

NEWSLETTER

Draft NHVR Master Code Updates – What This Means for You

The National Heavy Vehicle Regulator (NHVR) has released draft updates to the Master Code of Practice, designed to strengthen safety and compliance across the heavy vehicle industry. These proposed changes are designed to strengthen compliance across a much broader range of industries than before.

Whether you're an employer, driver, or subcontractor, these changes matter. They're not just about ticking a box—they're about demonstrating evidence of safe systems that protect businesses, drivers, and the community.

Refresher: What is the Master Code?

The Master Code is an NHVR-approved Code of Practice under the Heavy Vehicle National Law (HVNL). It sets out practical ways to identify and manage risks linked to heavy vehicle operations. It covers:

- Fatigue: managing hours of work and rest
- Mass, Dimension & Loading: ensuring loads are legal and safe
- Speed: policies and practices to prevent speeding risks
- Vehicle Standards & Maintenance: ensuring vehicles are roadworthy and safe

Why it matters: If something goes wrong, courts and regulators will look to the Master Code to assess whether your business followed "accepted industry practice." It doesn't replace the law, but it shows how you should comply.

Industries now included: The updated draft Master Code makes it clear: it's not just for freight and logistics. Any business that operates or engages heavy vehicles (over 4.5 tonnes) is expected to comply. This includes sectors such as:

- Civil construction
- Residential building
- Landscaping
- Concreting
- Waste management
- Quarrying and materials supply
- Local councils and utilities

If your business runs, hires, or uses a heavy vehicle, you are part of the compliance chain.

A reminder on HVNL obligations

Even if you are not part of the NHVAS (National Heavy Vehicle Accreditation Scheme), you are still legally required to meet the compliance requirements of the Heavy Vehicle National Law (HVNL).

This means ensuring:

- Drivers are correctly licensed and competent
- Vehicles are safe and loads are properly restrained
- Fatigue risks are managed and records are kept
- Clear, documented systems and inductions are in place
- Everyone in the chain, from principal contractors to subcontractors, understands their responsibilities

Load Restraint

- Expanded guidance on securing unusual loads (construction gear, machinery, mixed loads).
- Stronger emphasis on training records to prove drivers and loaders understand load restraint principles.
- Need for documented checks and evidence that loads are restrained according to the Load Restraint Guide.
- Impact: No more relying on “common sense” or experience alone. You'll need documented processes and training evidence.

Fatigue Management

- Greater focus on scheduling and rostering, not just driver diaries.
- Employers must prove they have systems in place to ensure drivers are not pressured into unsafe hours.
- Tighter expectations on work diary accuracy, with checks built into business processes.
- Impact: Employers will need to show how they monitor hours and prevent fatigue risks. Drivers will face more accountability for accurate records.

Vehicle Standards & Maintenance

- Clearer direction on daily pre-start checks and defect reporting.
- Expectation that operators keep maintenance logs and repair evidence.
- Subcontractors will need to provide proof their vehicles are safe and roadworthy.

Impact: Evidence will matter, photos, checklists, and digital maintenance systems may become the new norm.

Risk management & Chain of Responsibility (CoR)

One of the biggest areas of change in the draft Master Code is the expanded guidance around risk management and Chain of Responsibility (CoR).

Traditionally, CoR has been seen as a transport company issue. The new draft makes it clear that responsibility extends across the entire supply chain, including businesses that might not consider themselves “transport operators.”

Under the draft Master Code, examples of parties who may hold responsibility include:

- Principal contractors: for ensuring subcontractors' vehicles, drivers, and transport activities on site are compliant.
- Developers and builders: for engaging and directing heavy vehicle services as part of construction projects.
- Civil contractors: when moving plant, materials, or waste to and from sites.
- Residential builders, landscapers, and concreters: if their business involves trucks, tippers, or delivery of heavy materials.
- Suppliers and consignors: who load products or equipment onto vehicles.
- Site managers and supervisors: for setting schedules, directing deliveries, and providing safe site access.
- Operators and drivers: for ensuring the vehicle is safe, loads are restrained, and fatigue is managed.



The draft reinforces that anyone in the chain who influences a transport activity can be held legally responsible if their actions, inactions, or business practices contribute to a safety or compliance breach.

For building and construction, this means CoR obligations are no longer just about the transport company delivering to site, they now capture project managers, subcontractors, suppliers, and even businesses that may only use heavy vehicles occasionally.

Subcontractor Engagement & Principal Contractor Responsibility

- Principal contractors/operators will carry greater liability if subcontractors are non-compliant.
- Requirement to verify licences, records, training, and compliance systems of subcontractors.
- Increased focus on contract terms and inductions, you must be able to show you did your due diligence.

Impact: Businesses cannot say, “that was the subcontractor’s issue.” If they’re unsafe or unlicensed, liability flows back up the chain.

What This Means in Practice

For Employers & Operators

- Evidence: first compliance: Policies and procedures are no longer enough, you need documented proof of training, checks, and monitoring.
- Contractor management: Subcontractor compliance becomes your risk. You’ll need to vet, induct, and monitor them.
- Culture shift: Pressure on drivers (even unspoken) to “just get it done” could expose you legally.

For Drivers

- Expect more oversight of your daily activities: fatigue, load restraint, and vehicle checks will be closely monitored.
- Training records will be essential: if you can’t prove you’ve been trained, you may be excluded from work.
- If you’re pressured to drive tired, overloaded, or in an unroadworthy vehicle, you’ll have stronger protections under the Code.

For Subcontractors

- You’ll need to provide compliance evidence up-front: licences, inductions, training records, and maintenance logs.
- Principal contractors will be increasingly selective, those who can prove compliance will win the work.
- “She’ll be right” approaches will no longer cut it, formal systems and record-keeping will be the standard.

What you should do now

- Review your current compliance systems against the draft changes.
- Check driver licences, records, and training requirements.
- Update site inductions and policies to reflect stronger CoR responsibilities.
- At Beck’s Transport Training, we’re here to support ACT and NSW businesses in preparing for these changes, from large contractors to small operators.
- For a copy of the draft Master Code or tailored guidance on what this means for your business, please contact us.

