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National Transport Commission
Level 3, 600 Bourke Street
Melbourne, VIC 3000

Submissions for NTC Issues Paper - Vehicle standards and safety

This document primarily addresses question 3 as raised within the issues paper:

How can the future HVNL most effectively deliver safer vehicles to the road? Which aspects of the PBS scheme are working well and which aren't? What barriers to the broad uptake of safer vehicles exist?

The goal of delivering safer vehicles onto the road must be primarily addressed via guiding decision makers (i.e. industry) to make commercial decisions that include the use of safer vehicles. Ultimately those making purchasing decisions will be choosing what gives them the best outcomes for their businesses.

To this end, two features should be included in the review of the HVNL that have not been considered as part of this issues paper:

A cost to benefit assessment of individual items within the new HVNL should be included where appropriate. Examples of where this is appropriate are in cases where concessions are given for additional safety features, such as the half-tonne steer axle concessions. In this scenario, the additional half-tonne of mass is given to operators to account for the additional mass of the safety technology on the hauling unit and as an incentive to have the additional safety features. The benefit (including the additional safety) outweighs the costs and so many operators move in the direction of additional safety.

In contrast, the opposite situation may occur under the PBS scheme for certain combinations, particularly where there is a prescriptive version of a vehicle available. As an example, 26-metre B-doubles can be operated as either PBS combinations or as prescriptive vehicles. A prescriptive B-double can be loaded to 4.3-metre-high and full HML axle loads, while this would be uncommon for a PBS version because of its lateral stability requirements. The PBS version also has requirements around the braking technology used and other performance metrics. However for the majority of operations the commercial benefits offered by moving to PBS are outweighed by the costs, resulting in a decision pathway to not use the safer vehicle.

This type of assessment throughout the HVNL review would assist with determining if proposed aspects of the new HVNL would be expected to deliver safer vehicles to the road.

The intent behind clauses in the HVNL should also be included as a key aspect. This is particularly important in cases where safety is being prioritised by inclusion of specific requirements or regulation. It is reasonable to expect that unforeseen advances in vehicle safety technology will be ever forthcoming, and trying to include all eventualities would be inefficient, complex and cumbersome. Instead, innovation opportunities should be offered whereby operators and industry can seek

deviation from the HVNL if they do not necessarily meet the specific requirements of the HVNL but meet the intent of the HVNL.

This would allow for industry to incorporate technological innovation that is also aligned with their commercial business objectives and give jurisdictions a legal instrument to allow for these innovations while still meeting the intent of the HVNL. It would be expected that at scheduled reviews of the HVNL the cases for deviations would be examined and potentially included in future iterations. As an example, the intent behind requiring specific braking technology could be included in the HVNL. In the future, if some new technology could be shown to meet this intent, operators could seek to use it even though it may not be explicitly allowed within the HVNL.

Possible vehicles for this would be the NHVR Vehicle Standards exemption process, with the main point of difference being the intent behind the HVNL requirements being included to assist with making the decision to grant the exemption or not.

Regarding the PBS Scheme, the recent joint NHVR and ARTSA PBS fleet report includes figures which clearly show areas of the market the PBS scheme is being taken up and is working well. Based on our experience as PBS assessors, access forms a large barrier to PBS and guides much of the commercial decision making to invest in safer vehicles, as addressed in a separate NTC issues paper. To this end truck and dog operators, especially tippers can work well under PBS because there are clear benefits and little in the way of operational restrictions.

In contrast, for the case of the three-axle semi-trailer, the PBS fleet report shows that 7% of the fleet is operating under PBS. A clear link can be drawn here in that the cost to benefit analysis performed by commercial decision makers leads them on a path to the less safe alternative. Efforts have been made to address this, such as the recent amendment to the HVNL for PBS Level 1 vehicles operating at GML being given general access, however by excluding the option to operate at HML on an HML route, the large majority of operators, who need HML are disincentivised to using safer PBS vehicles.

An aspect of the PBS scheme which is working well is the ever increasing pool of vehicles being included under the 'pre-advised' system of applications. By providing a consistent timeframe for PBS Design Approvals and Vehicle Approvals, industry is more easily able to arrange their project timeframes to maximise efficiency. A particularly beneficial change for a large segment of industry is the recent inclusion of Dangerous Goods in this pre-approval system. It would be advantageous to continue to expand this to cover different vehicles types and more cases, removing barriers introduced by uncertainty around timeframes.

In summary, significant focus areas for the HVNL review with respect to removing barriers and incentivising the use of safer vehicles should be tackled largely from a cost-benefit analysis perspective. Safety requirements and concessions should be considered based on the expected decision making that will occur by their introduction. In addition, the HVNL should emphasise the intent of the HVNL requirements/clauses to help facilitate safety innovations with benefits that outweigh their costs, even if they are not currently known. The PBS scheme can offer significant safety improvements for the fleet, however concessions/barriers need to be considered within the HVNL review to give commercial decision makers reasons to introduce the safer alternatives.

Yours sincerely,



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