



# **Heavy Vehicle National Law Amendment Bill 2025**





Queensland

# Heavy Vehicle National Law Amendment Bill 2025

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**2025**

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**A Bill**

for

**An Act to amend the *Heavy Vehicle National Law Act 2012* for particular purposes**

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[s 1]

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**The Parliament of Queensland enacts—** 1

**Part 1 Preliminary** 2

**Clause 1 Short title** 3

This Act may be cited as the *Heavy Vehicle National Law Amendment Act 2025*. 4  
5

**Clause 2 Commencement** 6

This Act commences on a day to be fixed by proclamation. 7

**Part 2 Amendment of Heavy Vehicle National Law Act 2012** 8  
9

**Clause 3 Act amended** 10

This part amends the *Heavy Vehicle National Law Act 2012*. 11

**Clause 4 Amendment of s 21 (Other consents under s 124 of the Law)** 12  
13

(1) Section 21, heading, ‘s 124’— 14

*omit, insert—* 15

**s 122** 16

(2) Section 21(1), ‘section 124(1)(c)’— 17

*omit, insert—* 18

section 122(2)(c) 19

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<b>Clause 5</b>	<b>Amendment of s 24 (Information notice for decision to refuse application because commissioner did not give consent)</b>	1 2 3
	Section 24(2), from ‘The’ to ‘section 128 of’—	4
	<i>omit, insert—</i>	5
	An information notice for the decision to refuse the application required to be given to the applicant under	6 7 8
<b>Clause 6</b>	<b>Amendment of s 25 (Information notice for imposition of condition requested by commissioner)</b>	9 10
	(1) Section 25(2), ‘section 127(1)(b) of’—	11
	<i>omit.</i>	12
	(2) Section 25(3), ‘section 127(1)(b)’—	13
	<i>omit, insert—</i>	14
	the Law	15
<b>Clause 7</b>	<b>Omission of s 39 (Power to require production of driver licence)</b>	16 17
	Section 39—	18
	<i>omit.</i>	19
<b>Clause 8</b>	<b>Amendment of s 42E (Amendment of s 707A (Proceeding for other offences))</b>	20 21
	(1) Section 42E, inserted section 707A(6), definition <i>fatigue management offence</i> , paragraphs (d) and (e)—	22 23
	<i>omit.</i>	24
	(2) Section 42E, inserted section 707A(6), definition <i>fatigue management offence</i> , paragraph (f)—	25 26
	<i>renumber</i> as paragraph (d).	27

[s 9]

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<b>Part 3</b>	<b>Amendment of Heavy Vehicle National Law</b>	1 2
<b>Clause 9</b>	<b>Law amended</b>	3
	This part amends the Heavy Vehicle National Law as set out in the Schedule to the <i>Heavy Vehicle National Law Act 2012</i> .	4 5
<b>Clause 10</b>	<b>Amendment of s 4 (Regulatory framework to achieve object)</b>	6 7
	Section 4(c)(v), after ‘fatigued’—	8
	<i>insert—</i>	9
	or unfit to drive	10
<b>Clause 11</b>	<b>Amendment of s 5 (Definitions)</b>	11
	(1) Section 5, definitions <i>AFM accreditation, AFM fatigue management system, AFM hours, AFM standards and business rules, approved, approved auditor, approved electronic recording system, BFM accreditation, BFM fatigue management system, BFM hours, BFM standards and business rules, cancel, daily sheet, electronic recording system, fit, heavy vehicle accreditation, maintenance management accreditation, maintenance management standards and business rules, maintenance management system, mass management accreditation, mass management standards and business rules, mass management system, registered industry code of practice, relevant management system, relevant standards and business rules, sign of fatigue and twinsteer axle group—</i>	12 13 14 15 16 17 18 19 20 21 22 23 24 25
	<i>omit.</i>	26
	(2) Section 5, in alphabetical order—	27
	<i>insert—</i>	28
	<b><i>alternative compliance accreditation</i></b> means accreditation granted under section 458 in relation	29 30

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to a prescribed operations requirement.	1
<i>alternative compliance hours</i> has the meaning given by section 253.	2 3
<i>approved auditor</i> , in relation to an audit of an operator's safety management system, means an auditor of a class specified in the audit standard as approved to carry out the audit.	4 5 6 7
<i>approved electronic recording system</i> means an electronic recording system the subject of a current approval under section 343 or a corresponding fatigue law.	8 9 10 11
<i>audit standard</i> means the standard for the carrying out of audits of an operator's safety management system approved by the responsible Ministers under section 654(1)(a).	12 13 14 15
<i>cause of fatigue or being unfit to drive</i> , for the purposes of Chapter 6, has the meaning given by section 221.	16 17 18
<i>electronic recording system</i> means a system of recording information electronically.	19 20
<i>fatigue alternative compliance accreditation</i> means an alternative compliance accreditation granted in relation to a prescribed operations requirement relating to requirements under Division 2 of Part 6.3.	21 22 23 24 25
<i>Note—</i>	26
The <i>Heavy Vehicle (Fatigue Management) National Regulation</i> prescribes the requirements under Division 2 of Part 6.3 of this Law as prescribed operations requirements.	27 28 29 30
<i>fit</i> , for the purposes of Part 9.3, has the meaning given by section 512A.	31 32
<i>general safety accreditation</i> means accreditation granted under section 458 that is not related to a prescribed operations requirement.	33 34 35

[s 11]

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- heavy vehicle accreditation** means— 1
- (a) general safety accreditation; or 2
- (b) alternative compliance accreditation. 3
- prescribed operations requirement** has the 4  
meaning given by section 457. 5
- safety management system** has the meaning 6  
given by section 457A. 7
- safety management system standard** means the 8  
standard for safety management systems 9  
approved by the responsible Ministers under 10  
section 654(1)(b). 11
- sign of fatigue or being unfit to drive**, for the 12  
purposes of Chapter 6, has the meaning given by 13  
section 221. 14
- standard for alternative compliance hours** 15  
means the standard for alternative compliance 16  
hours approved by the responsible Ministers 17  
under section 654(1)(c). 18
- twinsteer axle group** means a group of 2 axles 19  
that meets the requirements prescribed for the 20  
purposes of this definition by the national 21  
regulations. 22
- unfit to drive** has the meaning given by section 23  
225(2). 24
- (3) Section 5, definition *class 2 heavy vehicle authorisation* 25  
(*permit*), ‘section 143(2)’— 26  
*omit, insert*— 27  
section 143 28
- (4) Section 5, definition *impaired by fatigue*, ‘section 225’— 29  
*omit, insert*— 30  
section 225(1) 31
- (5) Section 5, definition *indictable offence*, after ‘section 26F’— 32



*insert—*

and includes an offence mentioned in section  
26D(1A) with the penalty mentioned in section  
26F

- (6) Section 5, definition *mass or dimension exemption (permit)*,  
'section 122(3)'—

*omit, insert—*

section 122(1)

- (7) Section 5, definition *night rest break*, note, 'sections 248 and  
303'—

*omit, insert—*

section 248

- (8) Section 5, definition *tamper*, paragraph (b)—

*omit.*

- (9) Section 5, definition *vehicle standards exemption (permit)*,  
'section 68(2)'—

*omit, insert—*

section 68

- (10) Section 5, definition *work and rest hours exemption (permit)*,  
'section 273(2)'—

*omit, insert—*

section 273

- (11) Section 5, definition *work diary exemption (permit)*, 'section  
363(2)'—

*omit, insert—*

section 363

**Clause 12 Amendment of s 7 (Meaning of *fatigue-regulated heavy vehicle*)**

Section 7(1)(a), (b) and (3)(a), '12t'—

[s 13]

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*omit, insert—* 1  
the GVM prescribed by the national regulations 2

**Clause 13 Amendment of s 22 (Application for PBS design approval)** 3

Section 22(2)— 4

*omit, insert—* 5

(2) In assessing the application, the Regulator must 6  
have regard to the matters prescribed by the 7  
national regulations for the purposes of this 8  
subsection. 9

**Clause 14 Amendment of s 23 (Application for PBS vehicle approval)** 10  
11

Section 23(2)— 12

*omit, insert—* 13

(2) In assessing the application, the Regulator must 14  
have regard to the matters prescribed by the 15  
national regulations for the purposes of this 16  
subsection. 17

**Clause 15 Omission of s 25A (Keeping copy of PBS vehicle approval while driving)** 18  
19

Section 25A— 20

*omit.* 21

**Clause 16 Amendment of s 26 (National regulations)** 22

(1) Section 26(d), ‘certifiers.’— 23

*omit, insert—* 24

certifiers; and 25

(2) Section 26— 26

*insert—*

- (e) requirements to keep a copy of a PBS  
vehicle approval.

**Clause 17 Amendment of s 26D (Duty of executive of legal entity)**

- (1) Section 26D(1), after ‘a safety duty’—

*insert—*

, other than a safety duty imposed under section  
26C

- (2) Section 26D—

*insert—*

- (1A) If a legal entity has a safety duty imposed under  
section 26C, an executive of the legal entity must  
exercise due diligence to ensure the legal entity  
complies with the safety duty.

Maximum penalty—the penalty for a  
contravention of section 26F, 26G or 26H by an  
individual, as appropriate.

