Impact Analysis Statement

Summary IAS

Details

Lead department	Department of Transport and Main Roads
Name of the proposal	Remake of the *Heavy Vehicle National Law Regulation 2014* as the *Heavy Vehicle National Law Regulation 2026*
Submission type	Summary IAS
Title of related legislative or regulatory instrument	*Heavy Vehicle National Law Regulation 2026*
Date of issue	May 2026

What is the nature, size and scope of the problem? What are the objectives of government action?

The *Heavy Vehicle National Law Regulation 2014* (the 2014 Regulation) is scheduled to expire this year under the *Statutory Instruments Act 1992*.

The Heavy Vehicle National Law (HVNL) is national scheme legislation that provides for consistent regulation of heavy vehicle operations and establishes the National Heavy Vehicle Regulator (the Regulator) to administer the law. It is contained in the schedule to the *Heavy Vehicle National Law Act 2012* (the Act) and adopted as applied law by all participating jurisdictions.

If allowed to expire provisions which modify the application of the HVNL in Queensland will no longer exist. These Queensland-specific provisions support:

- The Queensland Police Commissioner (the Commissioner) to provide consent for certain oversize vehicle movements as required by sections 20 and 21 of the Act.
- The collection of route assessment fees payable under the HVNL through section 43A of the Act.
- The modification of the application of a national regulation in Queensland under section 43(2) of the Act if required.

These elements are integral to how the HVNL operates in Queensland when managing oversize and overmass (OSOM) movements, protecting vulnerable infrastructure, and ensuring safe use of the road network.

An overview and analysis of the effectiveness of the 2014 Regulation provisions is provided below:

Commissioner consent required for mass or dimension exemption notice or permit (section 3)

Section 3 prescribes the widths and lengths of Class 1 heavy vehicles that trigger mandatory Queensland Police Service (QPS) consent before the Regulator can issue a mass or dimension exemption notice or permit. The 2014 Regulation sets the thresholds applied under sections 20 and 21 of the Act as follows:

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

Section 21(2)(a) *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*	4.5m	35m
Section 21(2)(b) *For use of class 1 heavy vehicle, of more than a width or length prescribed under regulation, in a non-critical area*	5.5m	35m

The HVNL provides the Regulator 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.

Section 3 of the 2014 Regulation 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 2014 Regulation enables an effective 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 Regulator's standard assessment processes which ensures that QPS resources are directed to the highest-risk activities and effectively oversee high risk OSOM movements.

These thresholds align with the limits determined by the department and QPS at which police escort is required to supervise oversize movements and control traffic interactions to ensure safe passage. These oversize loads require police oversight for traffic to be directed or road rules to be suspended to allow them through dimension restricted sections of the network. These limits support safe movement of very large vehicles on the Queensland road network which has been constructed over many decades and does not vary over the term of a regulation. However, the department and QPS may review their risk management-approach and the threshold limits could be subject to review should police escort requirements change in the future.

QPS processed on average around 10,200 assessments for Commissioner consent across 2024 and 2025 at an indicative cost in the approximate range of $110,000 and $125,000 per year based on staff costs to resource the function.

QPS assessments - Volume and estimated cost

Year	No. of assessments	Estimated costs*
2024	10,751	$124,995
2025	9,522	$110,706

*Based on an average assessment time of 10 minutes and work being undertaken by a trained Senior Constable or Sergeant.

The upcoming expiry of section 3 of the 2014 Regulation will remove the legal framework for managing extreme OSOM movements. Without a new regulation to replace the expiring section 3, there will be no statutory trigger for when Commissioner consent is required, creating uncertainty for industry and potentially allowing high-risk movements to occur without appropriate oversight. The expected cost to government over the next ten years of undertaking these assessments is approximately $1.3 million.

Estimated QPS assessment costs (10 years)

Year	Estimated costs*
2026	$120,796
2027	$123,816
2028	$126,912
2029	$130,085

2030	$133,337
2031	$136,670
2032	$140,087
2033	$143,589
2034	$147,179
2035	$150,858
Total	**$1,353,328**

*Based on the average of 2024 and 2025 annual costs and assumed annual increase of 2.5%.

