

Options Paper

Sunset review and remake of the Heavy
Vehicle National Law Regulation 2014



Translating and interpreting assistance

The Queensland Government is committed to providing accessible services to Queenslanders from all cultural and linguistic backgrounds. If you have difficulty understanding this publication and need a translator, please call the Translating and Interpreting Service (TIS National) on 13 14 50 and ask them to telephone the Queensland Government (Department of Transport and Main Roads) on 13 74 68.

Copyright

This publication is protected by the Copyright Act 1968. © The State of Queensland, 2026.

Disclaimer

While every care has been taken in preparing this publication, to the extent permitted by law, the State of Queensland accepts no responsibility and disclaims all liability (including without limitation, liability in negligence) for all expenses, losses (including direct and indirect loss), damages and costs incurred as a result of decisions or actions taken as a result of any data, information, statement or advice, expressed or implied, contained within. To the best of our knowledge, the content was correct at the time of publishing.

Table of Contents

Options Paper	0
1. Executive Summary	3
2. Purpose of Options Paper	3
3. HVNL background	4
4. Reason for sunset review	4
5. Out of scope	5
6. Review of provisions	5
6.1 Commissioner consent (section 3)	5
6.1.1. <i>Analysis of the provision</i>	6
6.1.2. <i>Options for the future regulation</i>	9
6.1.3. <i>Recommended option</i>	10
6.2. Route assessment fee (section 4)	10
6.2.1. <i>Analysis of the provision</i>	11
6.2.2. <i>Options for the future regulation</i>	12
6.2.3. <i>Recommended option</i>	13
6.3. Mass transfer allowance (section 31)	13
6.3.1. <i>Analysis of the Regulation</i>	13
6.3.2. <i>Options for the future regulation</i>	14
6.3.3. <i>Recommended option</i>	14
7. Conclusion	15
8. Next steps	15

1. Executive Summary

The *Heavy Vehicle National Law Regulation 2014* (the Regulation) is currently undergoing a sunset review to determine whether it should be remade or allowed to expire on 31 August 2026.

The Regulation contains matters prescribed under the local application provisions in Part 4 of the *Heavy Vehicle National Law Act 2012* (the Act) which modify the application of the Heavy Vehicle National Law (HVNL) in Queensland. The Regulation includes Queensland-specific provisions that support Queensland Commissioner of Police (Commissioner) consent for specified oversize vehicle movements, route assessment fees and flexibility in how mass may be distributed across axle groups to cater to Queensland road conditions.

This review aims to modernise the Regulation by focusing on keeping key provisions that maintain safety standards for oversize vehicle movements, sustainable cost recovery avenues for route assessments and remove redundant requirements. The remake will reduce red tape and provide clear and consistent provisions for the heavy vehicle industry.

It is recommended that the Regulation be remade to retain essential provisions to:

- preserve the Commissioner's oversight of oversized vehicle movements;
- maintain the Department of Transport and Main Roads' (TMR) authority to recover costs for heavy vehicle route assessments; and
- remove provisions made redundant by upcoming amendments to the *Heavy Vehicle (Mass, Dimension and Loading) National Regulation 2015*.

2. Purpose of Options Paper

The purpose of this options paper is to analyse and review the provisions of the Regulation as part of the sunset review. This analysis will determine if the Regulation remains necessary and effective in achieving its original policy objectives.

The options paper will:

- Evaluate the continued necessity of the Regulation.
- Assess its effectiveness in meeting the original policy objectives and purpose.
- Analyse the costs and benefits of the Regulation to ensure it achieves its goals in the most efficient and cost-effective way.

- Identify any impacts on competition within the market or industry.
- Examine the potential impacts on stakeholders of any new provisions recommended for a remade Regulation.
- Identify consequential changes necessary to support and operationalise the outcomes of the HVNL Review and the proposed *Heavy Vehicle (Mass, Dimension and Loading) National Amendment Regulation 2026* (MDL Amendment Regulation) anticipated for commencement in mid-2026.