- (3) Section 26D(2), after ‘subsection (1)’—

*insert—*

or (1A)

- (4) Section 26D(2A), ‘Subsection (1) does not’—

*omit, insert—*

Subsections (1) and (1A) do not

**Clause 18 Amendment of s 26E (Prohibited requests and contracts)**

- (1) Section 26E(1)(b)—

*omit, insert—*

- (b) to drive a heavy vehicle while impaired by  
fatigue or unfit to drive; or

[s 19]

---

- (2) Section 26E(1)(d), from ‘fatigue-regulated’ to ‘impaired by fatigue’— 1  
2  
*omit, insert*— 3  
heavy vehicle in breach of another law in order to 4  
avoid driving while impaired by fatigue or unfit to 5  
drive 6
- (3) Section 26E(1) and (2), penalty, ‘\$10000’— 7  
*omit, insert*— 8  
\$20000 9
- (4) Section 26E(2)(b)— 10  
*omit, insert*— 11  
(b) to drive a heavy vehicle while impaired by 12  
fatigue or unfit to drive; or 13
- (5) Section 26E(2)(d), from ‘fatigue-regulated’ to ‘impaired by fatigue’— 14  
15  
*omit, insert*— 16  
heavy vehicle in breach of another law in order to 17  
avoid driving while impaired by fatigue or unfit to 18  
drive 19

**Clause 19 Insertion of new s 26I** 20

After section 26H— 21

*insert*— 22

**26I Alternative verdicts** 23

- (1) In proceedings for an offence under section 26F, 24  
if the court is not satisfied the offence is proven, 25  
but is satisfied the person committed an offence 26  
under section 26G or 26H, the court may find the 27  
person guilty of the offence under section 26G or 28  
26H, and the person is liable to punishment 29  
accordingly. 30
- (2) In proceedings for an offence under section 26G, 31

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	if the court is not satisfied the offence is proven,	1
	but is satisfied the person committed an offence	2
	under section 26H, the court may find the person	3
	guilty of the offence under section 26H, and the	4
	person is liable to punishment accordingly.	5
<b>Clause 20</b>	<b>Amendment of s 60 (Compliance with heavy vehicle standards)</b>	6
	(1) Section 60(1), penalty—	7
	<i>omit, insert—</i>	8
	Maximum penalty—\$6000.	9
	(2) Section 60(2) to (5)—	10
	<i>omit, insert—</i>	11
	(2) Subsection (1) does not apply in circumstances prescribed by the national regulations.	12
		13
		14
<b>Clause 21</b>	<b>Amendment of s 62 (Restriction on grant of vehicle standards exemption (notice))</b>	15
	Section 62(1)—	16
	<i>omit, insert—</i>	17
	(1) The Regulator may grant a vehicle standards exemption (notice) for a category of heavy vehicles only—	18
	(a) in the circumstances prescribed by the national regulations; and	19
	(b) if the Regulator is satisfied the use of the heavy vehicles on a road under the exemption will not pose a significant safety risk.	20
		21
		22
		23
		24
		25
		26
		27
<b>Clause 22</b>	<b>Replacement of ss 68–80</b>	28
	Sections 68 to 80—	29

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[s 23]

---

*omit, insert—*

1

**68 Vehicle standards exemption (permits)**

2

The Regulator may, by giving a person a *vehicle standards exemption (permit)*, exempt 1 or more heavy vehicles from compliance with a heavy vehicle standard for a stated period.

3

4

5

6

*Note—*

7

See section 730A for regulation-making powers in relation to vehicle standards exemption (permits).

8

9

**Clause 23 Amendment of s 81 (Contravening condition of vehicle standards exemption)**

10

11

Section 81(1), (2) and (3), penalty, '\$4000'—

12

*omit, insert—*

13

\$6000

14

**Clause 24 Omission of s 83 (Keeping copy of permit while driving under vehicle standards exemption (permit))**

15

16

Section 83—

17

*omit.*

18

**Clause 25 Omission of ss 85–87A**

19

Sections 85 to 87A—

20

*omit.*

21

**Clause 26 Amendment of s 88 (National regulations for heavy vehicle modification)**

22

23

(1) Section 88, before 'The'—

24

*insert—*

25

(1)

26

(2) Section 88—

27

*insert—*

- (2) Without limiting subsection (1), the national regulations may provide for the following—
- (a) the approval of a modification of a heavy vehicle, including by the Regulator or an approved vehicle examiner;
  - (b) offences for tampering with plates or labels attached to modified heavy vehicles.

**Clause 27 Replacement of s 92 (Display of warning signs required by heavy vehicle standards on vehicles to which the requirement does not apply)**

Section 92—

*omit, insert—*

**92 Displaying warning signs**

The national regulations may prescribe requirements for the display of warning signs on heavy vehicles, including as a heavy vehicle standard or in relation to mass, dimension and loading.

**Clause 28 Amendment of s 96 (Compliance with mass requirements)**

Section 96(5)—

*omit, insert—*

- (5) This section does not apply to a heavy vehicle that is prescribed as a specified PBS vehicle under a regulation made under section 136.

*Note—*

If a heavy vehicle that is prescribed as a specified PBS vehicle does not comply with the mass requirements that apply to the heavy vehicle, it would be a class 2 heavy vehicle and could be dealt with under section 137.

[s 29]

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<b>Clause 29</b>	<b>Amendment of s 102 (Compliance with dimension requirements)</b>	1 2
(1)	Section 102(1), penalty, paragraphs (a) and (b)(i), ‘\$3000’— <i>omit, insert—</i> \$4000	3 4 5
(2)	Section 102(1), penalty, paragraph (b)(ii), ‘\$5000’— <i>omit, insert—</i> \$6000	6 7 8
<b>Clause 30</b>	<b>Omission of s 109 (Warning signals required for rear projection of loads)</b>	9 10
	Section 109— <i>omit.</i>	11 12
<b>Clause 31</b>	<b>Replacement of ss 122–128</b>	13
	Sections 122 to 128— <i>omit, insert—</i>	14 15
	<b>122 Mass or dimension exemption (permits) for class 1 and class 3 heavy vehicles</b>	16 17
(1)	The Regulator may, by giving a person a <i>mass or dimension exemption (permit)</i> , exempt 1 or more class 1 heavy vehicles or class 3 heavy vehicles from compliance with any of the following for a stated period—	18 19 20 21 22
(a)	a prescribed mass requirement;	23
(b)	a prescribed dimension requirement;	24
(c)	a requirement relating to the GCM of the vehicle.	25 26
	<i>Note—</i>	27
	See section 730A for regulation-making powers in relation to mass or dimension exemption (permits).	28 29



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	(2) The Regulator may grant a mass or dimension exemption (permit) for a heavy vehicle only if—	1 2
	(a) the Regulator is satisfied the use of the heavy vehicle on a road under the permit will not pose a significant risk to public safety; and	3 4 5 6
	(b) each relevant road manager for the exemption has consented to the grant; and	7 8
	(c) the Regulator is satisfied all other consents required for the exemption under the law of the relevant jurisdiction have been obtained by the applicant or have been otherwise given.	9 10 11 12 13
	(3) In deciding whether to grant a mass or dimension exemption (permit), the Regulator must have regard to the approved guidelines for granting mass or dimension exemptions.	14 15 16 17
<b>Clause 32</b>	<b>Omission of s 133 (Keeping copy of permit while driving under mass or dimension exemption (permit))</b>	18 19
	Section 133—	20
	<i>omit.</i>	21
<b>Clause 33</b>	<b>Omission of Pt 4.5, Div 5 (Other provision)</b>	22
	Part 4.5, Division 5—	23
	<i>omit.</i>	24
<b>Clause 34</b>	<b>Replacement of s 136 (Class 2 heavy vehicles)</b>	25
	Section 136—	26
	<i>omit, insert—</i>	27
	<b>136 Class 2 heavy vehicles</b>	28
	A heavy vehicle is a <i>class 2 heavy vehicle</i> if the	29

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[s 35]

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	heavy vehicle meets the requirements prescribed for the purposes of this section by the national regulations.	1 2 3
<b>Clause 35</b>	<b>Replacement of ss 143–149</b>	4
	Sections 143 to 149—	5
	<i>omit, insert—</i>	6
	<b>143 Class 2 heavy vehicle authorisation (permits)</b>	7
	The Regulator may, by giving a person a <i>class 2 heavy vehicle authorisation (permit)</i> , authorise the use of 1 or more class 2 heavy vehicles—	8 9 10
	(a) in stated areas or on stated routes; and	11
	(b) during stated hours of stated days.	12
	<i>Note—</i>	13
	See section 730A for regulation-making powers in relation to class 2 heavy vehicle authorisation (permits).	14 15
<b>Clause 36</b>	<b>Omission of s 152 (Keeping copy of permit while driving under class 2 heavy vehicle authorisation (permit))</b>	16 17
	Section 152—	18
	<i>omit.</i>	19
<b>Clause 37</b>	<b>Amendment of s 153A (Using restricted access vehicle)</b>	20
	(1) Section 153A(2), definitions <i>restricted access vehicle</i> and <i>specified semitrailer—</i>	21 22
	<i>omit.</i>	23
	(2) Section 153A(2), in alphabetical order—	24
	<i>insert—</i>	25
	<i>restricted access vehicle</i> means a heavy vehicle that meets the requirements prescribed for the purposes of this definition by the national regulations.	26 27 28

*safer freight combination* means a combination that meets the requirements prescribed for the purposes of this definition by the national regulations.

*specified semitrailer* means a semitrailer that meets the requirements prescribed for the purposes of this definition by the national regulations.

(3) Section 153A(3)(b)—

*omit, insert—*

(b) a heavy vehicle that is prescribed as a specified PBS vehicle under a regulation made under section 136; or

(4) Section 153A(3)(e)—

*omit, insert—*

(e) a safer freight combination.