Route assessment fee (section 4)

Section 4 of the 2014 Regulation provides for the fee 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. A road manager is an entity defined under section 12 of the Act and includes entities such as the Department of Transport and Main Roads, local government authorities and road owners or franchisees.

The purpose of a route assessment fee is to enable the road manager to recover reasonable expenses incurred when performing technical route assessments for OSOM vehicle movements. This cost-recovery mechanism 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 Regulator. Before a permit is granted for OSOM movements, the Regulator must confirm 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 may be required to allow 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 in 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.

Given the department has not been passing on the charges, detailed data is not available for the whole period of the operation of the 2014 Regulation. From the available data, the department now completes around 20,700 route assessments per year. Undertaking these assessments is both resource-intensive and time consuming, requiring specialised engineering expertise. Although the department has the authority to charge for these assessments, it has historically performed them at no cost to operators. The department now has systems in place to capture the information required for future evaluation of the regulation's performance.

TMR route assessments – Volume and estimated costs

Year	Volume	Increase	Estimated costs
2022/23	16,064	-	$2,827,574
2023/24	17,686	10.1%	$3,218,922
2024/25	20,666	16.8%	$3,889,178

In practice, this means the department has been subsidising the operational costs involved, estimated to require thousands of staff-hours annually given the current surge in structural integrity requests at a cost of approximately $4 million per year. While the fee has not been applied, it has never been formally waived, and represents an administration cost that is borne by government. The 2014 Regulation preserves the ability for reasonable costs to be recovered in the future. This flexibility is increasingly important as demand for technical assessments is expected to grow and the need to ensure efficient use of public resources continues.

In addition, other road managers, such as local government authorities or road owners and franchisees, would also be adversely impacted in the future if the ability to recover the reasonable costs of route assessments through this fee was not reinstated. Bundaberg Regional Council established a fee regime for route assessment fees in the 2025-26 financial year of $450 for a new application, $225 for a renewal and $900 for an urgent assessment. Figures for revenue collected and the number of assessments undertaken have not been reviewed as information will not be available until finalised through the Council's annual reporting process. The department will work with road managers to confirm those that have passed on their route assessment costs to industry and to inform ongoing administration of the regulation.

Other participating jurisdictions also have a similar ability to recover the costs of route assessments depending on the complexity and number of routes or structural engineering assessments involved. In Victoria, for example, route assessment fees are charged on a case-by-case basis for very large movements where the gross combination mass is over 250 tonnes or where a platform trailer mass is more than 15 tonnes per axle (or line). The cost of these structural assessments on an existing oversize overmass route can be in the range of $25,000 to $50,000. New South Wales used to charge for a regular fee as part of a standard permit application, however, charges are now only applied for planning assessments or approvals. South Australia has been charging for structural assessments since February 2014, fees are currently $300 and adjusted annually.

If section 4 was allowed to expire without a replacement regulation being made, road managers would lose the ability to recover reasonable costs associated with technical route assessments. This would place increasing pressure on departmental resources and could delay access decisions for industry. The expected cost to government over the next ten years of undertaking these route assessments is approximately $44.6 million. Charges may be passed on in the future when a fair and equitable cost recovery regime has been developed and following appropriate consultation with industry.

Estimated route assessment costs (10 years)

Year	Estimated costs*
2026	3,986,407
2027	4,086,068
2028	4,188,219
2029	4,292,925
2030	4,400,248
2031	4,510,254
2032	4,623,010
2033	4,738,586
2034	4,857,050
2035	4,978,477
Total	**$44,661,244**

*Based on an assumed annual increase of 2.5%.

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, 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.

Section 31 of the 2014 Regulation gives the department, the road authority in Queensland, the ability to manage the routes on which the one-tonne tri-axle mass transfer allowance is used. In Queensland, the transfer allowance is restricted to specific routes and areas that are clearly marked on a map maintained and published by the road authority and the Regulator. All map updates take effect immediately upon publication and copies must be provided to the Regulator 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.