3. HVNL background

The HVNL is national scheme legislation that provides for consistent regulation of heavy vehicle operations and establishes the National Heavy Vehicle Regulator (NHVR) to administer the HVNL. The HVNL is contained in the schedule to the *Heavy Vehicle National Law Act 2012* (Act) and is adopted as applied law by all participating jurisdictions, which includes Queensland, New South Wales, the Australian Capital Territory, Victoria, South Australia and Tasmania. Western Australia and the Northern Territory are not participants in this otherwise national scheme.

The HVNL regulates heavy vehicles over 4.5 tonnes in a manner that promotes safety, productivity and innovation, and carefully manages their impact on the environment, road infrastructure and public amenity.

As host jurisdiction, any proposed changes to the HVNL must first be introduced and passed by the Queensland Parliament and enacted in Queensland, before they can be applied in other participating jurisdictions.

The HVNL was reviewed by the National Transport Commission (NTC) in collaboration with participating jurisdictions, the NHVR and industry. The *Heavy Vehicle National Law Amendment Act 2025* (Amendment Act) received assent on 24 November 2025 and is expected to commence by proclamation in mid-2026. The remade Regulation is proposed to commence at the same time as the Amendment Act.

4. Reason for sunset review

The Regulation commenced on 10 February 2014. Like all subordinate legislation under the *Statutory Instruments Act 1992*, it is subject to a "sunset" clause and automatically expires after 10 years unless reviewed and remade. This ensures regulations stay relevant and continue to support the economic, social and general good governance of Queensland.

While the Regulation was originally due to expire on 1 September 2024, it has received an exemption from expiry until 31 August 2026 to align with commencement of the reforms arising from the ongoing HVNL Review.

5. Out of scope

TMR is currently conducting a separate project to remake the *Transport Operations (Road Use Management – Accreditation and Other Provisions) Regulation 2015* (AOP Regulation) which governs the accreditation scheme for pilot and escort vehicle drivers. The AOP Regulation remake proposes to modernise the regulation and streamline accreditation pathways, raise industry standards by introducing mandatory commercial medical fitness requirements and mandate approved training to ensure national consistency.

The proposed AOP Regulation reforms are distinct from the remake of section 3 of the HVNL Regulation. While the AOP Regulation project addresses civilian pilot and escort standards and professionalisation, section 3 of the HVNL Regulation is strictly focused on maintaining Commissioner consent to support extreme, high-risk movements to ensure continued network safety oversight.

6. Review of provisions

The head of power for the Regulation is contained in Section 43 of the Act, which allows for regulations to be made under the local application provisions of the Act to modify the application of the Heavy Vehicle National Law (HVNL) in Queensland.

The Regulation contains provisions that support:

- Commissioner consent for mass or dimension exemption notice or permit (section 3).
- Route assessment fees (section 4).
- Mass transfer allowance route restriction (section 31).

6.1 Commissioner consent (section 3)

This provision prescribes the specific widths and lengths of heavy vehicles for which consent from the Commissioner is required for a mass or dimension exemption to use the network. This consent must be obtained **before** the NHVR can grant a mass or dimension exemption notice or a permit under sections 118 or 124 of the HVNL.

Under sections 20 and 21 of the Act, the Commissioner's consent is mandatory for Class 1 heavy vehicles that **exceed** the width or length limits and will be used in a 'critical area', on a 'critical road', or in a 'non-critical area' on the network prescribed in regulation. This regulates the requirement for oversized Class 1 heavy vehicles to have the necessary Queensland Police Service (QPS) approval before the NHVR is able to grant an exemption allowing them to operate in these specific areas.