**Clause 38 Omission of Pt 4.7, Divs 4 and 5**

Part 4.7, Divisions 4 and 5—

*omit.*

**Clause 39 Amendment of s 186 (False or misleading transport documentation for goods)**

Section 186(2), (3), (4) and (5), penalty, ‘\$10000’—

*omit, insert—*

\$20000

**Clause 40 Amendment of s 187 (False or misleading information in container weight declaration)**

Section 187(2) and (3), penalty, ‘\$10000’—

*omit, insert—*

\$20000

[s 41]

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<b>Clause 41</b>	<b>Amendment of ch 6, hdg (Vehicle operations—driver fatigue)</b>	1
		2
	Chapter 6, heading, after ‘fatigue’—	3
	<i>insert—</i>	4
	<b>and fitness to drive</b>	5
<b>Clause 42</b>	<b>Amendment of s 220 (Main purpose of Ch 6)</b>	6
	(1) Section 220(1), from ‘of drivers’ to ‘vehicles’—	7
	<i>omit, insert—</i>	8
	and fitness to drive of drivers of heavy vehicles	9
	(2) Section 220(2)(a) to (c)—	10
	<i>omit, insert—</i>	11
	(a) imposing a duty on drivers of heavy vehicles	12
	to not drive a heavy vehicle on a road while	13
	impaired by fatigue or unfit to drive; and	14
<b>Clause 43</b>	<b>Amendment of s 221 (Definitions for Ch 6)</b>	15
	(1) Section 221, definitions <i>AFM fatigue management system</i> ,	16
	<i>AFM hours, approved electronic recording system, approved</i>	17
	<i>sleeper berth, BFM hours, cancel, daily sheet, electronic</i>	18
	<i>recording system, fatigue</i> and <i>impaired by fatigue—</i>	19
	<i>omit.</i>	20
	(2) Section 221, in alphabetical order—	21
	<i>insert—</i>	22
	<b><i>approved sleeper berth</i></b> , for a fatigue-regulated	23
	heavy vehicle, means a driver’s sleeper berth	24
	prescribed by the national regulations.	25
	(3) Section 221, definition <i>cause of fatigue</i> , after ‘ <b><i>cause of</i></b>	26
	<b><i>fatigue</i></b> ’—	27
	<i>insert—</i>	28
	<b><i>or being unfit to drive</i></b>	29

- 
- (4) Section 221, definition *cause of fatigue or being unfit to drive*,  
as amended by subsection (3), ‘while driving a  
fatigue-regulated heavy vehicle’—  
*omit, insert—*  
or unfit to drive while driving a heavy vehicle
- (5) Section 221, definition *night work time*, note, ‘sections 248  
and 303’—  
*omit, insert—*  
section 248
- (6) Section 221, definition *sign of fatigue*, after ‘***sign of  
fatigue***’—  
*insert—*  
***or being unfit to drive***
- (7) Section 221, definition *sign of fatigue or being unfit to drive*,  
as amended by subsection (6), ‘while driving a  
fatigue-regulated heavy vehicle’—  
*omit, insert—*  
or unfit to drive while driving a heavy vehicle
- (8) Section 221, definition *written work diary*, ‘section 340’—  
*omit, insert—*  
section 293A

<b>Clause 44</b>	<b>Replacement of Pt 6.2, hdg (Duties relating to fatigue)</b>	22
	Part 6.2, heading—	23
	<i>omit, insert—</i>	24
	<b>Part 6.2</b>	<b>Duty to not drive while</b>
		<b>fatigued or unfit to</b>
		<b>drive</b>
		27

[s 45]

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<b>Clause 45</b>	<b>Omission of Pt 6.2, Div 1, hdg (Preliminary)</b>	1
	Part 6.2, Division 1, heading—	2
	<i>omit.</i>	3
<b>Clause 46</b>	<b>Replacement of ss 224 and 225</b>	4
	Sections 224 and 225—	5
	<i>omit, insert—</i>	6
	<b>224 Matters court may consider in deciding whether person was fatigued or unfit to drive</b>	7
		8
	(1) When deciding whether the driver of a heavy vehicle was fatigued or unfit to drive, a court may consider the following—	9
		10
		11
	(a) what is commonly understood as being fatigued or unfit to drive;	12
		13
	(b) the causes of fatigue or being unfit to drive;	14
	(c) the signs of fatigue or being unfit to drive;	15
	(d) any relevant body of knowledge;	16
	(e) any other matter prescribed by the national regulations.	17
		18
	(2) Subsection (1) does not limit the matters the court may consider when deciding whether a driver was impaired by fatigue or unfit to drive.	19
		20
		21
	(3) In this section—	22
	<i>relevant body of knowledge</i> means any accreditation scheme, approved guidelines, scientific knowledge, expert opinion, codes of practice, standards or other knowledge about preventing or managing exposure to risks to safety either on a road or in a workplace, arising from fatigue or being unfit to drive.	23
		24
		25
		26
		27
		28
		29

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	<b>225 What is being impaired by fatigue or unfit to drive</b>	1 2
	(1) A driver is <i>impaired by fatigue</i> if the driver’s ability to drive a heavy vehicle on a road safely is affected by fatigue.	3 4 5
	(2) A driver of a heavy vehicle is <i>unfit to drive</i> the heavy vehicle on a road if the driver is not of sufficiently good health or fitness to drive the heavy vehicle safely.	6 7 8 9
<b>Clause 47</b>	<b>Amendment of s 226 (Matters court may consider in deciding whether person was impaired by fatigue)</b>	10 11
	(1) Section 226, heading, after ‘fatigue’— <i>insert</i> —	12 13
	<b>or unfit to drive</b>	14
	(2) Section 226(1), from ‘fatigue-regulated’ to ‘fatigue’— <i>omit, insert</i> —	15 16
	heavy vehicle was impaired by fatigue or unfit to drive	17 18
	(3) Section 226(1)(a), from ‘or sign’— <i>omit, insert</i> —	19 20
	or sign of fatigue or being unfit to drive that was evident, and the degree to which it may indicate that the driver was impaired by fatigue or unfit to drive;	21 22 23 24
	(4) Section 226(1)(b), (2) and (3), after ‘fatigue’— <i>insert</i> —	25 26
	or unfit to drive	27
<b>Clause 48</b>	<b>Omission of Pt 6.2, Div 2, hdg (Duty to avoid fatigue)</b>	28
	Part 6.2, Division 2, heading—	29

[s 49]

---

*omit.*

1

**Clause 49      Amendment of s 228 (Duty of driver to avoid driving while fatigued)**

2  
3

(1) Section 228, heading, after ‘fatigued’—

4

*insert—*

5

**or unfit to drive**

6

(2) Section 228(1)—

7

*omit, insert—*

8

(1) A person must not drive a heavy vehicle on a road while the person is impaired by fatigue or unfit to drive.

9

10

11

Maximum penalty—\$20000.

12

**Clause 50      Amendment of s 243 (What is a driver’s work and rest hours option)**

13  
14

(1) Section 243(2)(a)(i), ‘BFM accreditation, AFM accreditation’—

15

16

*omit, insert—*

17

fatigue alternative compliance accreditation

18

(2) Section 243(2)(b) and (c)—

19

*omit, insert—*

20

(b) the alternative compliance arrangements, which—

21

22

(i) apply to drivers of fatigue-regulated heavy vehicles operating under a fatigue alternative compliance accreditation; and

23

24

25

26

(ii) are known as ‘alternative compliance hours’; or

27

28



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<b>Clause 51</b>	<b>Omission of ss 246 and 246A</b>	1
	Sections 246 and 246A—	2
	<i>omit.</i>	3
<b>Clause 52</b>	<b>Amendment of s 247 (Time to be counted after rest time ends)</b>	4
	(1) Section 247(a), ‘a relevant major rest break’—	5
	<i>omit, insert—</i>	6
	the longest major rest break required in a period	7
	under the driver’s work and rest hours option	8
	(2) Section 247, example, ‘the relevant major rest break’—	9
	<i>omit, insert—</i>	10
	the longest major rest break	11
<b>Clause 53</b>	<b>Amendment of s 249 (Standard hours)</b>	12
	Section 249(1), ‘BFM accreditation, AFM accreditation’—	13
	<i>omit, insert—</i>	14
	fatigue alternative compliance accreditation	15
<b>Clause 54</b>	<b>Amendment of s 250 (Operating under standard hours—solo drivers)</b>	16
	Section 250(1), penalty, paragraph (a), ‘\$4000’—	17
	<i>omit, insert—</i>	18
	\$3000	19
<b>Clause 55</b>	<b>Amendment of s 251 (Operating under standard hours—two-up drivers)</b>	20
	Section 251(1), penalty, paragraph (a), ‘\$4000’—	21
	<i>omit, insert—</i>	22

[s 56]

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	\$3000	1
<b>Clause 56</b>	<b>Replacement of Pt 6.3, Divs 3 and 4</b>	2
	Part 6.3, Divisions 3 and 4—	3
	<i>omit, insert—</i>	4
	<b>Division 3</b>	<b>Alternative compliance</b>
		<b>work and rest</b>
		<b>arrangements</b>
		5
		6
		7
	<b>253 Alternative compliance hours</b>	8
	(1) In this Law, the <i>alternative compliance hours</i> are	9
	the maximum work times and minimum rest times	10
	that apply, for a period, to the driver of a	11
	fatigue-regulated heavy vehicle operating under a	12
	fatigue alternative compliance accreditation.	13
	(2) The alternative compliance hours are stated in the	14
	accreditation certificate for the fatigue alternative	15
	compliance accreditation.	16
	<i>Note—</i>	17
	Under section 461A, the alternative compliance hours	18
	specified by the Regulator when granting fatigue	19
	alternative compliance accreditation must comply with	20
	the standard for alternative compliance hours.	21
	<b>254 Operating under alternative compliance hours</b>	22
	The driver of a fatigue-regulated heavy vehicle	23
	commits an offence if, in any period stated in the	24
	alternative compliance hours for the driver, the	25
	driver—	26
	(a) works for more than the maximum work	27
	time stated in the alternative compliance	28
	hours; or	29

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	(b) rests for less than the minimum rest time stated in the alternative compliance hours.	1 2
	Maximum penalty—	3
	(a) for a minor risk breach—\$3000; or	4
	(b) for a substantial risk breach—\$6000; or	5
	(c) for a severe risk breach—\$10000; or	6
	(d) for a critical risk breach—\$15000.	7
<b>Clause 57</b>	<b>Amendment of s 260 (Operating under exemption hours)</b>	8
	Section 260(1), penalty, paragraph (a), ‘\$4000’—	9
	<i>omit, insert—</i>	10
	\$3000	11
<b>Clause 58</b>	<b>Amendment of s 263 (Operating under new work and rest hours option after change)</b>	12 13
	(1) Section 263(1)(a), ‘or BFM hours’—	14
	<i>omit.</i>	15
	(2) Section 263(1)(a), examples—	16
	<i>omit.</i>	17
	(3) Section 263(1)(b), ‘AFM hours’—	18
	<i>omit, insert—</i>	19
	alternative compliance hours	20
	(4) Section 263(1)(c), example—	21
	<i>omit.</i>	22
<b>Clause 59</b>	<b>Amendment of s 264 (Duty of employer, prime contractor, operator and scheduler to ensure driver compliance)</b>	23 24
	Section 264(2), penalty, ‘\$6000’—	25
	<i>omit, insert—</i>	26

