

MEDIA RELEASE – 2 March 2021

National Operating Standard Supports NHVR Primary Duty

The [Australian Logistics Council](#) (ALC) says adopting a [National Operating Standard](#) into the Heavy Vehicle National Law (HVNL) will help improve compliance with heavy vehicle operators and safety across the industry.

The HVNL contains a primary duty requiring that: “all reasonably practicable steps” be taken to eliminate or minimise the public risks created through the operation of a heavy vehicle.¹

ALC members believe that operators should be required to use equipment compatible with the National Telematics Framework to collect and record essential safety information (such as speed). ALC also believe that everyone operating a heavy vehicle should have a safety management systems (**SMS**), scaled to the size of the business, but meeting standards set by the NHVR.

ALC has also long argued that operators be required to advise the National Heavy Vehicle Regulator (NHVR) where vehicles are garaged to limit the incident of ‘phoenixing’ in the industry and to prove that a nominated amount of capital is available for essential maintenance.

The requirements of the National Operating Standard will go some way towards:

- ensuring that the primary duty has been satisfied; as well ensuring
- that where enforcement action is taken, the correct supply chain participant – be it driver, consignor, loading manager, packer or anyone else - with influence over safety outcomes is held to account for failings.

The creation of a National Operating Standard offers the opportunity to enhance the safety and productivity outcomes of heavy vehicle operators – key objectives of the HVNL.

These reasonable and affordable measures will help set a benchmark for safety in the industry – ensuring improved safety outcomes and a level playing field for all.

Read more about the National Operating Standard here:

<https://www.austlogistics.com.au/policy-advocacy/nationaloperatingstandard/>

ENDS

¹ Section 26C of the HVNL