

8 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 (reform areas) 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 reform areas, criteria for assessing reform implementation, and target dates for the 1999 National Competition Policy (NCP) assessment, along with another framework comprising six reform areas for the 2001 NCP assessment.

Governments have not listed several reform areas from the original package — notably, the speeding heavy vehicle policy and the higher mass limits reform areas — for assessment under the NCP (although some governments have implemented these reform areas 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 subsequent to the original six-module package.

Governments did not endorse a road transport reform framework for the 2002 and subsequent NCP assessments. The National Competition Council has assessed road transport reform implementation in the 2004 NCP assessment, however, considering governments' progress in undertaking reforms that were not implemented or operational at the time of the 2003 NCP assessment. In the 2003 assessment, the Council found that:

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

- Western Australia, the ACT and the Australian Government were continuing to implement those reforms for which they had not met completion targets advised in earlier NCP assessments. These incomplete reforms (only four), related to the 1999 NCP framework.

Given that governments had demonstrated significant progress, the Council considered that additional time to complete the reform programs was warranted. It decided to re-assess implementation in the 2004 NCP assessment. Table 8.1 lists the 1999 reforms outstanding at 30 June 2003 and notes actions that jurisdictions have since taken.

Table 8.1: Incomplete or delayed 1999 NCP reforms, 30 June 2003

<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 expected to be introduced to Parliament in spring 2004.
	9 One driver/one licence (spring 2003)	Final amendments to the Act and Regulations to are expected to be introduced to Parliament in spring 2004.
ACT	2 Heavy vehicle registration scheme (January 2004)	The Legislative Assembly rejected Regulations implementing continuous registration. The ACT Government is considering alternative means of enforcing timely renewals of registration.
Australian Government	2 Heavy vehicle registration scheme (2003-04)	The Australian Government has delayed this reform pending a review of the Federal Interstate Registration Scheme.

The overriding consideration for the Council in the 2004 NCP assessment has been the importance of a common regulatory platform consistent with the Australian Transport Council assessment frameworks. For a government to have been assessed as fully complying, it needed to have made by 30 June 2004 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 have been assessed as complete.

Implementation of reforms outstanding at 30 June 2003

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 2004.

Of the 147 reforms in the 1999 NCP framework across all jurisdictions, 143 (97 per cent) were satisfactorily implemented at 30 June 2004.

- Western Australia has two remaining reforms that it had expected to introduce to Parliament in autumn 2004.
- The Australian Government is awaiting the outcomes of a review of the Federal Interstate Registration Scheme (FIRS) before it completes its reform. The FIRS is generally consistent with the Heavy Vehicle Registration Scheme, and the variations have not given rise to any issues.
- In 2001, the ACT Legislative Assembly disallowed the Regulation that would have introduced continuous registration of heavy vehicles, and the Assembly Estimates Committee criticised a 2003 budget proposal to implement continuous registration as being a revenue raising measure. The ACT Government is considering alternative means of fulfilling this road transport reform, including the optimal use of technology to detect unregistered vehicles. The ACT intends to implement the non-legislative elements of this reform package shortly, and the legislative elements as soon as possible this year.

All of the 45 reforms in the 2001 NCP assessment framework had been implemented by 30 June 2003. Western Australia and the Northern Territory completed their reform obligations after 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 8.2 lists all of the road transport reform areas assessable under the NCP. It indicates the reforms that were incomplete at 30 June 2004, the jurisdictions still to complete these reforms, and the expected completion dates.

Table 8.2: Reform implementation, 30 June 2004

<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 (2004-05) and the Australian Government (2004-05)
3 Driver licensing — uniform classes, procedures, renewals, cancellations, medical guidelines, exemptions, demerit points etc.	Western Australia (spring 2004)
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 2004)
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	

(continued)

Table 8.2 continued

<i>Road reform</i>	<i>Jurisdiction still to complete implementation (expected completion date)</i>
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	
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 of 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	

The Council urges the Australian Government, Western Australia and the ACT to complete their reforms.