[s 60]

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	\$10000	1
<b>Clause 60</b>	<b>Amendment of s 267 (Restriction on grant of work and rest hours exemption (notice))</b>	2
	Section 267(1)(b), from ‘BFM hours’ to ‘AFM accreditation’—	3
	<i>omit, insert—</i>	4
	alternative compliance hours—the requirements applying to a fatigue alternative compliance accreditation	5
		6
		7
		8
		9
<b>Clause 61</b>	<b>Replacement of ss 273–285</b>	10
	Sections 273 to 285—	11
	<i>omit, insert—</i>	12
	<b>273 Work and rest hours exemption (permits)</b>	13
	The Regulator may, by giving a person a <i>work and rest hours exemption (permit)</i> , grant an exemption to allow the following to operate under stated maximum work times and minimum rest times for a stated period—	14
		15
		16
		17
		18
	(a) a driver of a fatigue-regulated heavy vehicle;	19
	(b) a class of drivers of fatigue-regulated heavy vehicles.	20
		21
	<i>Note—</i>	22
	See section 730A for regulation-making powers in relation to work and rest hours exemption (permits).	23
		24
<b>Clause 62</b>	<b>Amendment of s 287 (Keeping relevant document while operating under work and rest hours exemption (notice))</b>	25
	Section 287(2) and (3), penalty, ‘\$3000’—	26
	<i>omit, insert—</i>	27
	\$1500	28
		29

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<b>Clause 63</b>	<b>Omission of s 288 (Keeping copy of permit while driving under work and rest hours exemption (permit))</b>	1 2
	Section 288—	3
	<i>omit.</i>	4
<b>Clause 64</b>	<b>Amendment of s 291 (Application of Sdiv 1)</b>	5
	Section 291(c) and (d), ‘BFM hours, AFM hours’—	6
	<i>omit, insert—</i>	7
	alternative compliance hours	8
<b>Clause 65</b>	<b>Amendment of s 293 (Driver of fatigue-regulated heavy vehicle must carry work diary)</b>	9 10
	Section 293(1), penalty, ‘\$6000’—	11
	<i>omit, insert—</i>	12
	\$10000	13
<b>Clause 66</b>	<b>Insertion of new s 293A</b>	14
	After section 293—	15
	<i>insert—</i>	16
	<b>293A Regulator may issue written work diaries</b>	17
	(1) The Regulator may issue a written work diary to a driver of a fatigue-regulated heavy vehicle.	18 19
	(2) The national regulations may provide for the following—	20 21
	(a) applications for a written work diary, including making and determining an application;	22 23 24
	(b) the form of a written work diary;	25
	(c) the matters that must be contained in a written work diary.	26 27

[s 67]

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<b>Clause 67</b>	<b>Amendment of s 294 (Purpose of and definition for Sdiv 2)</b>	1 2
	Section 294(1)(b), ‘BFM hours, AFM hours’—	3
	<i>omit, insert—</i>	4
	alternative compliance hours	5
<b>Clause 68</b>	<b>Amendment of s 295 (National regulations for information to be included in work diary)</b>	6 7
	Section 295, after subsection (3)—	8
	<i>insert—</i>	9
	(4) The national regulations may provide for how a driver’s work time and rest time are counted in the driver’s work diary.	10 11 12
<b>Clause 69</b>	<b>Amendment of s 297 (Information required to be recorded immediately after starting work)</b>	13 14
	Section 297(2), penalty, ‘\$6000’—	15
	<i>omit, insert—</i>	16
	\$4000	17
<b>Clause 70</b>	<b>Omission of Pt 6.4, Div 2, Subdiv 3 (How information must be recorded in work diary)</b>	18 19
	Part 6.4, Division 2, Subdivision 3—	20
	<i>omit.</i>	21
<b>Clause 71</b>	<b>Amendment of s 307 (Driver who is record keeper must notify Regulator if electronic work diary filled up etc.)</b>	22 23
	Section 307(2) and (3), penalty, ‘\$3000’—	24
	<i>omit, insert—</i>	25
	\$1500	26

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<b>Clause 72</b>	<b>Omission of s 308 (What driver must do if lost or stolen written work diary found or returned)</b>	1 2
	Section 308—	3
	<i>omit.</i>	4
<b>Clause 73</b>	<b>Amendment of s 309 (Driver must notify record keeper if electronic work diary filled up etc.)</b>	5 6
	Section 309(2), penalty, ‘\$3000’—	7
	<i>omit, insert—</i>	8
	\$1500	9
<b>Clause 74</b>	<b>Amendment of s 312 (What record keeper must do if electronic work diary destroyed, lost or stolen)</b>	10 11
	Section 312(2) and (3), penalty, ‘\$6000’—	12
	<i>omit, insert—</i>	13
	\$3000	14
<b>Clause 75</b>	<b>Amendment of s 314 (How electronic work diary must be used)</b>	15 16
	Section 314(2), penalty, ‘\$3000’—	17
	<i>omit, insert—</i>	18
	\$1500	19
<b>Clause 76</b>	<b>Amendment of s 315 (Ensuring driver complies with Sdivs 1–4)</b>	20 21
	(1) Section 315, heading, ‘Sdivs 1–4’—	22
	<i>omit, insert—</i>	23
	<b>Sdivs 1, 2 and 4</b>	24
	(2) Section 315(1), ‘Subdivisions 1, 2, 3 and 4’—	25
	<i>omit, insert—</i>	26

[s 77]

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	Subdivisions 1, 2 and 4	1
(3)	Section 315(1), penalty, ‘\$6000’—	2
	<i>omit, insert—</i>	3
	\$10000	4
<b>Clause 77</b>	<b>Amendment of s 317 (Who is a driver’s record keeper)</b>	5
	Section 317(a)—	6
	<i>omit, insert—</i>	7
	(a) the operator of the vehicle, if the driver is operating under—	8
	(i) the operator’s fatigue alternative compliance accreditation; or	10
	(ii) a work and rest hours exemption (permit) granted in combination with the operator’s fatigue alternative compliance accreditation;	12
		13
		14
		15
<b>Clause 78</b>	<b>Amendment of Pt 6.4, Div 3, Subdiv 3, hdg (Record keeping obligations relating to drivers undertaking 100+km work under standard hours or operating under BFM hours, AFM hours or exemption hours)</b>	16
	Part 6.4, Division 3, Subdivision 3, heading, ‘or operating under BFM hours, AFM hours’—	17
	<i>omit, insert—</i>	18
	<b>, alternative compliance hours</b>	19
		20
		21
		22
		23
<b>Clause 79</b>	<b>Amendment of s 320 (Application of Sdiv 3)</b>	24
	Section 320(b), ‘BFM hours, AFM hours’—	25
	<i>omit, insert—</i>	26
	alternative compliance hours	27



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<b>Clause 80</b>	<b>Amendment of s 321 (Records record keeper must have)</b>	1
	(1) Section 321(3), ‘BFM hours or AFM hours’—	2
	<i>omit, insert—</i>	3
	alternative compliance hours	4
	(2) Section 321(3)(a), ‘BFM accreditation or AFM accreditation’—	5
	<i>omit, insert—</i>	6
	fatigue alternative compliance accreditation	7
	(3) Section 321(3)(b), from ‘BFM standards’ to ‘business rules.’—	8
	<i>omit, insert—</i>	9
	safety management system standard.	10
	(4) Section 321(3), note, ‘BFM accreditation or AFM accreditation’—	11
	<i>omit, insert—</i>	12
	fatigue alternative compliance accreditation	13
	(5) Section 321(8), definitions <i>AFM standards and business rules</i>	14
	and <i>BFM standards and business rules—</i>	15
	<i>omit.</i>	16
		17
		18
		19
<b>Clause 81</b>	<b>Amendment of s 325 (False or misleading entries)</b>	20
	Section 325(1), penalty, ‘\$10000’—	21
	<i>omit, insert—</i>	22
	\$20000	23
<b>Clause 82</b>	<b>Amendment of s 326 (When possessing, or recording information in, more than 1 work diary relating to the same period is prohibited)</b>	24
	Section 326(1), ‘on a daily sheet’—	25
	<i>omit.</i>	26
		27
		28

[s 83]

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<b>Clause 83</b>	<b>Amendment of s 327 (Possession of purported work records etc. prohibited)</b>	1 2
	Section 327, penalty, ‘\$10000’—	3
	<i>omit, insert</i> —	4
	\$20000	5
<b>Clause 84</b>	<b>Amendment of s 328 (False representation about work records prohibited)</b>	6 7
	Section 328, penalty, ‘\$10000’—	8
	<i>omit, insert</i> —	9
	\$20000	10
<b>Clause 85</b>	<b>Amendment of s 329 (Defacing or changing work records etc. prohibited)</b>	11 12
	Section 329, penalty, ‘\$10000’—	13
	<i>omit, insert</i> —	14
	\$20000	15
<b>Clause 86</b>	<b>Amendment of s 330 (Making entries in someone else’s work records prohibited)</b>	16 17
	Section 330(1), penalty, ‘\$10000’—	18
	<i>omit, insert</i> —	19
	\$20000	20
<b>Clause 87</b>	<b>Amendment of s 331 (Destruction of particular work records prohibited)</b>	21 22
	Section 331, penalty, ‘\$10000’—	23
	<i>omit, insert</i> —	24
	\$20000	25

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<b>Clause 88</b>	<b>Amendment of s 332 (Offence to remove pages from written work diary)</b>	1 2
	(1) Section 332, ‘daily’ (wherever appearing)—	3
	<i>omit.</i>	4
	(2) Section 332, penalty, ‘\$10000’—	5
	<i>omit, insert—</i>	6
	\$20000	7
<b>Clause 89</b>	<b>Amendment of s 335 (Person must not tamper with approved electronic recording system)</b>	8 9
	Section 335(1), penalty, ‘\$10000’—	10
	<i>omit, insert—</i>	11
	\$20000	12
<b>Clause 90</b>	<b>Amendment of s 336 (Person using approved electronic recording system must not permit tampering with it)</b>	13 14
	Section 336(1), penalty, ‘\$10000’—	15
	<i>omit, insert—</i>	16
	\$20000	17
<b>Clause 91</b>	<b>Omission of Pt 6.4, Div 6 (Obtaining written work diary)</b>	18
	Part 6.4, Division 6—	19
	<i>omit.</i>	20
<b>Clause 92</b>	<b>Amendment of s 341 (Period for which, and way in which, records must be kept)</b>	21 22
	Section 341(2) and (5), penalty, ‘\$6000’—	23
	<i>omit, insert—</i>	24
	\$4000	25

