


**NOTIFICATION OF EXEMPTION UNDER THE  
TRANSPORT OPERATIONS (ROAD USE MANAGEMENT –  
FATIGUE MANAGEMENT) REGULATION 2008**

- 1 Exemption Notice No.** LTS 08/03
- 2 Authority to grant Exemption** – *Transport Operations (Road Use Management – Fatigue Management) Regulation 2008*, sections 154 and 191.
- 3 Commencement** – This exemption commences on 29 September 2008
- 4 Eligibility** – For the purpose of this exemption, an **eligible person** is one who:
  - (1) operates a fatigue regulated heavy vehicle, and
  - (2) does not elect to work under Part 3, Division 2 of the *Transport Operations (Road Use Management – Fatigue Management) Regulation 2008*; and
  - (3) is not working under:
    - (a) Part 3, Division 3 of the *Transport Operations (Road Use Management – Fatigue Management) Regulation 2008* - Basic Fatigue Management, or
    - (b) Part 3, Division 4 of the *Transport Operations (Road Use Management – Fatigue Management) Regulation 2008* - Advanced Fatigue Management, or
    - (c) transitional arrangements for Transitional Fatigue Management Scheme under section 192 of the *Transport Operations (Road Use Management – Fatigue Management) Regulation 2008*, or
    - (d) transitional arrangements for Fatigue Management Pilot under section 193 of the *Transport Operations (Road Use Management – Fatigue Management) Regulation 2008* or
    - (e) transitional arrangements for other exemptions under section 216 of the *Transport Operations (Road Use Management – Fatigue Management) Regulation 2008*
- 5 Exemption** – Eligible persons are exempt from compliance with the requirements of **Part 3, Division 2 – Standard work and rest arrangements (sections 46, 47, 48, 49, 50 and 51)** of the *Transport Operations (Road Use Management – Fatigue Management) Regulation 2008*, subject to compliance with the conditions set out below.
- 6 Conditions** – The following conditions apply to the exemption:
  - 6.1 drivers must carry a copy of this notice at all times whilst operating under this exemption.
  - 6.2 drivers must carry their logbook or work diary and driver's licence at all times that they are operating a vehicle under this exemption.
  - 6.3 when intercepted by an authorised officer or police officer, the driver must advise that they are operating under the exemption and must produce a copy of this notice, their logbook or work diary and driver's licence.
  - 6.4 drivers must record all driving, working and rest time in either a logbook or work diary
    - 6.4.1 drivers using a logbook must record driving and work time separately.

- 6.4.2 drivers using a work diary must
- (a) indicate on the work diary page that they are working under the exemption by marking the work/rest hours exemption box.
  - (b) indicate a work/drive change by marking a vertical line across the work line at the time of the change and adding a notation to indicate which portion of the work line is work and which is driving. (for example either “W” and “D” or “Work” and “Drive”)
- 6.5 The driver must comply with the driving, work and rest times of regulated hours drivers as specified under Part 10, Division 2 of the *Transport Operations (Road Use Management – Fatigue Management) Regulation 1998*, as follows—
- 6.5.1 Regulated hours—maximum driving times  
**maximum driving time**, for a driver, means—
- (a) for any 24 hour period—12 hours; and
  - (b) for any 168 hour period—72 hours.
- 6.5.2 Regulated hours—maximum work times  
**maximum work time**, for a driver, means—
- (a) for any 24 hour period—14 hours; and
  - (b) for any 168 hour period—72 hours.
- 6.5.3 Regulated hours—minimum rest times  
**minimum rest times**, for the driver of a heavy vehicle (other than a bus), are—
- (a) for any 5.5 hour period—30 minutes, whether in a single period or 2 periods of 15 consecutive minutes; and
  - (b) for any 24 hour period—10 hours, including 1 period of 6 consecutive hours that is not spent by the driver in or on the vehicle, other than a vehicle with a sleeper berth complying with ADR 42; and
  - (c) for any 168 hour period—96 hours, including at least 1 period of 24 consecutive hours that is not spent by the driver in or on the vehicle.
- 6.5.4 **minimum rest times**, for the driver of a bus, are—
- (a) for any 5.5 hour period—30 minutes, whether in a single period or 2 periods of 15 consecutive minutes; and
  - (b) for any 24 hour period—10 hours, including 1 period of 6 consecutive hours that is not spent by the driver in or on the vehicle, other than a vehicle with a sleeper berth complying with ADR 42; and
  - (c) for any 672 hour period—384 hours, including at least 4 periods of 24 consecutive hours that are not spent by the driver in or on the vehicle.
- 6.6 If these conditions are not complied with, the driver may be liable to have action taken against them for failure to comply with a condition of an exemption under sections 167 and 168 of the *Transport Operations (Road Use Management – Fatigue Management) Regulation 2008*.

7. **Expiry** – This exemption notice expires on 29 March 2009.

Issued by.....  .....

(Angus Draheim)

**Position** Assistant Director (Vehicle & Road Use)

**Location** Brisbane

**Terms and Conditions of Exemption**

**Responsibilities of Drivers Operating under Exemption** – The Exemption Notice must be carried at all times that a vehicle is being operated under the exemption. When intercepted, drivers operating under this Exemption must advise the authorised officer or police officer that they are operating under an exemption. They must produce the Exemption Notice, their logbook or work diary, driver licence and any documentation that is required to be attached to the Exemption Notice when claiming an exemption.

**Compliance with Conditions of Exemption** – The driver may be liable to have action taken against them under sections 167 and 168 of the *Transport Operations (Road Use Management – Fatigue Management) Regulation 2008* if they fail to comply with a condition of an exemption.

**Identification of Exemption Holder** – When a vehicle is being used, operated or driven by a person under the provisions of an Exemption Notice, the person is required to carry and produce on demand the person's driver's licence to an authorised officer or police officer. No other form of identification is acceptable for the purpose of this Exemption Notice.

**Expired Exemption Notice** – Any person intercepted operating a vehicle under an expired Exemption Notice will be subjected to the normal standard hours requirements. The exemption notice will be deemed invalid and will be seized.

**Note: This Exemption Notice is only valid whilst the holder is operating a vehicle within the state of Queensland.**