

Heavy vehicle driver fatigue



Effective 1 July 2009

The information in this document is intended as a guide only, and is subject to change at any time without notice. It does not replace the relevant legislation

| Law | Description | Penalty | | | Double Demerits |
|--------------------------|--|------------|---------|----------------|-----------------|
| | | Fine level | Fine \$ | Demerit points | |
| RT (Gen) Reg 2005 | Fines for individuals for heavy vehicle driver fatigue offences | | | | |
| CI 49 (3)(a) | Duties of employers, prime contractors and operators | 5 | \$253 | | |
| CI 50 (3)(a) | Duties of schedulers | 5 | \$253 | | |
| CI 51 (4)(a) | Duties of consignors/cosignees | 5 | \$253 | | |
| CI 52 (2) | Duties of loading managers | 5 | \$253 | | |
| CI 64 (2) | Standard hours solo drivers - minor | 4 | \$197 | | |
| CI 64 (2) | Standard hours solo drivers - substantial | 7 | \$422 | | |
| CI 65 (2) | Standard hours solo drivers of buses - minor | 4 | \$197 | | |
| CI 65 (2) | Standard hours solo drivers of buses - substantial | 7 | \$422 | | |
| CI 66 (2) | Standard hours two up drivers - minor | 4 | \$197 | | |
| CI 66 (2) | Standard hours two up drivers - minor | 7 | \$422 | | |
| CI 68 (2) | BFM hours solo drivers - minor | 4 | \$197 | | |
| CI 68 (2) | BFM hours solo drivers - minor | 7 | \$422 | | |
| CI 70 (2) | BFM hours two-up drivers - minor | 4 | \$197 | | |
| CI 70 (2) | BFM hours two-up drivers - substantial | 7 | \$422 | | |
| CI 71 (2) | AFM hours - minor | 4 | \$197 | | |
| CI 71 (2) | AFM hours - substantial | 7 | \$422 | | |
| CI 72 (2) | AFM outer limits - substantial | 7 | \$422 | | |
| CI 73 (3) | Changing work and rest hours option | 5 | \$253 | | |
| CI 76 (3) | Information that driver must record in work diary | 5 | \$253 | | |
| CI 77 (1)(a) | How driver must record information in work diary | 5 | \$253 | | |

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|------------------|--|----|---------|--|--|
| CI 78 (10) | Destroyed, lost, stolen or malfunctioning work diaries | 5 | \$253 | | |
| CI 79 (2) | Malfunctioning odometers | 5 | \$253 | | |
| CI 81 (10) | Information that record keeper must record | 5 | \$253 | | |
| CI 106 (1) | Driver must carry BFM accreditation documents | 5 | \$253 | | |
| CI 107 (4)(a) | Information that operator must record | 5 | \$253 | | |
| CI 108 (1) | Operator must advise of change or end of accreditation | 5 | \$253 | | |
| CI 112 (1) | Driver must carry AFM accreditation details | 5 | \$253 | | |
| CI 113 (4)(a) | Information that operator must record | 5 | \$253 | | |
| CI 114 | Operator must advise of change or end of accreditation | 5 | \$253 | | |
| CI 117 (9) | Work and rest hours exemption - minor | 4 | \$197 | | |
| CI 117 (9) | Work and rest hours exemption - substantial | 7 | \$422 | | |
| CI 121 (1) | Driver must carry exemption | 5 | \$253 | | |
| CI 155 (4)(a) | Duties on employers, prime contractors and operators | 9 | \$647 | | |
| CI 156 (3)(a) | Prime contractor/employer/operator allow speeding offence | 6 | \$338 | | |
| CI 156 (3)(b) | Prime contractor/employer/operator allow level 2 speeding offence | 9 | \$647 | | |
| CI 157 (3)(a) | Duties on schedulers | 9 | \$647 | | |
| | Fines for corporations for heavy vehicle driver fatigue offences | | | | |
| CI 49 (3)(a) | Employer not take reasonable steps to prevent driver operating vehicle whilst fatigued | 13 | \$1,322 | | |
| CI 49 (3)(b) | Employer not take reasonable steps to assure scheduler complies with duties | 13 | \$1,322 | | |
| CI 49 (4)(a) | Prime contractor/scheduler not take reasonable steps prevent driver fatigue | 13 | \$1,322 | | |
| CI 49 (4)(b) | Prime contractor/operator not take reasonable steps to assure scheduler complies | 13 | \$1,322 | | |
| CI 50 (3)(a) | Scheduler not take reasonable steps prevent driver operating vehicle whilst fatigued | 13 | \$1,322 | | |
| CI 50 (3)(b)(i) | Scheduler not take into account drivers work/rest hours option | 13 | \$1,322 | | |
| CI 50 (3)(b)(ii) | Scheduler not take into account traffic conditions and other delays | 13 | \$1,322 | | |
| CI 51 (4)(a) | Consignor/consignee not take reasonable steps prevent driver fatigue | 13 | \$1,322 | | |
| CI 51 (4)(b) | Consignor/consignee fail to confirm employer/operator complies with duties | 13 | \$1,322 | | |
| CI 51 (4)(c) | Consignor/consignee fail to confirm prime contractor/scheduler complies with duties | 13 | \$1,322 | | |
| CI 52 (2) | Loading manager fail to notify driver of delays or ensure driver can take rest | 13 | \$1,322 | | |
| CI 79 (4) | Vehicle owner fail to ensure odometer is repaired | 13 | \$1,322 | | |
| CI 79 (5) | Employer/operator fail to ensure vehicle owner complies with clause 79(4) | 13 | \$1,322 | | |

