



SUBMISSION

Heavy Vehicle National Law Statutory Instruments

**Ministerial Standard for alternative
compliance hours**

3 DECEMBER 2025

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South Australian & Northern Territory Automotive Retail, Service & Repair Sector Overview*



5,533
Businesses

31,536
Employees



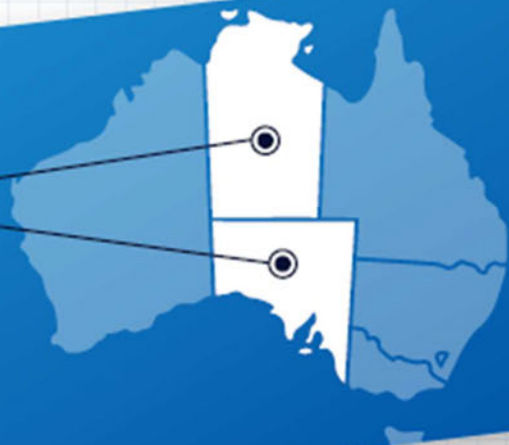
1,605,434
Vehicles



2,671,500,000
Economic Contribution

MTA SA & NT

1,268 Members
15,857 Employed by
Members



MTA SA & NT Skills & Careers



We currently have over **1,000** apprentices in training. Our GTO employs **450** apprentices, hosted across **240** automotive businesses.

*Source: Directions in Australia's Automotive Industry. An Industry Report 2021

2. Background

The Motor Trade Association SA/NT (the MTA) is an employer organisation representing the interests of over 1,200 members and their more than 15,000 employees in the automotive retail, service and repair sector throughout metropolitan and regional South Australia (SA) and the Northern Territory (NT).

Eighty per cent of these businesses employ less than 20 employees. The automotive retail, service and repair sectors in SA and the NT add more than \$3 billion to the economy annually and employ over 30,000 people.

MTA Training and Employment also operates Registered and Group Training Organisations. It is the automotive industry's training provider of choice with more than 1,000 apprentices in training at Royal Park in Adelaide, as well as Cleve on the Eyre Peninsula and Bordertown. It is the largest employer of automotive apprentices in South Australia with 450 employed through over 240 host businesses.

As the peak body representing the automotive industry, the MTA has 12 divisions representing the full range of trades within the automotive industry including:

- Automotive Dealers Association (SA/NT)
- Automotive Repair and Engineering Specialists (SA/NT)
- Automotive Dismantlers (SA/NT)
- Body Repair Specialists (SA/NT)
- Commercial Vehicle Industry Association (SA/NT)
- Farm and Industrial Machinery Dealers Association (SA/NT)
- Licensed Vehicle Dealers (SA/NT)
- Motorcycle Industry Association (SA/NT)
- Service Station (SA/NT)
- Towing Services (SA/NT)
- Tyre Dealers (SA/NT)
- General (SA/NT)

3. Submission Contact

For further information relating to this submission please contact:

Kaes Cillessen
General Manager – Media, Marketing and Policy

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4. Introduction

The Motor Trade Association of SA/NT (MTA) welcomes the opportunity to comment on the Heavy Vehicle National Law statutory instruments consultation. The MTA has previously engaged with the NTC and NHVR on NHVL reforms and policy. Particularly of interest is the reforms to fatigue limits and associated compliance hours in the consultation documents.

This submission summarises the views of the Motor Trade Association (MTA) as an industry association and its members with a relevant interest in the Heavy Vehicle National Laws and the proposed statutory instruments on fatigue management.

5. Submission

Ministerial Standard for Alternative Compliance Hours

Recommendation

- An exemption is given for towing operators; or
- Additional flexibility beyond the 15.5 hour limit for long distance towing operations to recover broken down heavy vehicles or undertake accident recovery operations.

The MTA has previously consulted with the National Heavy Vehicle Regulator (NHVR) on the unique case that South Australia has with regards to long distance accident and recovery tow operations, and how the Basic and Advanced Fatigue Management methods apply to these circumstances.

The result of these discussions noted that there needed to be either a bespoke fatigue management plan implemented, or there is an exemption put in the relevant laws regarding fatigue management (as is the case for emergency services under section 265).

There are cases where there is a need for a heavy vehicle towing operation to recover a remote broken-down heavy vehicle or attend a vehicle collision involving heavy vehicles blocking the national highway in remote South Australia.

These operations require specialised equipment to come from Adelaide to travel to the location of the incident or breakdown, which can take up to 14 hours travel time, and then up to a further 10 hours to undertake recovery of the collision impacted heavy vehicles. This is especially the case for recoveries involving complex collisions of multiple heavy vehicles.

MTA members undertaking these operations take fatigue management compliance seriously. They instruct drivers to travel to the nearest motel and rest for an extended period (10–12 hours) after completing the recovery. Members note that such incidents may occur up to twice a month.



Complex Heavy Vehicle collision on the Eyre Highway in South Australia

However, due to the current fatigue management requirements these drivers can fall outside of their limits. Often there are competing and conflicting directives from compliance with the NHVL on fatigue management and directions from South Australia Police to promptly clear the highway and move the recovered vehicles. This is also a time sensitive case for livestock breakdown recovery as the welfare of the livestock is pressing and will need to be taken to the nearest safe location for these animals, and cannot be left on the roadside in unsafe conditions.

While the proposed ministerial standard for alternative compliance hours provides some flexibility to manage fatigue in the greater heavy vehicle sector, the application of the Risk Management System Matrix (RCSM) to these unique South Australian circumstances for towing operators will designate these operators working outside of the limits proposed.

Towing operators will endeavour to have two crew attend a remote recovery operation; however, this is not always possible. Every effort is made to reduce risk by ensuring the operators selected are rested before a recovery operation, and that when the recovery is complete to travel to the nearest motel or roadhouse to undertake a sufficient recovery break (10-12 hours).

The MTA recommends that either greater flexibility is given for the remote nature of heavy vehicle recovery towing operations in South Australia or provide heavy vehicle accident recovery towing operators an exemption similar to emergency services under section 265 of the NHVL. Particularly as emergency services will utilise the heavy tow recovery equipment.

6. Next Steps

The MTA is available to provide further information in relation to this submission and to clarify any aspect of it. This includes meeting with agency representatives and facilitating further consultations with industry on proposed changes.