[s 93]

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<b>Clause 93</b>	<b>Amendment of s 351 (Amendment or cancellation of approval on application)</b>	1 2
	(1) Section 351(2)(c) and (d)—	3
	<i>omit, insert—</i>	4
	(c) if the application is for an amendment of the approval—state clearly the amendment sought and outline the reasons for the application.	5 6 7 8
	(2) Section 351(6)—	9
	<i>omit, insert—</i>	10
	(6) If the Regulator decides not to amend or cancel the approval as sought by the applicant, the Regulator must give the applicant an information notice for the decision.	11 12 13 14
<b>Clause 94</b>	<b>Amendment of s 358 (Restriction on grant of work diary exemption (notice))</b>	15 16
	Section 358(1)(b)(ii), after ‘fatigue’—	17
	<i>insert—</i>	18
	or unfit to drive	19
<b>Clause 95</b>	<b>Replacement of ss 363–374</b>	20
	Sections 363 to 374—	21
	<i>omit, insert—</i>	22
	<b>363 Work diary exemption (permits)</b>	23
	The Regulator may, by giving a person a <i>work diary exemption (permit)</i> , exempt a driver of a fatigue-regulated heavy vehicle from the requirement to comply with Subdivisions 1 to 5 of Division 2 for a stated period.	24 25 26 27 28

---

	<i>Note—</i>	1
	See section 730A for regulation-making powers in relation to work diary exemption (permits).	2 3
<b>Clause 96</b>	<b>Omission of s 377 (Keeping permit or copy while operating under work diary exemption (permit))</b>	4 5
	Section 377—	6
	<i>omit.</i>	7
<b>Clause 97</b>	<b>Replacement of ss 383–393</b>	8
	Sections 383 to 393—	9
	<i>omit, insert—</i>	10
	<b>383 Fatigue record keeping exemption (permits)</b>	11
	The Regulator may, by giving a person a <i>fatigue record keeping exemption (permit)</i> , exempt a record keeper for 1 or more drivers of a fatigue-regulated heavy vehicle from the requirement to comply with all or stated provisions of Division 3 for a stated period.	12 13 14 15 16 17
	<i>Note—</i>	18
	See section 730A for regulation-making powers in relation to fatigue record keeping exemption (permits).	19 20
<b>Clause 98</b>	<b>Amendment of s 456 (Purpose of Ch 8)</b>	21
	Section 456, after ‘implement’—	22
	<i>insert—</i>	23
	safety	24
<b>Clause 99</b>	<b>Replacement of s 457 (Definitions for Ch 8)</b>	25
	Section 457—	26
	<i>omit, insert—</i>	27

[s 100]

---

<b>457 Requirements for heavy vehicle operations that may be subject to alternative compliance accreditation</b>	1 2 3
The national regulations may prescribe a requirement under this Law in relation to heavy vehicle operations in relation to which an alternative compliance accreditation may be granted (a <i>prescribed operations requirement</i> ).	4 5 6 7 8
<i>Example of heavy vehicle operations—</i>	9
requirements for mass under Part 4.2 or requirements for driver fatigue under Part 6.3	10 11
<b>457A Safety management systems for operators of heavy vehicles</b>	12 13
(1) In this Law, a <i>safety management system</i> , for an operator of a heavy vehicle, is a group of policies, systems and procedures relating to the safety of the operator’s transport activities and the driving of heavy vehicles.	14 15 16 17 18
(2) A safety management system must—	19
(a) identify public risks associated with the operator’s transport activities and the driving of heavy vehicles; and	20 21 22
(b) assess the identified public risks; and	23
(c) specify the controls to manage and mitigate the identified public risks.	24 25
(3) A safety management system must comply with the safety management system standard, including by addressing any matters required to be addressed by the safety management system standard.	26 27 28 29 30

<b>Clause 100 Amendment of s 458 (Regulator’s power to grant heavy vehicle accreditation)</b>	31 32
(1) Section 458, before ‘The’—	33

---

*insert—*

- (1)
- (2) Section 458—

*insert—*

- (2) The Regulator must not grant alternative compliance accreditation to an operator unless the operator also holds general safety accreditation.

**Clause 101 Amendment of s 459 (Application for heavy vehicle accreditation)**

Section 459(2)(b)(i) to (iii)—

*omit, insert—*

- (i) a statement by the applicant that the applicant has a safety management system that complies with the safety management system standard;
- (ii) a statement by an approved auditor that the auditor considers the applicant's safety management system complies with the safety management system standard;
- (iii) any other information required for the application under the safety management system standard;

**Clause 102 Replacement of s 461 (Restriction on grant of heavy vehicle accreditation)**

Section 461—

*omit, insert—*

**461 Restriction on grant of heavy vehicle accreditation**

- (1) The Regulator may grant an applicant heavy vehicle accreditation only if the Regulator is satisfied—

[s 102]

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- (a) the applicant has a safety management system for the operations to be carried out under the accreditation that complies with the safety management system standard; and
  - (b) the applicant is able to comply with this Law, having regard to—
    - (i) the information provided to the Regulator under this Part; and
    - (ii) the matters to which the Regulator may or must have regard under this section; and
  - (c) the applicant is a suitable person to be granted the accreditation, having regard to—
    - (i) the information provided to the Regulator under this Part; and
    - (ii) the matters to which the Regulator may or must have regard under this section.
- (2) In deciding an application for heavy vehicle accreditation, the Regulator must have regard to the following—
- (a) the results of any audits of the applicant's safety management system carried out by an approved auditor in accordance with the audit standard;
  - (b) any relevant body of fatigue knowledge.
- (3) In deciding an application for heavy vehicle accreditation, the Regulator must comply with approved guidelines for granting heavy vehicle accreditation.
- (4) In deciding an application for heavy vehicle accreditation, the Regulator may also have regard to other matters the Regulator considers relevant.
- (5) The Regulator may grant alternative compliance



- 
- accreditation setting particular requirements 1  
different to those sought by the applicant. 2
- (6) The Regulator must not grant alternative 3  
compliance accreditation unless satisfied— 4
- (a) the alternative compliance accreditation— 5
- (i) is consistent with the relevant 6  
prescribed operations requirement; and 7
- (ii) complies with the requirements 8  
prescribed by the national regulations 9  
for the purposes of the prescribed 10  
operations requirement in relation to 11  
which the alternative compliance 12  
accreditation is granted; and 13
- (b) granting alternative compliance 14  
accreditation will result in a standard of 15  
safety that is at least equivalent to the 16  
standard that would be achieved by 17  
compliance with the relevant prescribed 18  
operations requirement. 19
- 461A Restriction on grant of fatigue alternative 20  
compliance accreditation 21**
- (1) This section applies if the Regulator grants fatigue 22  
alternative compliance accreditation. 23
- (2) The Regulator must specify the alternative 24  
compliance hours that apply to the driver of a 25  
fatigue-regulated heavy vehicle operating under 26  
the fatigue alternative compliance accreditation. 27
- (3) The alternative compliance hours specified by the 28  
Regulator must comply with the standard for 29  
alternative compliance hours. 30
- (4) In specifying alternative compliance hours for a 31  
fatigue alternative compliance accreditation, the 32  
Regulator— 33

[s 103]

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	(a) must be satisfied the alternative compliance hours appear to provide a safe balance between work, rest, risk management and fatigue countermeasures; and	1 2 3 4
	(b) must not set alternative compliance hours the Regulator considers would be unsafe, having regard to—	5 6 7
	(i) the applicant’s safety management system; and	8 9
	(ii) any relevant body of fatigue knowledge.	10 11
<b>Clause 103</b>	<b>Amendment of s 462 (Conditions of heavy vehicle accreditation)</b>	12 13
	(1) Section 462(1), from ‘comply’ to ‘rules’— <i>omit, insert—</i> have a safety management system that complies with the safety management system standard	14 15 16 17
	(2) Section 462(2)(b), ‘relevant’— <i>omit, insert—</i> safety	18 19 20
	(3) Section 462(2)(c), ‘effectively.’— <i>omit, insert—</i> effectively; and	21 22 23
	(4) Section 462(2)— <i>insert—</i> (d) a condition requiring a label to be attached to a heavy vehicle operating under the accreditation.	24 25 26 27 28

<b>Clause 104</b>	<b>Amendment of s 464 (Accreditation certificate for heavy vehicle accreditation etc.)</b>	1 2
(1)	Section 464(2)(d)—	3
	<i>omit, insert—</i>	4
	(d) for a fatigue alternative compliance accreditation—the alternative compliance hours that apply under the accreditation;	5 6 7
(2)	Section 464(3), definition <i>prescribed circumstances</i> , paragraph (c)—	8 9
	<i>omit, insert—</i>	10
	(c) for a fatigue alternative compliance accreditation—granted alternative compliance hours that are different to the alternative compliance hours sought by the applicant for the accreditation.	11 12 13 14 15
<b>Clause 105</b>	<b>Omission of s 466 (Accreditation labels for maintenance management accreditation and mass management accreditation)</b>	16 17 18
	Section 466—	19
	<i>omit.</i>	20
<b>Clause 106</b>	<b>Amendment of s 467 (Compliance with conditions of BFM accreditation or AFM accreditation)</b>	21 22
(1)	Section 467, heading, ‘BFM accreditation or AFM accreditation’—	23 24
	<i>omit, insert—</i>	25
	<b>heavy vehicle accreditation</b>	26
(2)	Section 467, ‘BFM accreditation or AFM accreditation’—	27
	<i>omit, insert—</i>	28
	heavy vehicle accreditation	29

[s 107]

