 2002)	The <i>Road Traffic Amendment Act 2001</i> gained royal assent on 22 December 2001. The supporting amended Regulations commenced operation on 1 November 2002.
Northern Territory	1 Combined vehicle standards (2003)	Regulations to adopt the combined vehicle standards were gazetted on 1 May 2003.

The overriding consideration for the Council in the 2003 NCP assessment is the importance of a common regulatory platform consistent with the Australian Transport Council assessment frameworks. For a government to be assessed as fully complying, it needed to have made by 30 June 2003 its agreed contribution to achieving the common platform. Except for formal exemptions or accepted alternatives, jurisdictions must have implemented all elements of the assessment frameworks for the reform to be assessed as complete.

Implementation of reforms outstanding at 30 June 2002

Accounting for the formalised and practical exemptions from the road transport reform program, the Council considers that governments had satisfactorily implemented 188 of 192 assessable reforms (98 per cent across all jurisdictions) at 30 June 2003.

- Of the 147 reforms in the 1999 NCP framework across all jurisdictions, 143 (97 per cent) were satisfactorily implemented at 30 June 2003. Western Australia has two remaining reforms, and the ACT and Commonwealth each have one outstanding. These reforms are expected to be implemented during 2003-04.
- All of the 45 reforms in the 2001 NCP assessment framework had been implemented by 30 June 2003. Western Australia and the Northern Territory have completed their reform obligations since the 2002 NCP assessment. New South Wales and Victoria have continued to progress towards their 2006 target completion of changes to street signage and continuous centre line markings on roads.

Table 10.3 lists all of the road transport reforms assessable under the NCP. It indicates the reforms that were incomplete at 30 June 2003, the jurisdictions still to complete these reforms and the expected completion dates.

Table 10.3: Reform implementation, 30 June 2003

<i>Road reform</i>	<i>Jurisdiction still to complete implementation (expected completion date)</i>
1997 NCP assessment framework	
First heavy vehicle registration charges determination	
1999 NCP assessment framework	
1 Dangerous goods — nationally consistent registrations and code	
2 Heavy vehicle registration schemes — national consistency	The ACT (January 2004) and the Commonwealth (2003-04)
3 Driver licensing — uniform classes, procedures, renewals, cancellations, medical guidelines, exemptions, demerit points etc.	Western Australia (spring 2003)
4 Vehicle operations — uniform mass and load registrations, consistent oversize/overmass regulations/exemptions/pilots/escorts, restricted access vehicle	
5 Uniform heavy vehicle standards (superseded by combined vehicle standards)	
6 Truck driving hours	
7 Bus driving hours	
8 Common mass and load rules — axle mass spacing schedule up to 42.5 tonnes gross vehicle tonnes for 6 axles; 62.5 tonnes for tri-tri-B-doubles; set fines for exceeding these limits	
9 One driver/one licence	Western Australia (spring 2003).
10 Improved network access — expanded gazetted routes for B-doubles and approved large vehicles (road trains and 4.6 metre high trucks) in lieu of permits	
11 Common pre-registration standards — nationwide acceptance to enable trucks to be sold and used in any jurisdiction	
12 Common roadworthiness standards — mutual recognition of standards and enforcement practices	
13 Safe carriage and restraint of loads	
14 National bus driving hours	
15 Interstate conversions of driver licences free of cost	
16 Alternative compliance — support for trial and endorsement of model legislation for mass and maintenance management	
17 Three-month and six-month short-term registration	
18 Driver offences/licence status — information provision to employers with employee's consent	
19 National exchange of vehicle and driver information system stage 1 — in-principle agreement to link driver and vehicle information nationally	

(continued)

Table 10.3 continued

<i>Road reform</i>	<i>Jurisdiction still to complete implementation (expected completion date)</i>
2001 NCP assessment framework	
1 Combined vehicle standards — uniform vehicle design and construction standards	
2 Australian road rules — national rules obeyed by all road users	
3 Combined truck and bus driving hours — nationally consistent driving hours (14 hours, including 12 in any 24-hour period etc.), chain of responsibility (extended offences) provisions; transitional fatigue management scheme etc.	
4 Consistent on-road enforcement for roadworthiness — written warning, minor defect notice, major defect notice	
5 Second heavy vehicles registration charges determination	
6 Rear axle mass increase of 1 tonne for ultra-low-floor buses within the overall 16 tonne gross vehicle mass limit	

Assessment

The Council is satisfied that New South Wales, Victoria, Queensland, South Australia, Tasmania and the Northern Territory had completed all NCP road transport reform obligations at 30 June 2003. The Council notes that the Commonwealth, Western Australia and the ACT are close to completing their outstanding reforms.