Amendments are proposed to the MDL Regulation to increase GML so they align with the current Concessional Mass Limits (CML). These amendments form part of the broader national reforms under the *Heavy Vehicle National Law Amendment Act 2025* (the Amendment Act), which is scheduled to commence on 1 August 2026.

Under the new framework, the increase in GML will allow for a permanent uplift in axle mass limits, for example, increasing the tri-axle group limit from 20 tonnes to 21 tonnes. This change effectively incorporates the flexibility currently provided by Queensland's one-tonne tri-axle mass transfer allowance. Once the new national limits commence, the transfer allowance will no longer be required as a Queensland-specific modification.

If the government does not act, section 31 would be allowed to expire. As this section will become redundant upon the commencement of the Amendment Act, allowing section 31 to lapse would have no negative operational impacts. Instead, its expiry would ensure Queensland's mass settings remain aligned with the national framework.

Objectives of government action

The primary objective of government action is to ensure the safe and effective operation of the HVNL in Queensland through the making of a modern regulation that maintains safe oversight for oversize and overmass (OSOM) vehicle movements on the Queensland road network.

Government action is required to ensure continuity and stability in the application of the HVNL in Queensland by preventing any period in which effective safety oversight is not properly supported by appropriate regulations.

Government action also aims to provide clarity and certainty for the Regulator, QPS, road managers and industry. These stakeholders rely on the 2014 Regulation to establish the rules, thresholds and processes that support consistent access approvals and day to day decision making.

Another objective is to preserve only those elements of the 2014 Regulation that remain necessary and appropriate, while allowing provisions that are no longer required to lapse. Remaking the necessary parts of the 2014 Regulation, rather than allowing it to expire in full, will avoid unnecessary disruption and ensure Queensland can continue to support the effective operation of the national law during and after the transition to the amended HVNL.

What options were considered?

To determine which provisions of the 2014 Regulation should be retained, amended or allowed to expire, the following options were considered for each section to assess ongoing relevance, operational necessity, policy alignment and future regulatory requirements.

As part of the sunset review, the department examined a full range of potential policy instruments including non-regulatory approaches, administrative arrangements, and reliance on existing HVNL provisions to determine whether any alternative mechanisms could achieve the same outcomes. This analysis found that non-regulatory options were not feasible because the HVNL expressly requires these matters to be prescribed in subordinate legislation. As a result, the only viable options were to retain, amend or allow individual provisions of the 2014 Regulation to expire.

The review also assessed each provision against fiscal, operational, legal and timing constraints, including the commencement of the Amendment Act and the need to avoid any regulatory gap. This process identified that allowing the 2014 Regulation to expire in full would create a period with no regulations in force and would significantly compromise the operation of the HVNL in Queensland. In practical terms, expiry would affect:

- The ability of the Commissioner to provide consent and QPS oversight for extreme oversize movements

- The capacity of road managers to undertake and, where appropriate, recover the cost of route assessments
- The continued operation of Queensland-specific modifications to national instruments, where those are still needed and appropriate.

Accordingly, the feasible options for each provision were narrowed to either allow the provision to expire or retain the provision in its current form. The following analysis of each section of the 2014 Regulation outlines the impacts of each option.

Commissioner consent required for mass or dimension exemption notice or permit (section 3)

Option 1: Allow section 3 to expire
Allowing this provision to expire would remove the prescribed width and length thresholds that currently trigger Commissioner consent for Class 1 oversize vehicle movements. Without these limits, the Regulator and QPS would lose the ability to clearly identify which vehicles require additional safety oversight. This would create inconsistent enforcement, increase safety risks on narrow roads and bridges, and lead to uncertainty for operators planning routes. The absence of defined limits could also contribute to greater infrastructure damage due to unregulated oversize movements. Expiry would also remove the objective criteria that ensure QPS resources are directed to the highest risk movements. Without these thresholds, QPS may be overwhelmed by requests for involvement in movements that can be safely managed through standard Regulator processes, or conversely, may not be involved when they are genuinely required.

