

## Question on Notice

No. 857

Asked on Wednesday, 20 November 2013

**MR RICKUSS** asked the Minister for Transport and Main Roads (MR EMERSON)—

### QUESTION:

Will the Minister advise the minimum size of sleeper compartments allowed to be used on heavy vehicles and how many infringement notices have been issued for non-compliance in the 2010-11, 2011-12 and 2012-13 for drivers not having or using the appropriate compartments?

### ANSWER:

I thank the Member for Lockyer for the question.

No Penalty Infringement Notice (PIN) would be issued specifically for drivers not having or using appropriate sleeper compartments.

Any rest taken in a compartment not compliant with the Australian Design Rules would not be considered rest and then any PIN issued would be for "*Failing to comply with fatigue regulations*".

The Department of Transport and Main Roads has advised the minimum size of sleeper compartments comes from the *Australian Design Rule 42/04 – General Safety Requirements*:

*"17. Sleeper Berths (NB & NC categories type vehicles only)*

#### *17.3. Dimensions and Shape*

*It must be so constructed as to provide, at least, the following internal dimensions: 1,900 mm long measured on the centreline of the longitudinal axis, 530 mm wide for 1,200 mm along the required length and 440 mm wide for the remainder of the required length and 630 mm deep, of generally rectangular shape, except that the horizontal corners and the roof corner may be rounded to radii not exceeding 270 mm."*

(NB) Medium Goods vehicles - a goods vehicle with a 'Gross Vehicle Mass' (GVM) not exceeding 3.5 tonnes.

(NC) Heavy Goods vehicles - a goods vehicles with a 'Gross Vehicle Mass' (GVM) exceeding 3.5 tonnes but not exceeding 12.00 tonnes.

There are other requirements beyond size (such as ventilation, access and exit etc) which should be read in conjunction with the size requirement however the details of the size are specified above to answer the question.

There is then no way to separate PINs issued under these circumstances from any other PINs issued for the same fatigue breach.