

## REGULATIONS TO MANAGE DRIVER FATIGUE

DECEMBER 2011

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 Standard Hours work option?

Under Standard hours, drivers can work for a maximum of 12 hours in any period of 24 hours with no more than 144 hours of work time in 14 days. Unlike BFM and AFM, there are no accreditation requirements. An operator requiring more flexible hours should consider applying for BFM or AFM.

## Standard Hours – 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...                            |
| 5 hrs 30 mins       | 5 hrs 15 mins                                   | 15 continuous mins rest                              |
| 8 hrs               | 7 hrs 30 mins                                   | 30 mins rest, in blocks of 15 continuous minutes     |
| 11 hrs              | 10 hrs  | 60 mins rest, in blocks of 15 continuous mins        |
| 24 hrs              | 12 hrs  | 7 continuous hrs stationary* rest                    |
| 7 days (168 hours)  | 72 hrs  | 24 continuous hrs stationary* rest                   |
| 14 days (336 hrs)   | 144 hrs   | 4 night rests** (includes 2 consecutive night rests) |

## Standard hours – Two-up Drivers

| <b>Total period</b> | <b>Maximum work time</b>                        | <b>Minimum rest time</b>   |
|---------------------|---|--|
| In any period of... | a driver must not work for more than a total of | and must have at least...  |
| 5 hrs 30 mins       | 5 hrs 15 mins                                   | 15 continuous minutes rest   |
| 8 hrs               | 7 hrs 30 mins                                   | 30 mins rest, in blocks of 15 continuous minutes   |
| 11 hrs              | 10 hrs  | 60 mins rest, in blocks of 15 continuous minutes   |
| 24 hrs              | 12 hrs  | 5 continuous hrs stationary rest or 5 continuous hrs rest time in an approved sleeper berth while the vehicle is moving        |
| 52 hrs              |   | 10 hrs continuous stationary* rest   |
| 7 days (168 hrs)    | 60 hrs  | 24 hrs continuous stationary* rest time and 24 hrs stationary rest time in blocks of at least 7 continuous hrs stationary rest |
| 14 days (336 hrs)   | 120 hrs   | 4 nights rests** (includes 2 consecutive night rests)  |

\*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.

\*\* A night rest is 7 hours continuous rest taken between 10pm and 8am or 24 continuous hrs stationary rest.

# 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 spending 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 other 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](http://www.rms.nsw.gov.au) and from the NTC website [www.ntc.go.au](http://www.ntc.go.au). The Road Transport (General) Regulation 2005 containing driver fatigue regulations can be found at [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au).