



6 May, 2011

The National Transport Commission
The National Heavy Vehicle Regulator Project Office

Submitted via website: www.ntc.gov.au

Cc: Mr Tony McMullan, CEO, Truck Industry Council

Dear Sirs,

TIC Comment on Draft Heavy Vehicle National Law and Regulatory Impact Statement

The Truck Industry Council (TIC) is the peak industry body representing manufacturers and distributors of heavy commercial vehicles (that is, with Gross Vehicle Mass above 3,500 kg) in Australia. TIC members represent 18 brands of heavy vehicle sold in Australia, plus four brands of engine and major component suppliers. TIC members supply trucks produced around the world for use in Australia, including through local manufacturing at four locations within Australia.

TIC is very supportive of the aims of the proposed National Heavy Vehicle Regulator (NHVR), and applauds any initiative to draft national legislation that will remove inconsistencies that currently exists between the various jurisdictions. Specifically, TIC is strongly supportive of legislation and revised procedures which provide for consistency across Australia in the application, compliance and enforcement of areas such as:

- a. Vehicle Registration requirements,
- b. Australian Vehicle Standards Rules (AVSRs),
- c. Interpretation of Australian Design Rules Compliance,
- d. Mass and Loading,
- e. Performance Based Standards (especially approvals),
- f. Higher Mass Limits,
- g. Concessional Mass Limits, and
- h. Intelligent Access Program requirements.

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TIC acknowledges that all of these areas will be covered by the draft Heavy Vehicle National Law, and the consolidation of previous Model Laws into the new draft National Law should provide for efficiencies and simplification if enacted as intended.

Australia is a Small Truck Market

TIC members will appreciate the removal or supersession of state regulations that are inconsistent with each other. Truck design and manufacture is sufficiently complex before consideration of local variations across states and territories. The total Australian truck market for vehicles above 4,500 kg was just 19,870 units in 2010¹, and yet it is one of the most competitive in the world. Up to 18 brands compete in our relatively small market. Therefore, a unified, national law covering all major truck requirements will be an important step forward in reducing the number of model variations required. This then results in reduced average vehicle costs over time and has a flow-on effect towards the health of the national economy.

Age of the Fleet and Roadworthiness

One area of concern that could be addressed by the NHVR is the roadworthiness rules. These are handled quite differently between states, with some requiring an annual inspection, and others none until transfer of ownership. TIC believes that too many heavy vehicles are retained on the road past their reasonable “use by” date, and do not meet even basic safety and environmental requirements. A national, consistently enforced, roadworthiness inspection scheme is needed.

The total registered population of trucks with GVM *greater than 4,500 kg* (that is, those covered by the draft National Laws and by the NHVR) is 420,404 units according to the Australian Motor Vehicle Census at 31 March 2010. Of these, the census data shows that 174,576 units, or 41.5%, were first registered before 1995. Therefore, more than two out of every five trucks over 4,500 kg GVM were sold when there were no applicable exhaust emissions ADRs, and today’s common safety features were not available. Given that these trucks are already 16 or more years old, it is likely that many of them are poorly maintained and would not pass a reasonable roadworthiness inspection. Heavy Vehicle road safety levels and air quality in Australian cities can be improved significantly by have nationally consistent roadworthiness standards that increase the retirement rate for these oldest, least safe trucks.

Conclusion

This initial feedback comment does not cover every specific aspect of the draft regulations, however the issues that are most important to TIC members are mentioned here.

¹ Source: T-Mark official market sales data, 2010 calendar year.

I trust that you find these position statements reasonable, and a useful basis for further discussion prior to implementation of the national law. The strong relationship and open dialogue between the National Transport Commission and TIC is appreciated and I trust that it will continue. TIC also anticipates a healthy relationship developing with the NHVR, initially through the Project Office.

Please contact the undersigned on 0427 554 775 or shumphries@truck-industry-council.org for any questions about this feedback.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'S Humphries', enclosed within a thin black rectangular border.

Simon Humphries
Chief Technical Officer