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<b>Clause 107</b>	<b>Amendment of s 468 (Driver operating under BFM accreditation or AFM accreditation must carry accreditation details)</b>	1 2 3
	(1) Section 468, heading, ‘BFM accreditation or AFM accreditation’—	4 5
	<i>omit, insert</i> —	6
	<b>heavy vehicle accreditation</b>	7
	(2) Section 468(1), ‘BFM accreditation or AFM accreditation’ (wherever appearing)—	8 9
	<i>omit, insert</i> —	10
	heavy vehicle accreditation	11
	(3) Section 468(1)(b)(ii), ‘relevant’—	12
	<i>omit, insert</i> —	13
	safety	14
	(4) Section 468(1)(c) and example—	15
	<i>omit, insert</i> —	16
	(c) for a driver operating under an alternative compliance accreditation—a document containing the information prescribed by the national regulations.	17 18 19 20
<b>Clause 108</b>	<b>Omission of s 469 (Driver must return particular documents if stops operating under BFM accreditation or AFM accreditation etc.)</b>	21 22 23
	Section 469—	24
	<i>omit.</i>	25
<b>Clause 109</b>	<b>Amendment of s 470 (General requirements applying to operator with heavy vehicle accreditation)</b>	26 27
	(1) Section 470(2), from ‘If’ to ‘operator’—	28
	<i>omit, insert</i> —	29

---

The operator	1
(2) Section 470(2)(a), ‘relevant’—	2
<i>omit, insert</i> —	3
safety	4
(3) Section 470(3)—	5
<i>omit, insert</i> —	6
(3) If the accreditation is a fatigue alternative compliance accreditation, the operator must also ensure each driver who operates under the accreditation is informed of the alternative compliance hours applying under the accreditation.	7 8 9 10 11 12
Maximum penalty—\$6000.	13
(4) Section 470(4)(b) and (c)—	14
<i>omit, insert</i> —	15
(b) records demonstrating the operator has complied with subsections (2) and (3); and	16 17
(c) a current list of heavy vehicles to which the operator’s accreditation relates, if applicable to the accreditation; and	18 19 20
(d) if the accreditation is an alternative compliance accreditation—a current list of drivers operating under the accreditation, if applicable to the accreditation.	21 22 23 24
(5) Section 470(5)(b), ‘subsection (4)(b) or (c)’—	25
<i>omit, insert</i> —	26
subsection (4)	27
(6) Section 470(7)(a), ‘subsection (4)(b)(i) or (c)’—	28
<i>omit, insert</i> —	29
subsection (4)(c) or (d)	30
(7) Section 470(9)(a), ‘or 476’—	31

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[s 110]

---

*omit.*

1

(8) Section 470(9), note—

2

*omit.*

3

**Clause 110 Amendment of s 471 (Operator must give notice of amendment, suspension or ending of heavy vehicle accreditation)**

4

5

6

(1) Section 471(2), penalty, ‘\$6000’—

7

*omit, insert—*

8

\$10000

9

(2) Section 471(3)—

10

*omit.*

11

**Clause 111 Amendment of s 472 (Amendment or cancellation of heavy vehicle accreditation on application)**

12

13

(1) Section 472(2)(c) and (d)—

14

*omit, insert—*

15

(c) if the application is for an amendment—state clearly the amendment sought and the reasons for the amendment.

16

17

18

(2) Section 472(6)—

19

*omit, insert—*

20

(6) If the Regulator decides not to amend or cancel the accreditation as sought by the applicant, the Regulator must give the applicant an information notice for the decision.

21

22

23

24

**Clause 112 Amendment of s 473 (Amendment, suspension or cancellation of heavy vehicle accreditation on Regulator’s initiative)**

25

26

27

Section 473(1)(e) and (f)—

28

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	<i>omit, insert—</i>	1
	(e) the Regulator considers it necessary to prevent or minimise a public risk;	2 3
<b>Clause 113</b>	<b>Amendment of s 474 (Immediate suspension of heavy vehicle accreditation)</b>	4 5
	Section 474(1)(b), ‘serious harm to public safety’—	6
	<i>omit, insert—</i>	7
	a serious public risk	8
<b>Clause 114</b>	<b>Omission of ss 476 and 477</b>	9
	Sections 476 and 477—	10
	<i>omit.</i>	11
<b>Clause 115</b>	<b>Amendment of s 478 (Offences relating to auditors)</b>	12
	(1) Section 478(1), (2), (3) and (4), penalty, ‘\$10000’—	13
	<i>omit, insert—</i>	14
	\$20000	15
	(2) Section 478(2), after ‘class’—	16
	<i>insert—</i>	17
	, as specified in the audit standard	18
	(3) Section 478(3) and (4), ‘relevant’—	19
	<i>omit, insert—</i>	20
	safety	21
	(4) Section 478(5)—	22
	<i>omit.</i>	23
<b>Clause 116</b>	<b>Insertion of new s 512A</b>	24
	After section 512—	25

[s 117]

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*insert—*

**512A Definition for Pt 9.3**

In this Part—

*fit*, to drive a heavy vehicle, or to start or stop its engine, for a person, means the person—

- (a) is apparently physically and mentally fit to drive the vehicle, or start or stop its engine; and
- (b) is not apparently affected by either or both of the following—
  - (i) alcohol;
  - (ii) a drug that affects a person’s ability to drive a vehicle; and
- (c) is not found to have an alcohol concentration in the person’s blood or breath exceeding the amount permitted, under an Australian road law of this jurisdiction, for the driver of a heavy vehicle; and
- (d) is not found to be under the influence of a drug or to have present in the person’s blood or saliva a drug that the driver of a heavy vehicle is not permitted to have present in the driver’s blood or saliva under an Australian road law of this jurisdiction.

**Clause 117 Amendment of s 517 (Direction to move heavy vehicle if causing harm etc.)**

Section 517(4), penalty, ‘\$6000’—

*omit, insert—*

\$10000



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<b>Clause 118</b>	<b>Amendment of s 522 (Power to order presentation of heavy vehicles for inspection)</b>	1 2	
	Section 522(5), penalty, ‘\$6000’—	3	
	<i>omit, insert—</i>	4	
	\$10000	5	
<b>Clause 119</b>	<b>Amendment of s 524 (Direction to leave heavy vehicle)</b>	6	
	Section 524(5), penalty, ‘\$6000’—	7	
	<i>omit, insert—</i>	8	
	\$10000	9	
<b>Clause 120</b>	<b>Replacement of Pt 9.3, Div 8, hdg (Further powers in relation to fatigue-regulated heavy vehicles)</b>	10 11	
	Part 9.3, Division 8, heading—	12	
	<i>omit, insert—</i>	13	
	<b>Division 8</b>	<b>Further powers in relation</b>	14
		<b>to work and rest</b>	15
		<b>arrangements</b>	16
<b>Clause 121</b>	<b>Amendment of s 537 (Application of Div 8)</b>	17	
	Section 537, ‘fatigue-regulated’—	18	
	<i>omit.</i>	19	
<b>Clause 122</b>	<b>Amendment of s 540 (Requiring driver to stop working if impaired by fatigue)</b>	20 21	
	(1) Section 540, heading, after ‘fatigue’—	22	
	<i>insert—</i>	23	
	<b>or unfit to drive</b>	24	
	(2) Section 540(1), from ‘fatigue-regulated’ to ‘fatigue’—	25	

[s 123]

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- omit, insert—* 1
- heavy vehicle is impaired by fatigue or unfit to 2  
drive 3
- (3) Section 540(2)(b) and (5), ‘fatigue-regulated’ (wherever 4  
appearing)— 5
- omit.* 6
- (4) Section 540(4), after ‘subsection (2)(a)’— 7
- insert—* 8
- in relation to a fatigue-regulated heavy vehicle 9
- (5) Section 540(6), after ‘fatigue’— 10
- insert—* 11
- or unfit to drive 12

**Clause 123 Amendment of s 573 (Contravention of improvement notice)** 13  
14

- (1) Section 573(1), penalty, ‘\$10000’— 15
- omit, insert—* 16
- \$20000 17
- (2) Section 573(3)— 18
- omit.* 19

**Clause 124 Amendment of s 576C (Compliance with prohibition notice)** 20  
21

- Section 576C, penalty, ‘\$10000’— 22
- omit, insert—* 23
- \$20000 24

**Clause 125 Amendment of s 590 (Formal warning)** 25

- (1) Section 590(1)(b)— 26

*omit.* 1

(2) Section 590(3)(b), ‘breach.’— 2

*omit, insert—* 3

breach; or 4

(3) Section 590(3)— 5

*insert—* 6

(c) a contravention of the safety duty imposed 7

under section 26C. 8

**Clause 126 Amendment of s 632A (Using code of practice in proceeding)** 9  
10

Section 632A(2), ‘registered industry code of practice’— 11

*omit, insert—* 12

code of practice issued by the Regulator under 13

section 705 14

**Clause 127 Insertion of new s 632B** 15

After section 632A— 16

*insert—* 17

**632B Use of audit of safety management system in proceeding** 18  
19

An audit of an operator’s safety management 20

system carried out by an approved auditor in 21

accordance with the audit standard is admissible 22

in proceedings for an offence against section 23

26D(1A), 26F, 26G or 26H. 24

**Clause 128 Amendment of s 636 (Liability of executive officers of corporation)** 25  
26

Section 636(1), after ‘Schedule 4’— 27

*insert—* 28

[s 129]

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		, or a prescribed offence against a provision of the national regulations made under section 88,	1 2
<b>Clause 129</b>	<b>Amendment of s 637 (Treatment of unincorporated partnerships)</b>		3 4
	Section 637(4), ‘schedule 4’—		5
	<i>omit, insert</i> —		6
	Schedule 4, or a prescribed offence against a provision of the national regulations made under section 88,		7 8 9
<b>Clause 130</b>	<b>Amendment of s 638 (Treatment of other unincorporated bodies)</b>		10 11
	Section 638(4), after ‘Schedule 4’—		12
	<i>insert</i> —		13
	, or a prescribed offence against a provision of the national regulations made under section 88,		14 15
<b>Clause 131</b>	<b>Insertion of new Pt 12.1, Div 1, hdg</b>		16
	Before section 651—		17
	<i>insert</i> —		18
	<b>Division 1</b>	<b>Directions to Regulator</b>	19
<b>Clause 132</b>	<b>Replacement of s 651 (Policy directions)</b>		20
	Section 651—		21
	<i>omit, insert</i> —		22
	<b>651 Policy directions</b>		23
	(1) The responsible Ministers may give directions to the Regulator about the policies to be applied by the Regulator in exercising its functions under this Law.		24 25 26 27