Option 2: Retain section 3
Retaining this section maintains the existing framework that operationalises the HVNL by setting clear dimension limits for vehicles that require Commissioner consent. This ensures consistent safety oversight, supports QPS in managing OSOM movements under controlled conditions, and provides certainty for industry. Keeping this provision does not change current requirements for operators and has no negative impact on industry. Further, operators do not face additional costs arising from delays as the QPS assessment process is conducted in parallel with the required road manager consent processes. It also preserves the legal mechanism that allows QPS to exercise its unique traffic management powers for extreme OSOM movements.

Route assessment fee (section 4)

Option 1: Allow section 4 to expire
If this section expired, road managers would no longer have the authority to charge a route assessment fee. Although this power has not been used historically, its expiry would remove the ability to recover reasonable costs should the department need to apply the fee in the future. This would shift the financial burden of technical assessments onto government and reduce flexibility to respond to increasing demand for structural integrity assessments.

Option 2: Retain section 4
Retaining this provision preserves the existing authority for road managers to charge a fee that reflects the reasonable cost of undertaking a route assessment. This maintains flexibility for future cost recovery if needed and ensures that the cost of specialised engineering work can be equitably allocated to the beneficiary of the assessment. Retention does not introduce new fees or obligations; it simply maintains the current legislative setting.

Mass transfer allowance (section 31)

Option 1: Allow section 31 to expire
As upcoming amendments to the MDL Regulation will permanently increase GML, the transfer allowance will no longer be required. Allowing section 31 to expire aligns Queensland with the national framework and avoids duplication. It also prevents confusion for operators and enforcement agencies once the new national mass limits commence on 1 August 2026.

Option 2: Retain section 31
Keeping this section would create inconsistency once the MDL Regulation changes commence. Retention would likely cause confusion for operators and enforcement agencies, and undermine the intent of the national reforms, which aim to simplify and harmonise mass limits across jurisdictions.

What are the impacts?

The provisions in the 2014 Regulation all play a distinct role in supporting safe, consistent and efficient heavy vehicle operations in Queensland. Changes to these provisions would have varied impacts on safety, regulatory certainty, infrastructure protection and administrative processes.

Commissioner consent required for mass or dimension exemption notice or permit (section 3)

Section 3 prescribes the width and length thresholds that trigger Commissioner consent. These thresholds provide the objective criteria needed to identify when QPS oversight is required for extreme oversize Class 1 movements. Their presence ensures that high-risk loads are subject to appropriate traffic management and route controls, protecting both the public and the road network. Impacts on industry stakeholders are minimal as the Commissioner consent process is conducted in parallel to other road manager consent activities and does not delay permit processes.

Without these prescribed limits, the Regulator and QPS would lack a clear legal mechanism to distinguish standard oversize movements from those requiring specialised QPS involvement. This would create uncertainty for operators, increase the likelihood of inconsistent enforcement, and heighten the risk of infrastructure damage or serious traffic incidents.

The thresholds also act as an important filter that ensures QPS resources are directed to the highest-risk movements, rather than being overwhelmed by applications that can be safely managed through standard Regulator processes. Maintaining this provision therefore supports safety, operational efficiency and industry certainty.

Route assessment fee (section 4)

Section 4 provides the authority to charge a route assessment fee. Although the fee has not historically been applied, the provision ensures that the department retains the ability to recover the reasonable costs of conducting technical route assessments. These assessments are resource-intensive and essential for determining whether oversize or over-mass vehicles can safely access particular routes, particularly where vulnerable structures or complex traffic interactions are involved. The approximate 20,700 route assessments conducted per year highlights the level of activity currently being undertaken and the importance of maintaining the ability to recover reasonable costs in the future.

Given this scale of work, removing the provision would eliminate the legal basis for cost recovery, permanently guaranteeing that the financial burden of these assessments is worn by government and reducing flexibility to respond to future increases in demand. Retaining the provision maintains regulatory certainty for industry and preserves an equitable mechanism for funding specialised engineering work that directly benefits operators.

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.

