



HEAVY VEHICLE NATIONAL LAW

National COVID-19 Emergency (Public Holiday Travel Condition) Derestriction Notice 2020 (No.3)

1. Purpose

The purpose of this Notice is to remove certain travel condition restrictions on heavy vehicle travel times during the COVID-19 Emergency. The restrictions are those relating to travel on State controlled roads during public holidays, such as Easter and Christmas, and at other specified times. These travel time restrictions normally serve to reduce heavy vehicle traffic at peak holiday travel times. This Notice suspends certain travel conditions in specified permits and Gazette Notices made under the *Heavy Vehicle National Law (HVNL)* because of reduced access to the roads by the general public during the COVID-19 Emergency.

Note: This Notice replaces the National COVID-19 Emergency (Public Holiday Travel Condition) Derestriction Notice 2020 (No.2). New South Wales no longer participates in this edition of the Notice.

2. Authorising Provision

This Notice is made under section 23 of Schedule 1, of the Heavy Vehicle National Law (HVNL) as in force in each participating jurisdiction.

3. Title

This Notice may be cited as the *National COVID-19 Emergency (Public Holiday Travel Condition) Derestriction Notice 2020*.

4. Commencement

This Notice commences on 1 June 2020.

5. Expiry

This Notice expires on 30 June 2020.

6. Definitions

- 1) Unless otherwise stated, words and expressions used in this Notice have the same meanings as in the HVNL.
- 2) In this Notice:

COVID-19 Emergency means the state of human biosecurity emergency declared under the *Biosecurity (Human Biosecurity Emergency) (Human Coronavirus with Pandemic Potential) Declaration 2020*, made under section 475 of the Biosecurity Act 2015 (Cth) on 18 March 2020.

Road Authority means the following in the following states and territories:

- a) *Victoria*: - VicRoads

7. Application

- 1) This Notice applies to any heavy vehicle operating under a relevant authority on the following roads, and categories of road:
 - a) All roads for which a Road Authority is the Road Manager, including but not limited to:
 - i. State controlled roads; and
 - ii. Motorways; and
 - iii. Freeways.

Note: If a participating jurisdiction does not have a Schedule, the only provisions that apply to vehicles operating in that jurisdiction are the body of this Notice.

8. Relevant Authorities

- 1) The following authorities issued under the Heavy Vehicle National Law, either by permit or Gazette Notice, are relevant authorities for the purposes of this Notice:
 - a) Class 1 or Class 3 exemptions issued under s117 or s122 of the HVNL; and
 - b) Class 2 authorisations issued under s138 or s143 of the HVNL; and
 - c) Higher Mass Limit Declarations issued under s13 of the *Heavy Vehicle (Mass, Dimension and Loading) National Regulation*.

9. De-restriction

- 1) For any vehicle operating under a relevant authority, the following travel conditions do not apply for the duration of this Notice:
 - a) restrictions to times of travel relating specifically to public holidays, as declared in a relevant jurisdiction.
- 2) This de-restriction does not apply to travel restrictions that do not specifically apply to public holidays, such as:
 - a) school hours travel restrictions; or
 - b) time of day travel restrictions that apply on any day, such as night time movement restrictions that apply on days that are not public holidays; or
 - c) restrictions that apply on any particular day of a week, such as weekends or Sundays; or
 - d) any other time-related travel restriction that does not fall under 1).

Note: A Road Authority may publish specific details of public holiday restrictions and de-restrictions on their website.

Peter Caprioli
Executive Director (Freight and Supply Chain Productivity)
National Heavy Vehicle Regulator