- 
- (2) A direction under this section can not be about— 1
- (a) a particular person; or 2
  - (b) a particular heavy vehicle; or 3
  - (c) a particular application or proceeding. 4

**651A Directions to prevent or minimise serious public risk** 5  
6

- (1) The responsible Ministers may give a direction to the Regulator requiring the Regulator to take or not to take particular action in relation to a serious public risk. 7  
8  
9  
10
- (2) A responsible Minister for a participating jurisdiction may give a direction to the Regulator under subsection (1) in relation to that jurisdiction. 11  
12  
13  
14
- (3) A direction may be given only if the responsible Ministers or Minister, as the case requires, is satisfied the direction is necessary to prevent or minimise a serious public risk. 15  
16  
17  
18
- (4) A direction under this section can not be about— 19
- (a) a particular person; or 20
  - (b) a particular heavy vehicle; or 21
  - (c) a particular application or proceeding. 22

**651B Directions in relation to alternative compliance accreditation** 23  
24

- (1) The responsible Ministers may give a direction to the Regulator requiring the Regulator to take or not to take particular action in relation to alternative compliance accreditation. 25  
26  
27  
28
- (2) A direction may be given only if the responsible Ministers are satisfied the direction is necessary to prevent or minimise a serious public risk. 29  
30  
31

[s 133]

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<b>651C Directions to investigate or provide advice or information</b>	1 2
(1) The responsible Ministers may give a direction to the Regulator requiring the Regulator to investigate, or provide advice or information about, any matter relating to a public risk.	3 4 5 6
(2) A responsible Minister for a participating jurisdiction may give a direction to the Regulator under subsection (1) in relation to that jurisdiction.	7 8 9 10
(3) A direction under this section can not—	11
(a) direct the Regulator as to how to conduct an investigation; or	12 13
(b) direct the Regulator as to which persons the Regulator may request or direct to provide assistance; or	14 15 16
(c) be about the outcome of an investigation; or	17
(d) direct the Regulator to stop an investigation.	18
<b>651D General provisions about directions</b>	19
(1) The Regulator must comply with a direction given to the Regulator under this Division.	20 21
(2) The Regulator must publish a copy of a direction on the Regulator’s website.	22 23
(3) The Regulator’s annual report must include—	24
(a) a copy of a direction; and	25
(b) the action taken by the Regulator to comply with the direction.	26 27

<b>Clause 133 Insertion of new Pt 12.1, Div 2, hdg</b>	28
Before section 652—	29
<i>insert—</i>	30

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	<b>Division 2</b>	<b>Other provisions</b>	
			1
<b>Clause 134</b>	<b>Amendment of s 653 (Approved guidelines for exemptions, authorisations, permits and other authorities)</b>		2 3 4
	(1) Section 653, heading, ‘authorities’—		5
	<i>omit, insert—</i>		6
	<b>matters</b>		7
	(2) Section 653(1)(1)(iv) and (v)—		8
	<i>omit, insert—</i>		9
	(iv) section 174(1)(b).		10
	(3) Section 653, after subsection (1)—		11
	<i>insert—</i>		12
	(1A) The responsible Ministers must not approve guidelines unless satisfied the following have been consulted about the guidelines—		13 14 15
	(a) the Regulator;		16
	(b) any other persons the responsible Ministers consider relevant.		17 18
<b>Clause 135</b>	<b>Amendment of s 654 (Other approvals)</b>		19
	Section 654(1)—		20
	<i>omit, insert—</i>		21
	(1) The responsible Ministers may approve the following—		22 23
	(a) a standard for the carrying out of audits of an operator’s safety management system by approved auditors for the purposes of heavy vehicle accreditation;		24 25 26 27

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(b)	a standard with which an operator’s safety management system must comply for the purposes of heavy vehicle accreditation;	1 2 3
(c)	a standard for alternative compliance hours for the purposes of fatigue alternative compliance accreditation.	4 5 6
	<i>Note—</i>	7
	Section 461A(3) requires the alternative compliance hours specified by the Regulator to comply with the standard for alternative compliance hours.	8 9 10
(1A)	The standard approved under subsection (1)(a) must—	11 12
(a)	address the following—	13
(i)	the purpose of audits;	14
(ii)	how and when audits will be carried out;	15 16
(iii)	the auditors who may carry out audits;	17
(iv)	oversight of audits; and	18
(b)	be prepared by the Regulator.	19
(1B)	Before submitting the standard referred to in subsection (1)(a) to the responsible Ministers for approval, the Regulator must consult with persons the Regulator considers relevant.	20 21 22 23
<b>Clause 136</b>	<b>Insertion of new s 659A</b>	24
	After section 659—	25
	<i>insert—</i>	26
	<b>659A Responsible Ministers may issue statement of expectations</b>	27 28
(1)	The responsible Ministers may issue a written statement (a <i>statement of expectations</i> ) to the Regulator stating the expectations of the responsible Ministers in relation to the exercise of	29 30 31 32



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	the Regulator’s functions.	1
(2)	The Regulator must exercise its functions in accordance with any statement of expectations.	2 3
<b>Clause 137</b>	<b>Amendment of s 663 (Membership of Board)</b>	4
(1)	Section 663(1), ‘5 members’—	5
	<i>omit, insert—</i>	6
	at least 5, but no more than 7, members	7
(2)	Section 663(2)—	8
	<i>omit, insert—</i>	9
(2)	The Board must consist of members with expertise, experience and skills the responsible Ministers consider appropriate.	10 11 12
(2A)	The responsible Ministers may recommend a person for appointment as a member of the Board only if satisfied there is no material conflict of interest between the person’s employment or other activities and the functions of the Board.	13 14 15 16 17
	<i>Examples of a material conflict of interest between a person’s employment or other activities and the functions of the Board—</i>	18 19 20
	<ul style="list-style-type: none"><li>the person’s role as an employee of a corporation involved in transport activities</li><li>the person’s role as an elected member or employee of a heavy vehicle industry body</li></ul>	21 22 23 24
(3)	Section 663, after subsection (3)—	25
	<i>insert—</i>	26
(4)	In this section—	27
	<b>employment</b> means any paid work and includes—	28
(a)	engagement under a contract for services, for example, as a contractor or consultant; and	29 30 31

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	(b) self-employment or conduct of a business as a sole trader or as a partner in a partnership; and	1 2 3
	(c) holding office as an executive officer of a corporation; and	4 5
	(d) holding office as an officer of an unincorporated body.	6 7
<b>Clause 138</b>	<b>Amendment of s 665 (Terms of office of members)</b>	8
	Section 665(2)—	9
	<i>omit, insert—</i>	10
	(2) If otherwise qualified, a member of the Board is eligible for reappointment but must not hold office for—	11 12 13
	(a) more than 3 consecutive terms; or	14
	(b) a cumulative period of more than 10 years.	15
<b>Clause 139</b>	<b>Amendment of s 667 (Vacancy in office of member)</b>	16
	Section 667(2)—	17
	<i>omit, insert—</i>	18
	(2) The Queensland Minister may remove a member of the Board from office if the responsible Ministers recommend the removal of the member on the basis that—	19 20 21 22
	(a) the member has engaged in misconduct; or	23
	(b) the member has failed to or is unable to properly exercise the member's functions as a member of the Board; or	24 25 26
	(c) the member has engaged in paid employment without the approval of the responsible Ministers; or	27 28 29

---

	(d) there is a material conflict of interest	1
	between the member’s employment or other	2
	activities and the functions of the Board.	3
<b>Clause 140</b>	<b>Amendment of s 695 (Corporate plans)</b>	4
	(1) Section 695(1), from ‘and’ to ‘the Ministers’—	5
	<i>omit.</i>	6
	(2) Section 695, after subsection (1)—	7
	<i>insert—</i>	8
	(1A) The Regulator must, 30 days before the end of	9
	each financial year, give the corporate plan to the	10
	responsible Ministers for approval by the	11
	Ministers.	12
<b>Clause 141</b>	<b>Amendment of s 696 (Application of particular</b>	13
	<b>Queensland Acts to this Law)</b>	14
	Section 696(1)(b)—	15
	<i>omit, insert—</i>	16
	(b) the <i>Public Records Act 2023</i> of Queensland;	17
<b>Clause 142</b>	<b>Amendment of s 701 (False or misleading statements)</b>	18
	(1) Section 701(1), penalty, ‘\$10000’—	19
	<i>omit, insert—</i>	20
	\$20000	21
	(2) Section 701(2), penalty, ‘\$8000’—	22
	<i>omit, insert—</i>	23
	\$15000	24
<b>Clause 143</b>	<b>Amendment of s 702 (False or misleading documents)</b>	25
	(1) Section 702(1), penalty, ‘\$10000’—	26

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*omit, insert—* 1

\$20000 2

(2) Section 702(3), penalty, ‘\$8000’— 3

*omit, insert—* 4

\$15000 5

**Clause 144 Amendment of s 703 (False or misleading information given by responsible person to another responsible person)** 6  
7  
8