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|---------------|--|----|---------|--|--|
| CI 106 (2) | Operator fail to ensure driver carries required BFM accreditation documents | 13 | \$1,322 | | |
| CI 107 (4)(a) | Operator fail to provide driver list to Authority | 13 | \$1,322 | | |
| CI 107 (4)(b) | Operator fail to notify Authority of change | 13 | \$1,322 | | |
| CI 108 (1) | Operator fail to notify driver/scheduler of change or end of accreditation | 13 | \$1,322 | | |
| CI 112 (2) | Operator fail to ensure driver carries required AFM accreditation documents | 13 | \$1,322 | | |
| CI 113 (4)(a) | Operator fail to provide driver list to Authority | 13 | \$1,322 | | |
| CI 113 (4)(b) | Operator fail to notify Authority of change | 13 | \$1,322 | | |
| CI 114 | Operator fail to notify driver/scheduler of change or end of accreditation | 13 | \$1,322 | | |
| CI 121 (2) | Employer/prime contractor/operator not ensure driver has copy of exemption | 13 | \$1,322 | | |
| CI 155 (4)(a) | Employer business practices do not comply with requirement | 17 | \$2,868 | | |
| CI 155 (4)(b) | Employer not take reasonable steps to assure scheduler complies with duties | 17 | \$2,868 | | |
| CI 155 (5)(a) | Prime contractor/operator business practices do not comply with requirement | 17 | \$2,868 | | |
| CI 155 (5)(b) | Prime contractor/operator not take reasonable steps to assure scheduler complies | 17 | \$2,868 | | |
| CI 156 (3)(a) | Prime contractor allow level 1 speeding offence | 13 | \$1,322 | | |
| CI 156 (3)(a) | Operator allow level 1 speeding offence | 13 | \$1,322 | | |
| CI 156 (3)(a) | Employer allow level 1 speeding offence | 13 | \$1,322 | | |
| CI 156 (3)(b) | Employer allow level 2 speeding offence | 17 | \$2,868 | | |
| CI 156 (3)(b) | Prime contractor allow level 2 speeding offence | 17 | \$2,868 | | |
| CI 156 (3)(b) | Operator allow level 2 speeding offence | 17 | \$2,868 | | |
| CI 157 (3)(a) | Scheduler not take reasonable steps to ensure schedule does not cause speeding offence | 17 | \$2,868 | | |
| CI 157 (3)(b) | Scheduler not consider speed limit and required rest breaks in schedule | 17 | \$2,868 | | |
| CI 161 (3)(a) | Consignor/consignee make demand cause speeding offence | 17 | \$2,868 | | |
| CI 161 (3)(b) | Consignor/consignee not take reasonable steps ensure other parties not cause offence | 17 | \$2,868 | | |



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