

National Roadworthiness Baseline Survey

Fatigue management fact sheet

About fatigue

Driver fatigue or drowsy driving is a safety hazard for the road transport industry. The main causes of fatigue are not enough sleep, driving at night (when you should be asleep) or being awake for a long time.

Fatigue management across the country

Drivers must comply with certain maximum work and minimum rest limits under three work and rest options for fatigue management. The options prescribed by the Heavy Vehicle National Law (HVNL) are:

- Standard hours
- Basic Fatigue Management (BFM)
- Advanced Fatigue Management (AFM) or exemption hours.

There are variations in the work and rest requirements depending on which option applies.

Western Australian fatigue management regulations require that there can be no more than 17 hours between breaks of at least 7 continuous hours of non-work time; also a Commercial Vehicle Driver must have 27 hours of non-work time in any 72 hour period. It is possible to work for 17 hours on two consecutive days but no more than 11 hours the next day.

The Northern Territory (NT) does not regulate driving hours under transport law. Under NT Workplace Health and Safety Act, employers have an obligation to provide a safe workplace, which does not endanger workers or others.

Relationship to the Survey

Each vehicle that is stopped will be subject to a comprehensive visual inspection and a roller brake test for approximately 45 minutes on average. We have minimised disruption to industry in the way we designed the Survey.

However, normal fatigue management rules apply and you must comply with the requirements of the state or territory in which you are operating.

In HVNL participating jurisdictions, time spent:

- driving a fatigue-regulated heavy vehicle, or
- instructing or supervising another person driving a fatigue-regulated heavy vehicle, or
- sitting in the driver's seat while the engine is running, or
- performing another task relating to the use of a fatigue-regulated heavy vehicle

is classified as work in accordance with s221 of the HVNL and must be recorded as such.

Those activities which do not fall within the definition of work as described above can be classified as rest.

In NSW, the driver can count time as rest while the engine is running, if the vehicle is stationary and the driver is not under a work demand.

For Western Australia, work time includes driving and all the activities that are associated with driving a commercial vehicle (including time categorised as breaks from driving). Comparatively, non-work time means more than 30 minutes time off at home, away from the vehicle or, if on a trip in the vehicle, includes sleep in an appropriate sleeper berth. It does not include driving and work incidental to driving.

What do you need to do

Drivers are currently required to manage delays (for whatever reason) within the work and rest limits and in a way that will not result in drivers working while impaired by fatigue. If you are driving a fatigue-regulated heavy vehicle, you should comply with the normal operation of a work diary as per the HVNL.

Parties in the supply chain have to take all reasonable steps to prevent the drivers from exceeding these limits. This is similar to occupational health and safety laws and means that drivers must be allowed to stop if they are at risk of exceeding the limits and make alternative arrangements.

Who does this apply to

National heavy vehicle driver fatigue laws apply to fatigue-regulated heavy vehicles. A fatigue-regulated heavy vehicle is:

- a vehicle with a Gross Vehicle Mass (GVM) of over 12t
- a combination when the total of the GVM is over 12t
- buses with a GVM over 4.5t fitted to carry more than 12 adults (including the driver)
- a truck, or a combination including a truck, with a GVM of over 12t with a machine or implement attached.

Information

Should you wish to lodge a complaint or provide feedback, please refer to the complaints and feedback process in the jurisdiction in which you were intercepted.

For more on NRBS
www.nhvr.gov.au/roadworthiness
1300 MYNHVR (1300 696 487)

For more on fatigue management
<https://www.nhvr.gov.au/fatigue-management>
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