



[email address removed]

Good Morning

I am writing to you to provide some feedback on the proposed changes to the NHVAS.

I understand that sometimes change is needed to improve safety. Sometime though I think it can be taken too far and make it more onerous to operators that it puts the costs involved into the 'what is reasonably practicable' category. These proposed changes to the NHVAS while I understand the need to consolidate and make sure that all companies are doing the right thing might actually push companies in the complete opposite direction.

Many small and medium operators that are currently enrolled into the scheme currently are using the benefits of the NHVAS to just keep their heads above the water. Whether it's being enrolled into Fatigue so that the driver can sleep in his own bed at night because he is able to drive the extra 30min-1hr to see his family, or to the operator using Mass that can operate under HML and get the full load on instead of making two trips costing more in fuel and wages and increasing risk by having their heavy vehicle on the road for longer than needed for the same task. These companies utilise the already available modules that have been in existence for a long time and in most cases have passed numerous audits and dealt with and corrective action requests for non-compliance.

With the introduction of an SMS and from what I can understand this is going to be a much harder task for most operators to implement. As a base entry level module this will be a requirement to obtain any other accreditation, with added costs to operators that can currently not be quantified. The NHVR want to implement these changes in mid-2026 but there is no standard that I am aware of that sets out what the requirements for this module would look like. I think that due to the nature of the transport industry that there will be too many different systems and it will be subject to the auditor to determine if this plan is sufficient. This will be very subjective to each auditor and potentially an auditor that is not very familiar with the operations of the particular transport operation.

I am encouraged to see that under the changes to the HVNL that mass changes have been implemented to allow all operators previously operating under GML weight will be granted access to CML weights without the need for enrolment into NHVAS. I am interested to know however will there still be a 3 tiered system like before (GML, CML and HML) or will it simply be 2 (CML and HML)? With PBS becoming more and more relevant in the transport industry will there be increased massed for operators willing to go through the process of enrolling into NHVAS?

Fatigue management has been an industry wide issue for a very long time. There has been a grey area around the definition of work and rest, I believe, for some time. It would be good to finally see this defined in the new reform. There are many industries that operate and require the driver to queue to collect their load. The driver cannot be in rest as the queue moves up or they might need to monitor a number in the line, but the driver may not physically be in the seat or the truck even running! This must, under the current definition be defined as work however they may be there for hours waiting. Something needs to be written to include these types of operations and allow drivers who need to wait or queue to put this down as rest. If there is a large exit of companies from the NHVAS who will not be able to meet the requirements of enrolment (or simply don't want to) will there be a parking bay shortage for those drivers who used to be able to work under BFM or higher that can no longer reach their previous normal rest points on a 12hr work diary? There is already a shortage of quality rest areas for heavy vehicle drivers that provide the simple basics that are required.

The whole idea of a different auditor for every visit is absolutely ludicrous!! I don't believe it is outrageous to engage an auditor and have a working relationship with them and be able to remain compliant. Obviously there needs to be some boundaries like not being able to perform consultant work before that, which is currently in place, but apart from that having an auditor with prior experience in our business is advantageous and just plain smart. There aren't enough auditors at present to maintain current workload let alone auditors that will be able to be understand the proposed new implementations of these changes. I have spoken to a number of people who believe that this new change will push current auditors out of the system which will create a shortage of quality auditors that already have a rapport with the heavy vehicle industry. I think that this increased risk based approach to accreditation will increase the costs immensely, not just to gain accreditation but to maintain and audit it. Cost to maintain a transport company keep rising with wages, fuel, servicing etc are only going up. Adding more cost to that only increases the chance that companies will cut corners somewhere to remain competitive or even in business!! This seems a completely opposite to the whole push around safety and risk management.....

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PBS operators such as ourselves may not have the option to drop out of this scheme to avoid these over burdening changes. It seems we will be pushed into these over burdening requirements to maintain our current level. Operators have significantly invested in fleets that are safer, more productive, newer and more environmentally friendly under the PBS scheme. To now add extra work to operators that are already just getting by with the current system is going to be more work where operators may just give up, or even worse run the gauntlet and hope for the best. Is there enough inspection stations to cope with the added work load they will receive with trucking companies dropping out of Maintenance? For our company we have 36 trucks and over 100 trailers, if we were to drop out because we deemed it too much work for us would the local inspection station be able to cope with that? I very much doubt it, I understand that there are already long waits to be able to book in now before these changes are implemented!!

The CoR clearly states that operators must implement policies that make it safe to operate so much as 'reasonably practicable'. "Put simply, it is how much trouble and expense you should go to so as to eliminate or minimise a risk, judged on what an ordinary, reasonable person would think was reasonable in the circumstance." I think that some operators may think it not 'reasonably practicable' to implement these new proposed changes and drop out or run the risk of getting caught.

Thanks

Kind
Regards,

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