

Transfer of ACT heavy vehicle compliance to the NHVR



From 1 July 2019, Access Canberra will no longer provide heavy vehicle on-road compliance and enforcement services in the Australian Capital Territory (ACT). Instead these will be provided by the National Heavy Vehicle Regulator (NHVR). This change is part of a nationally consistent approach to compliance and enforcement activities.

The NHVR's Safety and Compliance Officers will have the authority to stop heavy vehicles to check compliance with the Heavy Vehicle National Law (HVNL). They will also be authorised to check for compliance with heavy vehicle driver licence, registration and road rules.

The NHVR's Safety and Compliance Officers will be easily recognisable by their distinctive uniforms, badges and vehicles.

To be delivered by the NHVR

The NHVR will:

- provide information and education to industry to promote compliance with the HVNL
- intercept heavy vehicles for compliance checking of mass, dimension, load restraints, vehicle standards, route compliance, driver fatigue, driver licensing and registration
- issue defect notices, where vehicles do not comply with safety standards
- investigate offences under the HVNL, including Chain of Responsibility offences, application of sanctions and infringements where appropriate, and undertake prosecutions for serious offences
- publish restricted access vehicle networks.

To be delivered by Access Canberra

Access Canberra will continue to provide:

- heavy vehicle driver licensing
- registration of heavy vehicles
- roadworthiness checks for heavy vehicle registration purposes
- acceptance of payments for infringement notice penalties
- inspection of vehicles for the clearance of major and minor heavy vehicle defects
- National Written Work Diaries (NWWDs) for sale at Access Canberra Service Centres.

What else is changing?

Fatigue laws

Changes to legislation are scheduled to occur from 1 July 2019 to have the same national heavy vehicle fatigue laws as Queensland, New South Wales, Victoria, South Australia and Tasmania apply in the ACT. This means that drivers will have to comply with the maximum work and minimum rest requirements for their work and rest hour options prescribed in the HVNL. Businesses with fatigue-regulated heavy vehicles that operate across jurisdictional borders will already be familiar with these laws.

Drivers must keep track of their work and rest in either their NWWD or alternative records kept by their record keeper. If operating in a radius of more than 100km from their base, they will be required to carry, record work and rest in, and produce an NWWD when operating in the ACT and/or interstate.



ACT-based drivers who regularly drive interstate will already have had to keep NWWWD work and rest records in other states. The only change they will notice will be compliance-checking interactions with ACT roadside Safety and Compliance Officers relating to fatigue.

A driver who is on a journey entirely within a 100km radius from their base will not be required to record their activities in an NWWWD, unless they're working under fatigue management accreditation or exemptions. However, they must still keep information about their work and rest time, and provide this information to their record keeper who can make a record for them. Drivers who only drive in the ACT will generally fit within this arrangement.

For more information on driver fatigue provisions, visit www.nhvr.gov.au/fatigue-management.

Defect notices

From 1 July 2019, the NHVR will be responsible for issuing major, minor and self-clearing defects notices for heavy vehicles that don't comply with vehicle standards. Access Canberra will retain responsibility for clearing major and minor defects for ACT-registered vehicles.

Self-clearing defects—a new introduction to the ACT—are faults that don't pose a safety risk but still need to be rectified as soon as practicable. Notification of the rectification is not required.

From 1 July 2019, defect notices will be on a new NHVR form. While the form will look slightly different, the information it contains will remain largely unchanged.

For general information about heavy vehicle defects see *Compliance bulletin 4 - Heavy vehicle defects* at www.nhvr.gov.au/ce-bulletins.

Booking your inspection

If you have been issued with a minor or major defect notice and you drive a heavy vehicle registered in the ACT, you must have the vehicle inspected at the Access Canberra Motor Vehicle Inspection Station at Hume. You can book your inspection through the Access Canberra website. Go to www.accesscanberra.act.gov.au/app/home and enter motor vehicle inspections.

Who do I talk to about a defect notice?

To discuss a defect notice or obtain a copy of a previously issued notice, contact the NHVR at:

- act@nhvr.gov.au
- 1300 MYNHVR (1300 696 487)
- PO Box 302, Fyshwick ACT 2609.

For more information

Subscribe: www.nhvr.gov.au/subscribe
 Visit: www.nhvr.gov.au
 Email: act@nhvr.gov.au
 Telephone: 1300 MYNHVR (1300 696 487)*

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