

8 National road transport reform

Historically, each state and territory has been responsible for road transport regulation in its jurisdiction. This approach led to a lack of uniformity in driver and vehicle operations and standards, and vehicle weights and dimensions. In the early 1990s, governments agreed 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 the following six modules:

1. registration charges for heavy vehicles
2. transport of dangerous goods
3. vehicle operations
4. heavy vehicle registration
5. driver licensing
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 further 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 this 2005 NCP assessment, however, considering governments' progress in undertaking reforms that were not implemented or operational at the time of the 2004 NCP assessment. In the 2004 assessment, the Council found that Western Australia, the ACT and the Australian Government had not met completion targets. All of the incomplete reforms 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 (and 2005) NCP assessments.

The overriding consideration for the Council in this 2005 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 its agreed contribution to achieving the common platform by 30 June 2005. Except for formal exemptions or accepted alternatives, jurisdictions must have implemented all elements of the assessment frameworks.

Implementation of reforms outstanding at 30 June 2004

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 2005. Of the 147 reforms in the 1999 NCP framework across all jurisdictions, 143 (97 per cent) were satisfactorily implemented at 30 June 2005. Outstanding obligations, by jurisdiction, are noted below:

- Western Australia has two remaining reforms—(1) the introduction of the national drivers' licence classifications and (2) the one driver/one licence reforms. The Road Traffic Amendment Bill 2005 was introduced to Parliament on 30 June 2005 to implement these reforms. (It was at the second reading stage in the Legislative Council in September 2005.)
- The Australian Government is yet to implement arrangements to achieve national consistency in heavy vehicles registration schemes. It is awaiting the outcomes of a decision by the Minister for Transport and Regional Services following the completion of the review of the Federal Interstate Registration Scheme (FIRS). The decision will determine subsequent reform actions.
- In 2001, the ACT Legislative Assembly disallowed the Regulation that would have introduced continuous registration of heavy vehicles, and a 3 month registration lapse period. 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 obligation, including the optimal use of technology to detect unregistered vehicles. It is also reconsidering this matter with a view to introducing Regulations to reduce the current registration lapse period from 12 months to 3 months.

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 8.1 lists all of the road transport reform areas assessable under the NCP. It indicates the reforms that were incomplete at 30 June 2005 and the expected completion dates.

Table 8.1: Reform implementation, 30 June 2005

<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	<p>The ACT: The Legislative Assembly rejected Regulations implementing continuous registration. The ACT Government is considering alternative means of enforcing timely renewals of registration.</p> <p>Australian Government: The Australian Government delayed this reform pending a review of the Federal Interstate Registration Scheme (FIRS). The review has been completed and the Minister for Transport and Regional Services has been advised of the review's recommendations. A ministerial decision, which will determine subsequent reform action, is pending.</p>
3 Driver licensing—uniform classes, procedures, renewals, cancellations, medical guidelines, exemptions, demerit points etc.	Western Australia: Final amendments to the Act and Regulations were introduced to Parliament on 30 June 2005.
4 Vehicle operations—uniform mass and load registrations, consistent oversize/overmass regulations/exemptions/pilots/escorts, restricted access vehicle	

(continued)

Table 8.1 continued

<i>Road reform</i>	<i>Jurisdiction still to complete implementation (expected completion date)</i>
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 six axles; 62.5 tonnes for tri-tri-B-doubles; set fines for exceeding these limits	
9 One driver/one licence	Western Australia: Final amendments to the Act and Regulations were introduced to Parliament on 30 June 2005.
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	
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 (assessed) road transport reform commitments are almost complete—of 147 reform elements across all jurisdictions, 143 have been satisfactorily implemented. Western Australia has two reforms outstanding, and the Australian Government and the ACT have one each. These outstanding commitments relate to relatively minor areas of the reform agenda.

The Council assesses that the Australian Government, Western Australia and the ACT have failed to meet their NCP obligations in relation to completing their national road transport reforms.

