



# Government Gazette

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NEW SOUTH WALES

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## SPECIAL SUPPLEMENT

### 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**

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#### 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This Notice remains in force until midnight 28 March 2009, unless it is amended or repealed earlier.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>
<b>5½ hrs</b>	<b>5 hrs</b> work time	<b>30 minutes rest may be in blocks of 2 X 15 continuous mins</b> rest time
<b>24 hrs</b>	<b>12 hrs driving time*</b>	<b>10 hours rest with a block of 6 continuous hrs stationary</b> rest time
	<b>14 hrs</b> work time	
<b>7 day</b> (168 hrs)	<b>72 hrs</b> work time	<b>24 continuous hrs stationary</b> 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:
- must not work or drive for more than the work or drive time mentioned in column 2; and
  - 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

NATIONAL DRIVER WORK DIARY DAILY SHEET

SECURITY NO:

ORIGINAL (To remain in work diary): 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

Date: 20/11/2008 Day of the Week: S M T W X F S Time Zone: NSW State/Territory (Driver Base): NSW BFM/AFM drivers only: Pre-trip check (optional): Time: Tick the work/rest options: Standard [X] BFM [ ] AFM [ ] Two-up driver work/rest options: Standard [ ] BFM [ ] AFM [ ] Work/rest hours exemption: [X] (if applicable)

Table with columns for time (1-11 AM, 1-11 PM, midnight) and rows for driver locations (INGLEBURN, WYONG, TAREE, HARWOOD, TENTERFIELD, BLU123). Includes sections for 'DETAILS OF ACTIVITIES' (Solo Work, Rest, Two-up Work) and 'All drivers: calculate totals' (Total Solo: 13 1/4, Total Rest: 10 3/4, Total Two-up:).

Signature section for J. Citizen, including fields for Driver Signature, Two-up Driver Signature, Licence No, State/Territory Issued, and Work Diary No.