Section 3 of the Regulation prescribes the width and length specifications applied by sections 20 or 21 of the HVNL as follows:

HVNL Act - section	Vehicle width	Vehicle length
Section 20(2)(a) <i>For use of class 1 heavy vehicle, of more than a width or length prescribed under regulation, in a critical area or on a critical road</i>	4.5m	35m
Section 20(2)(b) <i>For use of class 1 heavy vehicle, of more than a width or length prescribed under regulation, in a non-critical area</i>	5.5m	35m
Section 21(2)(a) <i>For use of class 1 heavy vehicle, of more than a width or length prescribed under regulation, in a critical area or on a critical road</i>	4.5m	35m
Section 21(2)(b) <i>For use of class 1 heavy vehicle, of more than a width or length prescribed under regulation, in a non-critical area</i>	5.5m	35m

The HVNL provides the NHVR with the legal authority to grant a mass or dimension exemption, if strict conditions are met, under section 118 for notices and section 124 for permits. These conditions are:

- The exemption must not pose a significant risk to public safety;
- Each relevant road manager for the exemption must consent to the grant of the exemption; and
- All other consents required under the law of the relevant jurisdiction have been obtained, such as the Queensland requirement for the Commissioner's consent.

6.1.1. Analysis of the provision

Section 3 establishes clear width and length thresholds that determine when QPS involvement is required to manage oversized Class 1 vehicle movements. These thresholds provide the legal basis for ensuring that the largest and most complex loads are subject to appropriate oversight, supporting the safe operation of sections 20 and 21 of the HVNL.

By defining the point at which a vehicle exceeds standard dimensions, the Regulation enables a straightforward risk-management approach. Only movements that exceed the prescribed limits trigger the requirement for the Commissioner's consent, allowing QPS to assess the safety and network implications to determine whether traffic management, escorts, or other controls are necessary to protect the public and the road network. Movements that fall below these thresholds continue to be managed through the NHVR's standard assessment processes which ensures that QPS resources are only directed to the highest-risk activities.

Jurisdictional differences in escort requirements

The QPS plays the primary role in the oversight and escort of extreme oversize and overmass heavy vehicle movements in Queensland. The police agencies of some other participating jurisdictions are less involved in oversize movements. These are generally managed by civilian pilots or NHVR authorised officers.

Table 1 outlines the responsible entity who can perform the role of an escort in each of the jurisdictions.

Table 1: Escort requirements across jurisdictions¹

State/Territory	Escort provider
Queensland	Level 2 Escort Vehicle Driver or Police
New South Wales	Police
Australian Capital Territory	Police
Northern Territory	NT Accredited Oversize Escort Operator or Police
South Australia	Police
Tasmania	Transport Safety Services or Police
Victoria	Safety Compliance Officer (SCO)
Western Australia	Traffic Escort Warden

The necessity of Queensland Police Service authority for high-risk movements in Queensland

Extreme, high-risk movements in Queensland remain a QPS responsibility because only sworn officers possess the full legal authority to proactively manage traffic flow. This includes the power to stop traffic, cross double lines, or contravene signals to

¹ <https://www.nhvr.gov.au/files/media/document/229/202509-0902-pilots-and-escort-training-and-recognition.pdf>

allow extreme-sized loads to pass safely through narrow points or over sensitive infrastructure.

The QPS strongly supports retaining section 3 because it provides the legal framework for QPS management of high-risk vehicle movements that is important to their role in providing escort support. Removing this provision would not only compromise road stewardship but also eliminate the objective criteria used to determine when QPS oversight is required. This would create a regulatory gap where extreme-sized loads could operate without the police supervising oversize movements and controlling traffic interactions which is necessary to ensure safe passage.

Evaluation of the provision

Section 3 remains the most efficient and cost-effective mechanism for protecting the transport network and the road users from high-risk movements. It provides the prescribed thresholds necessary to operationalise sections 20 and 21 of the Act, which mandate QPS oversight for extreme-dimension vehicles. Under these sections of the Act and sections 118 and 124 of the HVNL, the NHVR is strictly prohibited from granting network access to vehicles exceeding these limits without formal Commissioner consent.

