

Road Transport (General) Act 2005

Notice under Road Transport (General) Regulation 2005

I, Les Wielinga, Chief Executive of the Roads and Traffic Authority pursuant to Clause 117 of the *Road Transport (General) Regulation 2005*, do, by this Notice, exempt regulated heavy vehicle drivers operating under Standard Solo Hours from the Standard Hours work rest requirements set out in the Table of Clause 64 to the *Road Transport (General) Regulation 2005*.

Les Wielinga
Chief Executive
Roads and Traffic Authority

SCHEDULE

PART 1 — PRELIMINARY

1.1 Citation

This Notice may be cited as the Solo Drivers Transitional Period Work & Rest Hours (12 + 2) Exemption Notice 2008.

1.2 Commencement

This Notice takes effect on 29 September 2008.

1.3 Effect

This Notice remains in force until midnight 28 March 2009, unless it is amended or repealed earlier.

1.4 Interpretation

1.4.1 Unless stated otherwise, words and expressions used in this Notice have the same meaning as those defined in the Dictionary to the *Road Transport (General) Regulation 2005* (the Regulation).

1.4.2 Notes do not form part of this Notice.

PART 2 — APPLICATION

2.1 Application

- 2.1.1 This Notice applies to solo drivers of regulated heavy vehicles who would normally operate under Standard Solo work/rest hours as defined under the table in Clause 64 of the Regulation.
- 2.1.2 Drivers operating under this Notice will be exempt from the Standard Hours-Solo Drivers, work/rest hours as stipulated in clause 64 of the Regulation
- 2.1.3 A driver to whom this Notice applies may operate under the hours provided in Table 1

TABLE 1

Standard Hours — Solo Drivers of a regulated heavy vehicle

Column 1 Total period	Column 2 Maximum work time	Column 3 Minimum rest time
<i>In any period of...</i>	<i>... a driver must not work for more than ...</i>	<i>... and must have the rest of that period off work, with at least ...</i>
5½ hrs	5 hrs work time	30 minutes rest may be in blocks of 2 X 15 continuous mins rest time
24 hrs	12 hrs driving time*	10 hours rest with a block of 6 continuous hrs stationary rest time
	14 hrs work time	
7 day (168 hrs)	72 hrs work time	24 continuous hrs stationary rest time

* See definition of “driving and working’ in Part 4 of this Notice

PART 3 – OPERATIONAL REQUIREMENTS

3.1 Notice to be carried

- 3.1.1. A copy of this Notice must be carried by the driver operating under this Notice and must be produced to a Police officer or an authorised officer when requested.

3.2 Work/rest hour requirements

- 3.2.1 In any period mentioned in column 1 of table 1, the solo driver:
- (a) must not work or drive for more than the work or drive time mentioned in column 2; and
 - (b) must have the rest of that period off work, with at least the rest time mentioned in column 3.
- 3.2.2 Work and rest hour offences will be categorised as per the Work/rest hours exemption penalties under Clause 117 of the Regulation.

3.3 Completing a work diary

3.3.1 In addition to the requirements for completing a work diary daily sheet, a driver must:

- differentiate on the work diary page 'work time ' into time spent driving and time conducting other work.
- indicate this by drawing a vertical line through the work time record and writing "D" or "Drive" or similar annotation in the segment that is driving.

3.3.2 Refer Appendix 1 for sample.

3.4 Vehicle odometer reading

3.4.1 For the purposes of this Notice a vehicle being driven by a driver must be fitted with an odometer that is in good working order.

3.5 Using a logbook

3.5.1 A logbook may be used up until midnight 28 December 2008, as per the logbook to work diary transitional provisions in clause 147, existing logbooks of the Regulation.

PART 4 DEFINITIONS

For the purpose of this Notice the following definitions apply

“**Driving**” means:

- (a) The time that the driver spends driving a regulated heavy vehicle, whether or not it is on a road; and
- (b) Being in the driver's seat of a regulated heavy vehicle while its engine is running; and
- (c) Being in a regulated heavy vehicle for the purpose of instructing or supervising the driver of the vehicle.

“**Working**” means the time that the driver spends doing tasks that are related to the operation of a regulated heavy vehicle including for example:

- (a) Loading or unloading the vehicle, and
- (b) Inspecting, servicing or repairing the vehicle, and
- (c) Inspecting or attending to the load on the vehicle, and
- (d) Attending to the passengers of a bus, and
- (e) Cleaning or refuelling the vehicle, and
- (f) Performing marketing tasks in relation to the operation of the vehicle, and
- (g) Helping with, or supervising, an activity mentioned in subparagraphs (a) to (f), and
- (h) Recording information, or completing a document, in relation to the operation of the vehicle.

WORK DIARY SAMPLE PAGE

APPENDIX 1



ORIGINAL (To remain in work diary):

NATIONAL DRIVER WORK DIARY DAILY SHEET

SECURITY NO:

Driver's Name:

JOHN CITIZEN

Licence No:

987654321

State/Territory Issued:

NSW

BFM/AFM Accreditation No:

Tick the work/rest option for this daily sheet only

Solo driver work/rest options:

Standard Standard (Bus) BFM AFM

Date:

20/11/2008

Day of the Week:

S M T W F S

Time Zone:

NSW

BFM/AFM drivers only.

Pre-trip check (optional):

Time: _____

Two-up driver work/rest options:

Standard BFM AFM

Work/rest hours exemption:

(if applicable)

State/Territory (Driver Base)

DETAILS OF ACTIVITIES record at start and end of day and at change of activity and/or heavy vehicle	Number Plate (record at start & end of day & at work/rest change & vehicle change)												Odometer Reading (record at start & end of day & at work/rest change & vehicle change)												Name of Location at Work/Rest Change (rest area, truck stop, suburb, or town)												All drivers: calculate totals	
	midnight	1	2	3	4	5	6	7	8	9	10	11	noon	1	2	3	4	5	6	7	8	9	10	11	midnight	Total Solo:												
	BLU123												570690												INGLEBURN												14	
	BLU123												571040												TAREE												10	
	BLU123												571395												HARWOOD												14	
	BLU123												571613												TENTERFIELD												10	
Solo Work						D										D										Total Two-up:												
Rest	█										█																											
Two-up Work																																						
	midnight	1	2	3	4	5	6	7	8	9	10	11	noon	1	2	3	4	5	6	7	8	9	10	11	midnight													

Driver Signature:

By signing this daily sheet you verify the information given is true and correct in every detail.

J. Citizen

Two-up Driver Name:

Licence No:

Work Diary No:

State/Territory Issued:

Two-up Driver Signature:

By signing this sheet you verify the information given is true and correct in every detail.

YOU MUST SIGN THIS PAGE BEFORE STARTING A NEW DAILY SHEET