

South Australia

Road Traffic (Heavy Vehicle Driver Fatigue) (Transitional Class Exemption) Notice 2008

under Schedule 9 clause 2 of the *Road Traffic (Heavy Vehicle Driver Fatigue) Regulations 2008*

1—Short title

This notice may be cited as the *Road Traffic (Heavy Vehicle Driver Fatigue) (Transitional Class Exemption) Notice 2008*.

2—Commencement

This notice will come into operation on 29 September 2008.

3—Interpretation

(1) In this notice—

driving time means time spent by a driver driving a regulated heavy vehicle, whether or not the driving time is spent on a road or a road-related area;

regulations means the *Road Traffic (Heavy Vehicle Driver Fatigue) Regulations 2008*.

(2) A term or phrase defined in the regulations and used in this notice has the same meaning as in the regulations.

4—Regulations 16 not to apply in relation to certain drivers

(1) This exemption applies to a driver of a class comprising solo drivers of regulated heavy vehicles who would, but for this notice, be working under standard hours.

(2) Regulation 16 of the regulations does not apply in relation to a driver to whom this exemption applies.

5—Work times and rest times applicable under this exemption

During any period in column 1 of the following table, a driver working under this exemption—

- (a) if a maximum driving time is specified in column 2 of the table in relation to the period—must not drive for more than that amount of driving time; and
- (b) if a maximum work time is specified in column 3 of the table in relation to the period—must not work for more than that amount of work time; and
- (c) must have the remainder of the period as rest time, including at least the period or periods of continuous rest time and stationary rest time specified in column 4 (if any),

(and if that specified period includes any lesser periods specified in column 1 of the table, he or she must also comply with paragraph (a), (b) and (c) in relation to each of those lesser periods):

Period	Max driving time	Max work time	Min rest time
5½ hours		5 hours	30 continuous minutes, or 2 blocks of 15 continuous minutes, of rest time
24 hours	12 hours	14 hours	6 continuous hours of stationary rest time
168 hours (7 days)		72 hours	24 continuous hours of stationary rest time

6—Instructions for recording work/rest change in work diary

Without limiting any other requirement under the regulations in relation to completing a daily sheet in a work diary, a driver must record any change from work time that is driving time to work time that is not driving time, or from to work time that is not driving time to work time that is driving time, by drawing a vertical line through the work time record and writing "D", "Drive" or a similar annotation in the segment that is driving time.

7—Expiry of notice

This notice expires at the end of 28 March 2009.

Note—

This notice may be varied or revoked by subsequent notice in the Gazette.

The offences for breaching the work time and rest time requirements are set out in regulation 62 of the regulations.

A driver must carry a copy of this notice at all times while working under the exemption (see regulation 63 of the regulations).

Nothing in this notice affects the operation of regulation 6 of the regulations (which makes it an offence to drive a regulated heavy vehicle while impaired by fatigue).

Made by the Minister for Transport

MTR 08/053
