



Heavy Vehicle National Law statutory instruments consultation

December 2025



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The Bus Industry Confederation

The Bus Industry Confederation (BIC) is the national independent peak body for the Australian Bus and Coach Industry. We represent over 160 bus and coach operators, body, chassis and complete bus manufacturers and suppliers, parts and service providers, professional services, and state bus associations on issues of national importance.

Our membership is becoming increasingly diverse as key energy and infrastructure partners join as we transition the fleet to low and zero emissions. The BIC advocates on behalf of our members to federal, state and territory governments and associated bodies, to ensure the safe and efficient carriage of passengers, along with safe and sustainable operations and supply chains that support the industry.

About Buses

Buses serve as mass transit, delivering benefits like reduced congestion, lower pollution, and enhanced productivity, as well as providing critical social mobility through frequent local routes. These benefits extend to improved public health, lower crime rates and better overall social outcomes, resulting in reduced costs for health and legal systems. The Australian bus industry is uniquely positioned to lead the transition to zero-emission technologies¹ for heavy vehicles, assisting decarbonising strategy for the nation.

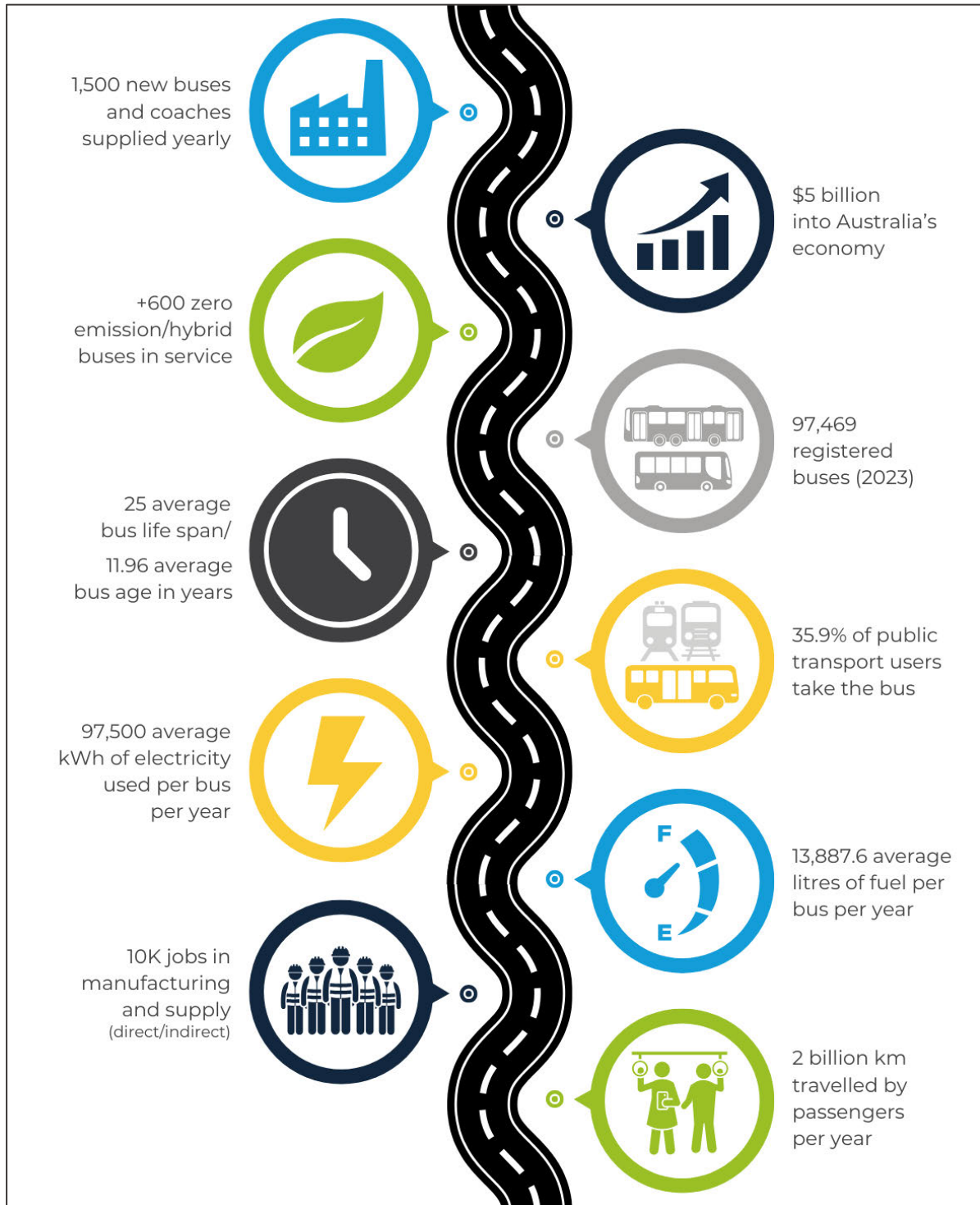
Buses have a strong and diverse manufacturing, and supplier presence in Australia providing 10,000 direct and indirect jobs in Australia. This encompasses full manufacturers, assemblers, importers, component manufacturers, suppliers, and importers. We provide an economic contribution \$5Billion yearly to the Australian economy.