(1) Section 703(1), penalty, ‘\$10000’— 9

*omit, insert—* 10

\$20000 11

(2) Section 703(2), penalty, ‘\$8000’— 12

*omit, insert—* 13

\$15000 14

**Clause 145 Amendment of s 704 (Offence to falsely represent that heavy vehicle authority is held etc.)** 15  
16

Section 704(1), (2) and (3), penalty, ‘\$10000’— 17

*omit, insert—* 18

\$20000 19

**Clause 146 Replacement of Pt 13.2 (Industry codes of practice)** 20

Part 13.2— 21

*omit, insert—* 22

**Part 13.2 Codes of practice** 23

**705 Regulator may issue codes of practice** 24

(1) The Regulator may issue a code of practice that 25

- 
- relates to compliance with duties and obligations under this Law for parties in the chain of responsibility and drivers of heavy vehicles. 1  
2  
3
- (2) The Regulator may amend or revoke a code of practice. 4  
5
- (3) The Regulator must not issue or amend a code of practice unless— 6  
7
- (a) a draft code of practice or draft amendment has been made publicly available for at least 42 days; and 8  
9  
10
- (b) the Regulator has considered any submissions received during that period. 11  
12
- (4) The Regulator must not revoke a code of practice unless— 13  
14
- (a) notice of the intention to revoke the code of practice has been made publicly available for at least 42 days; and 15  
16  
17
- (b) the Regulator has considered any submissions received during that period. 18  
19
- (5) Subsection (3) does not apply to an amendment of a code of practice that the Regulator considers minor. 20  
21  
22
- (6) Subsections (3) and (4) do not apply to an amendment or revocation of a code of practice resulting from a direction from the responsible Ministers under section 706. 23  
24  
25  
26
- (7) The Regulator must ensure a copy of each code of practice, as in force from time to time, is published on the Regulator’s website. 27  
28  
29
- (8) The Regulator incurs no liability for loss or damage suffered by a person because the person relied on a code of practice issued by the Regulator under this section. 30  
31  
32  
33

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<b>706 Responsible Ministers may give directions relating to codes of practice</b>	1 2
(1) The responsible Ministers may direct the Regulator to amend or revoke a code of practice issued by the Regulator under section 705.	3 4 5
(2) The responsible Ministers may give a direction under subsection (1) only if satisfied the amendment or revocation is necessary to ensure the code of practice is not—	6 7 8 9
(a) unreasonable or impractical; or	10
(b) inconsistent with the purpose or object of this Law.	11 12
(3) The Regulator must comply with a direction given to the Regulator by the responsible Ministers under subsection (1).	13 14 15
(4) The Regulator must publish a copy of the direction on the Regulator’s website.	16 17
(5) The Regulator’s annual report must include—	18
(a) a copy of any directions given to the Regulator in the year to which the report relates; and	19 20 21
(b) the action taken by the Regulator to comply with the directions.	22 23

<b>Clause 147 Amendment of s 711 (Evidence by certificate by Regulator generally)</b>	24 25
Section 711(1)(n)—	26
<i>omit.</i>	27

<b>Clause 148 Amendment of s 727 (Definitions for Pt 13.4)</b>	28
Section 727(1), definition <i>driver fatigue provision</i> , paragraph (b), ‘BFM accreditation or AFM accreditation’—	29 30
<i>omit, insert—</i>	31

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	fatigue alternative compliance accreditation	1
<b>Clause 149</b>	<b>Insertion of new s 730A</b>	2
	After section 730—	3
	<i>insert—</i>	4
	<b>730A National regulations about exemption and authorisation (permits)</b>	5 6
	(1) This section applies to the following—	7
	(a) a class 2 heavy vehicle authorisation (permit);	8 9
	(b) a fatigue record keeping exemption (permit);	10 11
	(c) a mass or dimension exemption (permit);	12
	(d) a vehicle standards exemption (permit);	13
	(e) a work and rest hours exemption (permit);	14
	(f) a work diary exemption (permit).	15
	(2) Without limiting any other provision of this Law, the national regulations may provide for the following in relation to a permit to which this section applies—	16 17 18 19
	(a) applications for a permit, including making and determining an application;	20 21
	(b) the maximum period for which a permit may be granted;	22 23
	(c) the fees payable, if any, for a permit;	24
	(d) the grounds on which a permit must or may be granted;	25 26
	(e) the imposition by the Regulator of conditions on a permit;	27 28
	(f) the form of a permit;	29

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	(g) the amendment, suspension and cancellation of a permit, including by the permit holder and the Regulator;	1 2 3
	(h) requirements to keep a copy of a permit;	4
	(i) other matters relating to permits.	5
<b>Clause 150</b>	<b>Omission of s 751 (Expiry of industry codes of practice)</b>	6
	Section 751—	7
	<i>omit.</i>	8
<b>Clause 151</b>	<b>Insertion of new Pt 14.5</b>	9
	After Part 14.4—	10
	<i>insert—</i>	11
	<b>Part 14.5 Heavy Vehicle National Law Amendment Act 2025 (Queensland)</b>	12 13 14
	<b>760 Definition for Pt 14.5</b>	15
	In this Part—	16
	<i>amendment Act</i> means the <i>Heavy Vehicle National Law Amendment Act 2025</i> (Queensland).	17 18 19
	<b>761 Existing heavy vehicle accreditation</b>	20
	(1) An amendment made by the amendment Act does not apply in relation to a heavy vehicle accreditation in force immediately before the commencement of the amendment (an <i>existing heavy vehicle accreditation</i> ).	21 22 23 24 25
	(2) This Law, as in force immediately before the commencement of the amendment Act, continues	26 27



to apply in relation to an existing heavy vehicle 1  
accreditation until the accreditation expires or is 2  
cancelled. 3

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Section 663(2A), as inserted by the amendment 5  
Act, does not apply to a person who, on the 6  
commencement of the amendment Act, is a 7  
member of the Board. 8

**Clause 152 Amendment of Sch 2 (Subject matter for conditions of 9  
mass or dimension authorities) 10**

Schedule 2, authorising provision, ‘sections 119, 125 and 11  
146’— 12

*omit, insert— 13*

section 119 14

**Clause 153 Amendment of Sch 3 (Reviewable decisions) 15**

(1) Schedule 3, Part 1— 16

*omit the following entries— 17*

section 68 decision of Regulator to grant a vehicle standards  
exemption (permit) for a period less than the  
period of not more than 3 years sought by the  
applicant

section 71 decision of Regulator to impose on a vehicle  
standards exemption (permit) a condition not  
sought by the applicant

section 75 decision of Regulator not to make a decision  
sought in an application for amendment or  
cancellation of a vehicle standards exemption  
(permit)

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- |             |  |
|-------------|--|
| section 76  | decision of Regulator to amend or cancel a vehicle standards exemption (permit)  |
| section 77  | decision of the Regulator to immediately suspend a vehicle standards exemption (permit)  |
| section 80  | decision of Regulator not to give a replacement permit for a vehicle standards exemption (permit)  |
| section 122 | decision of Regulator to grant a mass or dimension exemption (permit) for a period less than the period of not more than 3 years sought by the applicant   |
| section 125 | decision of Regulator to impose on a mass or dimension exemption (permit) a condition not sought by the applicant and not a road condition or travel conditions required by a relevant road manager for the exemption            |
| section 143 | decision of Regulator to grant a class 2 heavy vehicle authorisation (permit) for a period less than the period of not more than 3 years sought by the applicant   |
| section 146 | decision of Regulator to impose on a class 2 heavy vehicle authorisation (permit) a condition not sought by the applicant and not a road condition or travel condition required by a relevant road manager for the authorisation |
| section 176 | decision of Regulator not to make a decision sought in an application for amendment of a mass or dimension authority granted by giving a person a permit   |
| section 177 | decision of Regulator to amend or cancel a mass or dimension authority granted by giving a person a permit, other than at the request of a relevant road manager   |

- section 179 decision of Regulator to immediately suspend a mass or dimension authority granted by giving a person a permit
- section 182 decision of Regulator not to give a replacement permit for a mass or dimension authority
- section 273 decision of Regulator to grant a work and rest hours exemption (permit) for a period less than the period of not more than 3 years sought by the applicant
- section 276 decision of Regulator to impose on a work and rest hours exemption (permit) a condition not sought by the applicant
- section 280 decision of Regulator not to make a decision sought in an application for the amendment or cancellation of a work and rest hours exemption (permit)
- section 281 decision of Regulator to amend or cancel a work and rest hours exemption (permit)
- section 282 decision of Regulator to immediately suspend a work and rest hours exemption (permit)
- section 285 decision of Regulator not to give a replacement permit for a work and rest hours exemption (permit)
- section 363 decision of Regulator to grant a work diary exemption (permit) for a period less than the period of not more than 3 years sought by the applicant
- section 366 decision of Regulator to impose on a work diary exemption (permit) a condition not sought by the applicant
- section 370 decision of Regulator not to make a decision sought in an application for the amendment or cancellation of a work exemption (permit)

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section 371	decision of Regulator to amend or cancel a work diary exemption (permit)
section 374	decision of Regulator not to give a replacement permit for work diary exemption (permit)
section 383	decision of Regulator to grant a fatigue record keeping exemption (permit) in a way that does not cover all the drivers sought by the applicant
section 383	decision of Regulator to grant a fatigue record keeping exemption (permit) setting conditions different from those sought by the applicant
section 385	decision of Regulator to impose a condition on a fatigue record keeping exemption (permit)
section 387	decision of Regulator to give a fatigue record keeping exemption (permit) for a period less than the period of not more than 3 years sought by the applicant
section 388	decision of Regulator not to grant a fatigue record keeping exemption (permit)
section 389	decision of Regulator not to make a decision sought in an application for amendment or cancellation of a fatigue record keeping exemption (permit)
section 390	decision of Regulator to amend or cancel a fatigue record keeping exemption (permit)
section 393	decision of Regulator not to give a replacement fatigue record keeping exemption permit
section 458	decision of Regulator to grant an AFM accreditation setting maximum work times and minimum rest times different to the maximum work times and minimum rest times sought by the applicant

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section 477	decision of Regulator not to give a replacement accreditation certificate	
(2)	Schedule 3, Part 1—	1
	<i>insert—</i>	2
section 383	decision of Regulator not to grant a fatigue record keeping exemption (permit)	
section 458	decision of Regulator to grant an alternative compliance accreditation setting particular requirements different to those sought by the applicant	
(3)	Schedule 3, Part 3, table, entry for section 178—	3
	<i>omit.</i>	4
<b>Clause 154</b>	<b>Amendment of Sch 4 (Liability provisions)</b>	5
(1)	Schedule 4, table, entry for sections 79, 85, 87A, 181, 284, 373 and 476—	6
	<i>omit.</i>	7
(2)	Schedule 4, table, in appropriate order—	9
	<i>insert—</i>	10

18	18(1), 18(2)
22	22(1)