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

Mass transfer allowance (section 31)

As the upcoming amendments to the MDL Regulation will permanently increase GML, and effectively incorporate the flexibility currently provided by the mass transfer allowance, section 31 will become redundant. Therefore, the impact of removing section 31 will be nil and the impact of retaining section 31 would be to create inconsistency and confusion for operators and enforcement agencies.

Who was consulted?

Targeted consultation was undertaken with relevant internal and external stakeholders as part of the sunset review of the 2014 Regulation.

Within the department, key operational, policy and technical areas were consulted to assess the ongoing need for each provision of the 2014 Regulation and to ensure alignment with broader HVNL reform activities. Internal feedback informed the assessment of operational impacts, infrastructure considerations and future regulatory requirements.

QPS were consulted on the provisions relating to Commissioner consent for oversize vehicle movements. QPS indicated its support for the department's recommendation to remake the Regulation, including the retention of sections 3 and 4, and did not raise any issues with the proposed approach.

The Regulator supports the department's recommended approach to the remake of the HVNL Regulation.

Targeted industry stakeholders were consulted and provided with an options paper outlining the department's proposed approach to remaking the Regulation. Industry did not raise any concerns with the recommended approach.

What is the recommended option and why?

It is recommended that the 2014 Regulation be remade as the Heavy Vehicle National Law Regulation 2026 (the 2026 Regulation) to preserve those provisions that remain essential to the safe and effective operation of the HVNL in Queensland. This approach ensures continuity of critical regulatory functions required in Queensland while removing provisions that will become redundant under changes to national mass and loading regulation.

1. Retain section 3 – Commissioner consent for oversize movements

It is recommended that section 3, which prescribes the width and length limits that trigger Commissioner consent, be retained. This provision is essential because it directly operationalises sections 20 and 21 of the Act by providing the objective thresholds that determine when QPS oversight is required for extreme oversize Class 1 movements. These thresholds ensure that the highest risk loads receive appropriate traffic management and safety controls, while standard oversize movements continue to be managed through Regulator processes.

Retaining section 3 maintains regulatory clarity, supports consistent enforcement, protects vulnerable infrastructure, and ensures QPS resources are directed to the movements that genuinely require QPS involvement. Without this provision, there would be no clear legal mechanism to distinguish between routine and high-risk oversize movements, creating uncertainty for operators and increasing safety risks.

2. Retain section 4 – Route assessment fee

It is recommended that section 4, which allows road managers to charge a route assessment fee to recover the reasonable costs of undertaking technical assessments, be retained. Although the department has historically not applied this fee, the provision remains important as it preserves the ability to recover costs associated with resource-intensive engineering assessments. These assessments are essential for determining whether oversize or over-mass vehicles can safely access specific routes, particularly where vulnerable structures or complex traffic interactions are involved.

Retaining section 4 ensures that government retains flexibility to respond to increasing demand for structural integrity assessments and supports equitable cost allocation should cost recovery be required in the future. Keeping this provision maintains regulatory certainty for industry and does not introduce any new obligations.

3. Remove section 31 – Mass transfer allowance

It is recommended that section 31, which provides a one-tonne tri-axle mass transfer allowance, be removed. This provision will no longer be required once amendments to the MDL Regulation commence on 1 August 2026.

The upcoming national reforms will permanently increase GML to align with current CML, effectively incorporating the flexibility currently provided by the transfer allowance. Retaining section 31 beyond this point would create inconsistency between Queensland-specific settings and the national framework, leading to confusion for operators and enforcement agencies. Removing the provision ensures alignment with national reforms, avoids duplication, and supports a streamlined and harmonised mass limit framework.

Impact assessment

	First full year	First 10 years
Direct costs – *Compliance costs**	**$3,986,407**	**$44,661,244**
Direct costs – *Government costs*	**$120,796**	**$1,353,328**

**Potential compliance costs should government costs be passed on in future.*

Signed

Sally Stannard
Director-General
Department of Transport and Main Roads

Date: 26 / 6 / 2026

B Mickelberg

Brent Mickelberg MP
Minister for Transport and Main Roads

Date: 26 / 6 / 2026