Buses provide a cost-effective safe role in moving people from and to their destinations every day, whether it is dense urban outer urban, regional, remote, or interstate. For example, in outer suburban areas, where other mass transit options are scarce, buses are vital in addressing poverty, disadvantage, and the financial strain of car ownership. They offer essential mobility to communities facing isolation, poor services, and socio-economic challenges.

Buses - The essential public transport carrying Australia.

¹ BIC Policy Position Paper – [Driving Towards Zero Emissions](#)

Industry Snapshot | 2025



Response

The Bus Industry Confederation (BIC) welcomes the opportunity to provide input to the National Transport Commission (NTC) on the proposed statutory instruments that will support the updated Heavy Vehicle National Law (NHVL).

BIC have made a general response to the consultation paper and identified areas for NTC's attention, specifically relevant to the bus and coach industry and to reiterate what was provided in our response in November 2024 (refer to attached).

Ministerial Guidelines for Heavy Vehicle Accreditation

The bus industry supports a consistent national approach to safety; however, any new Safety Management System (SMS) mandated under the NHVL must recognise the extensive and well-established passenger-transport safety frameworks that already apply in most jurisdictions.

Bus operators typically operate within highly prescriptive state-based schemes—either mandatory accreditation frameworks or voluntary codes—that already require a comprehensive SMS-style approach, including documented procedures, audits, incident management, vehicle maintenance controls and driver competency requirements.

From a bus perspective, duplicating these systems under a new NTC-developed SMS administered by the NHVR would create unnecessary administrative burden without improving safety outcomes. Instead, alignment and mutual recognition are essential.

As a result, the BIC recommends the following:

- 1. Where a bus operator is operating under an existing state-based safety framework—whether mandatory accreditation, safety management requirements, or an endorsed code of practice—the operator should be exempt from the NTC SMS if they wish to apply for the Heavy Vehicle Accreditation Scheme.**

State passenger-transport systems already impose safety requirements equal to or exceeding those proposed by the NTC. In its current form, requiring bus operators to maintain two overlapping SMS frameworks should they wish to attain Heavy Vehicle Accreditation would produce duplication in documentation, audits, and compliance tasks, with no demonstrable benefit to safety.

- 2. Where a bus operator is not operating under a state-based mandated or voluntary safety system, the NTC SMS should apply.**

In these cases, application of the NHVR-administered SMS would ensure a minimum national safety standard and maintain consistency with the NHVL's safety and Chain of Responsibility (CoR) objectives.

The bus industry supports recognition of existing state accreditation schemes instead of imposing the NTC's freight-oriented SMS, for the following reasons:

- Operators already follow mature SMS systems covering maintenance, driver competency, incident reporting, risk management, and audits.
- State requirements are integrated with service planning, rostering, and operational control.
- State schemes often meet or exceed NHVL safety standards due to passenger-carrying responsibilities.
- Avoiding duplication reduces compliance burden, especially for small and regional operators.
- NTC coverage would still apply where no equivalent state scheme exists, ensuring safety oversight is maintained.

The bus industry supports the objective of strengthening the NHVL's safety framework, but the SMS must be implemented in a way that avoids duplicating existing, effective state-based systems.

Ministerial Standard for Alternative Compliance Hours

The bus industry supports fatigue-management systems that protect drivers, passengers, and the public. The coach sector plays an essential role in delivering intercity travel, tourism, school transport, regional mobility, and charter services. However, the regulatory structures designed primarily around freight operations do not always align with the unique operational realities of coach transport.

Prohibition on planning trips around split rest

The bus and coach industry considers the current drafting of Section 4(b)(i) unclear and potentially confusing for operators and auditors. Coaches operate under fixed timetables, long distances, limited rest facilities, and immovable service windows, making strict prohibitions on considering split rest impractical.

While split rest should not be the default for trip planning, it must be available as a contingency when unforeseen circumstances prevent planned continuous rest. The Standard should clarify this by allowing trip plans to assume minimum continuous rest, with split rest used only as an operational backup. Clear wording would reduce ambiguity, ensure compliance, and provide certainty for operators and regulators.

Proposal to mandate a minimum 8-hour total for split rest periods

The bus and coach industry opposes a mandatory 8-hour combined split rest requirement under the proposed Alternative Compliance Hours. Long-distance and seasonal operations often face limited rest locations, remote conditions, and passenger-driven schedules, making rigid 8-hour limits impractical. Existing split rest provisions already safeguard safety by limiting total work hours, duty time between rests, and ensuring meaningful breaks.

A mandatory 8-hour requirement would disproportionately impact rural and regional operators, increase costs, require additional drivers where none are available, and threaten service viability on marginal routes, without providing additional safety benefits.

Transparency for Regulator decision making

The industry emphasizes the need for transparency, consistency, and predictability in fatigue-related decision-making. While the NTC suggests a Statement of Expectations, this is insufficient as it is non-binding, can change with minimal consultation, and has historically caused inconsistent interpretations.

The Standard should include:

- Baseline transparency obligations
- Regulatory requirements to publish decision-making criteria, methodologies, and reasoning
- Commitment to nationally consistent application

A Statement of Expectations may complement these measures but cannot replace enforceable regulatory clarity.

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