

Basic Fatigue Management



Transport
Roads & Maritime
Services

REGULATIONS TO MANAGE DRIVER FATIGUE

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The Road Transport (General) Regulation 2005 contains provisions relating to the management of heavy vehicle driver fatigue. The regulations apply to drivers of:

- Heavy trucks with a Gross Vehicle Mass (GVM) over 12 tonnes or a truck and trailer combination with a combined GCM over 12 tonnes; and
- Buses that seat more than 12 adults (including driver).

The regulations set maximum hours of work and minimum rest periods and provide three work and rest hours options: Standard Hours, Basic Fatigue Management (BFM) and Advanced Fatigue Management (AFM). The regulations place duties on parties in the 'chain of responsibility' to take all reasonable steps to prevent driver fatigue and to ensure that a driver does not drive while fatigued or drive in breach of his or her work and rest hours option.

What is the Basic Fatigue Management work option?

Basic Fatigue Management (BFM) gives operators a greater say in when drivers can work and rest providing the risk of working long hours and night hours is properly managed.

Operators must apply to RMS and meet six accreditation standards under the National Heavy Vehicle Accreditation Scheme, covering:

- Scheduling and rostering
- Fitness for duty
- Fatigue knowledge and awareness
- Responsibilities
- Internal review
- Records and documentation.

The 36 hour rule

The '36-hour rule' is a term used to assist drivers manage the risk of working long hours in combination with night hours. A driver can only work up to 36 'long' and 'night' hours in any seven-day period.

- A 'long' hour is a any hour worked above 12 hours in 24 hours.
- A 'night' hour is any hour worked between midnight and 6am.

Split rest

A split rest is available to drivers under the BFM option. A driver may take 6 hours continuous rest plus 2 hours continuous rest within 24 hours – where a 7-hour continuous break is not possible. A split rest, however, cannot be scheduled. It can only be taken if a split rest break has not been taken in the previous 24 hours.

BFM – Solo drivers

Total period	Maximum work time	Minimum rest time
In any period of...	a driver must not work for more than a total of	and must have at least...
6 hrs 15 mins	6 hrs	15 continuous mins rest
9 hrs	8 hrs 30 mins	30 mins rest, in blocks of 15 continuous mins
12 hrs	11 hrs	60 mins rest, in blocks of 15 continuous mins
24 hrs	14 hours	7 continuous hours stationary ⁱ rest
7 days (168 hours)	36 hrs long/night	
14 days (336 hrs)	144 hrs	2 x 24 continuous hrs stationary* rest. First 24 hrs rest must be taken after maximum of 84 hrs work. 4 nights off (includes 2 consecutive nights rest)

BFM – Two-up Drivers

Total period	Maximum work time	Minimum rest time
In any period of...	a driver must not work for more than a total of	and must have at least...
24 hrs	14 hrs	
82 hrs		10 hrs continuous stationary* rest
7 days (168 hrs)	70 hrs	24 hrs continuous stationary* rest time and 24 hrs continuous rest in blocks of at least 7 continuous hours
14 days (336 hours)	140 hrs	4 x 7 continuous hrs stationary* rest between 10 pm on a day and 8am on the next day, using the time zone of the base of the driver.

ⁱ *Stationary rest is rest time that the driver spends out of the heavy vehicle or in an approved sleeper berth of a stationary regulated heavy vehicle.

Defintions

Time

Time is counted in 15-minute intervals and is recorded according to the time zone of the driver base.

Work

Work time is not just driving time: it is the time that the driver spends driving in the vehicle and any time spent on other tasks related to the operation of the vehicle. Driving includes being in the driver's seat while the engine is running and instructing or supervising the driver of the vehicle. Work time includes:

- loading and unloading,
- inspection, servicing or repair work,
- attending to the load or to passengers,
- cleaning or refuelling,
- performing marketing tasks, and
- recording information.

However, a period during which the driver is sitting in the driver's seat with the engine running counts as rest time if the vehicle is not moving; the driver is not subject to work demands; and the period is at least 15 minutes or part of a rest period of at least 15 minutes.

Work is a maximum period so is always rounded upwards e.g. a period less than 15 minutes is counted as 15 minutes work; a period more than 15 minutes up to 30 minutes is counted as 30 minutes work etc.

Rest

All other time is counted as rest. Rest time is always rounded downwards: a period less than 15 minutes, for example, does not count as rest, while a period of more than 15 minutes but less than 30 minutes is counted as 15 minutes rest. The rest requirement is a minimum if you feel tired at any time, you should take a break.

Where to find more information

Further information on fatigue is available from the RMS at www.rms.nsw.gov.au and from the NTC website www.ntc.go.au. The Road Transport (General) Regulation 2005 containing driver fatigue regulations can be found at www.legislation.nsw.gov.au.