This oversight is critical for managing the more than 6,000 QPS-escorted journeys that occur in Queensland annually. By maintaining these dimension thresholds in the Regulation, authorities can effectively manage heavy vehicles operating on specific routes, control travel times, and determine the necessary escort requirements. This hierarchy ensures that high-impact movements proceed only after a rigorous, multi-agency safety evaluation.

If this requirement was removed, the NHVR would be unable to legally distinguish between standard oversize loads and high-risk movements that require specialised QPS expertise. This would place the NHVR in a difficult position, as they would lack the clear guidelines needed to trigger the mandatory Commissioner consent required by the Act, leading to administrative delays or the inadvertent approval of unsafe movements. Subject to consultation, it is proposed that section 3 be remade to maintain the current, clearly defined length and width dimensions. An evaluation suggests that failing to remake this section would lead to significant negative impacts:

- **Impact on industry:** A lack of clear regulatory thresholds would create commercial uncertainty. Without defined dimensions, operators would face unpredictable permit lead times and the QPS could stop transports they determine are unsafe mid-journey, leading to increased operational costs and logistical delays.

- **Impact on QPS:** Removing these clear guidelines would remove the current risk management approach and force the QPS to manually triage a much higher volume of applications without a preliminary regulatory filter. This would strain QPS resources and increase the administrative burden on the Commissioner's office, as they would be required to evaluate movements that could have been handled through standard NHVR processes.
- **Infrastructure and public risk:** Without section 3, the NHVR and QPS would lose the legal mechanism used to distinguish extreme-dimension vehicles from standard heavy vehicles. This significantly increases the risk to public safety and road infrastructure, as high-impact loads could bypass the rigorous route evaluation and QPS-led traffic management necessary to prevent bridge strikes, pavement damage, and serious traffic incidents.

Ultimately, maintaining section 3 in the Regulation is the most cost-effective approach to regulate the movement of oversized loads. It prevents the potentially catastrophic "hidden costs" of infrastructure damage and road trauma while providing industry with the regulatory certainty needed for efficient freight planning.

Updating this section is also essential to synchronise with the mid-2026 commencement of the HVNL Amendment Act and the MDL Amendment Regulation, providing stakeholders with a single, cohesive set of rules and reducing the risk of legal ambiguity during the transition.

Changes proposed by the Heavy Vehicle National Law Amendment Act 2025

The Amendment Act renumbers section 124 of the HVNL as section 122 and does not change the operation of the law. The Amendment Act also updates section 21 of the application provisions in the Act to correctly reference section 122.

6.1.2. Options for the future regulation

Option 1: Retain section 3 of the Regulation

Retaining section 3 of the Regulation is crucial because it operationalises the Act by setting specific length and width limits for heavy vehicles that require police consent to access the network. These clear guidelines create a fair system where all heavy vehicle operators and enforcement officers understand the legal dimensions and it regulates the use of oversized class 1 vehicles on road networks.

To ensure public safety, operators of oversized vehicles must obtain consent from the Commissioner. The QPS perform a vital role in this process to ensure that the vehicle's journey is managed under strict conditions. This process prevents oversized and overmass vehicles from being held up in the application process or potentially operating freely (without notice or permit), which would pose a significant danger to other road users and infrastructure.

Retaining this section has no impact to industry as the requirements under the Regulation remain unchanged.

Option 2: Remove section 3 of the Regulation

The repeal of section 3 would result in the loss of prescribed width and length specifications that currently mandate QPS consent for Class 1 vehicle movements. Without these clear regulatory limits, the NHVR and police would be unable to specify and control vehicles requiring additional safety oversight. This would lead to inconsistent safety outcomes and a heightened risk of unregulated oversize movements across the road network. It would dramatically increase the risk of accidents, particularly on narrow roads and bridges, where these vehicles pose a severe danger to other motorists.

Inconsistent enforcement and unclear legal guidelines would make it difficult for operators and logistics companies to plan routes and design vehicles efficiently. This unpredictability would likely lead to higher operational costs and less reliable service for businesses and consumers alike.

The absence of these limits would also lead to accelerated damage to public infrastructure like roads and bridges, resulting in higher costs for taxpayers through more frequent repairs and replacements.

6.1.3. Recommended option

Option 1 retaining section 3 of the Regulation, is recommended. This ensures the section continues to prescribe specific width and length limits, which is necessary to operationalise sections 20 and 21 of the Act. This also maintains the requirement for Commissioner consent for oversized Class 1 vehicles and retains QPS control of the QPS or pilot escort process.

6.2. Route assessment fee (section 4)

Section 4 of the Regulation provides that a fee can be payable for a route assessment under section 159 of the HVNL. When a road manager conducts a route assessment

for a mass or dimension exemption permit or a class 2 heavy vehicle authorisation, they may charge a fee under section 159(2)(b) to cover the reasonable cost of performing the assessment.

6.2.1. Analysis of the provision

The purpose of a route assessment fee is to enable the road manager to recover reasonable expenses incurred when performing technical route assessments for over-size over-mass (OSOM) vehicle movements. This approach ensures that the specialised engineering work required for assessing specific commercial access can be funded by the beneficiary of the work, rather than being subsidised generally by the Queensland public.

Under the national framework, OSOM vehicles that have a significant impact on road infrastructure operate under permits or notices issued by the NHVR. Before a permit is granted for OSOM movements, the operator must seek consent from the relevant road manager. In Queensland, authority to provide this consent rests with the Department of Transport and Main Roads (the department) for state-controlled roads. A technical route assessment is a prerequisite for this consent, allowing the department to evaluate potential impacts on traffic interactions, the network and vulnerable structures like bridges.

The reasonable cost of an assessment for an individual application depends on a range of factors including:

- a) the length and number of roads and structures on a proposed route;
- b) the type of roads (in terms of standard or specifications of construction) in the proposed route; and
- c) whether the department has already undertaken a route assessment for any or all of the roads in a proposed route for a vehicle configuration and load (mass or dimension) of a similar type.

Undertaking these assessments is both resource-intensive and time-consuming. Although the department has the authority to charge for these assessments, it has historically performed them at no cost to the operator. While the department has effectively been subsidising these operational costs (estimated to involve thousands of staff-hours annually given the current surge in structural integrity requests), the fees have not been formally waived, and reasonable costs may be passed on in the future.

Evaluation of continued necessity and policy objectives

The Regulation remains necessary as it provides the legal authority to recoup the costs incurred by the department when performing technical route assessments. The original

policy objective to ensure these reasonable costs could be recovered remains relevant and the fact that the fee has historically not been applied does not preclude its future use. Without this Regulation, there would be no standardised legal mechanism to recover the expenses associated with performing route assessments and protecting Queensland's road infrastructure from the impacts of OSOM movements.

Stakeholder impact and market competition

Retaining section 4 in its current form preserves a clear framework for recovering the reasonable costs of technical route assessments. There is limited impact on stakeholders as no changes to the current system are proposed.

For heavy vehicle operators, keeping the current provision provides certainty about the legal basis for a route assessment fee without altering current practice. Although the department has historically not applied the fee, operators are familiar with the existing legislative framework and its role in supporting the assessment process for OSOM movements.

From a market competition perspective, retaining the provision does not affect competitive conditions within the heavy vehicle industry. The authority to charge a fee applies uniformly to all operators seeking OSOM access, supporting competitive neutrality by ensuring that all operators are subject to the same regulatory settings.

Overall, maintaining section 4 as drafted has minimal impact on stakeholders and preserves an established mechanism that supports transparent and consistent administration of technical route assessments should fees be levied in the future. It maintains regulatory certainty, promotes equitable treatment across the industry, and ensures the department can continue to manage OSOM access in a way that protects the road network.

6.2.2. Options for the future regulation

Option 1: Retain section 4 of the Regulation

Retaining this section of the Regulation preserves the road manager's authority to charge a route assessment fee that is no more than reasonable cost of performing the route assessment.

Option 2: Remove section 4 from the Regulation

Removing section 4 of the Regulation would eliminate the existing regulatory authority for road managers to charge route assessment fees. While this provision has not been

historically utilised, its removal would mean that the ability for reasonable cost recovery would no longer exist.

6.2.3. Recommended option

Option 1 to retain section 4 of the Regulation is recommended. Maintaining the existing provision preserves a clear framework for administering technical route assessments and supports the department's broader access management responsibilities. Retaining the current settings ensures regulatory certainty for industry and allows the department to recoup assessment costs where necessary.

6.3. Mass transfer allowance (section 31)

Section 31 inserts a new section 7A into the *Heavy Vehicle (Mass, Dimension and Loading) National Regulation* (MDL Regulation).

This provision modifies the application of the one tonne tri-axle mass transfer allowance (the transfer allowance) to better suit Queensland road network conditions. It does this by modifying provisions of the MDL Regulation and adapting the allowance to be permissible on approved Queensland roads. It allows Queensland heavy vehicle operators on specified routes to increase the load on a tri-axle group by up to one tonne above the 20-tonne General Mass Limit (GML). It does not allow an increase to the total mass but provides flexibility in how mass may be distributed across axle groups. By modifying the MDL Regulation, this provision ensures the allowance is applied safely within the Queensland network, accounting for local infrastructure constraints that differ from other jurisdictions.

6.3.1. Analysis of the Regulation

Section 31 of the Regulation gives TMR, the road authority in Queensland, the power to manage the routes on which the one-tonne tri-axle mass transfer allowance is used.

The transfer allowance provides heavy vehicle operators with greater flexibility when loading specific vehicle combinations. The mass transfer allowance enables the heavy vehicle industry to load vehicles more flexibly and effectively, maximising their productivity and increasing efficiency in freight movement across Australia.

In Queensland, the transfer allowance is restricted to specific routes and areas that are clearly marked on a map maintained and published by TMR and the NHVR. All map updates take effect immediately upon publication and copies must be provided to

the NHVR to ensure all relevant parties are informed. This process ensures the allowance is used safely and only in locations where the infrastructure can support it.

Changes proposed in the Heavy Vehicle (Mass, Dimension and Loading) Regulation National Regulation 2014

Amendments are proposed to the MDL Regulation to increase GML to align with current Concessional Mass Limits (CML).

These amendments support the broader reforms under the Amendment Act, which is scheduled for commencement in mid-2026.

Under this new framework, the increase in GML will allow for a permanent increase in axle mass (e.g., triaxles increasing from 20-tonne to 21-tonne), effectively incorporating the flexibility currently offered by the transfer allowance.

Consequently, the upcoming Amendment Regulation will omit Schedule 2 of the MDL regulation.

6.3.2. Options for the future regulation

Option 1: Retain section 31 of the Regulation

Retaining this section of the Regulation will cause inconsistency and confusion when the changes to the MDL Regulation commence in mid-2026.

Option 2: Remove section 31 from the Regulation

As the Amendment Regulation will remove the transfer allowance, the retention of this provision is unnecessary.

6.3.3. Recommended option

Option 2 to remove section 31 of the Regulation is recommended.

7. Conclusion

The preferred options are to remake the Regulation as follows:

1. It is recommended that **section 3**, which prescribes width and length limits, be retained. This provision is essential as it directly supports and operationalises sections 20 and 21 of the Act.
2. It is recommended that **section 4**, which allows the charging of route assessment fees to recover reasonable costs of assessing same, be retained.
3. It is recommended that **section 31**, which provides a mass transfer allowance, be removed. It will no longer be required once amendments are made by the MDL Amendment Regulation.

8. Next steps

We encourage all stakeholders to provide feedback on the options presented using the Queensland Government Yoursay Webpage.

Your feedback will be used to help inform TMR's decision on the future direction of the HVNL Regulation.