

Question on Notice

No. 130

Asked on Thursday, 6 March 2014

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

QUESTION:

Does the Minister realise the impost that will be placed on operators carting locally, by reducing the log book area from 200 kilometres to 100 kilometres?

ANSWER:

I thank the Member for Condamine for the question.

The Heavy Vehicle National Law commenced on 10 February 2014, and the National Heavy Vehicle Regulator took over responsibility for its administration. The Heavy Vehicle National Law was based on previous national model laws developed by the National Transport Commission in consultation with jurisdictions and industry.

The national fatigue model law was adopted into Queensland's laws in 2008. The national fatigue model law contained a requirement for drivers of fatigue regulated heavy vehicles to keep a work diary when travelling outside of a 100km radius from their base.

However, when the model law was adopted in Queensland, the 100km radius requirement was changed to 200km. This meant that the requirement in Queensland was at odds with the requirements in the other states that had adopted the national fatigue model laws, namely New South Wales, Victoria and South Australia.

When Queensland implemented the Heavy Vehicle National Law on 10 February it adopted the 100km distance requirement from base. Queensland needed to make this concession in the interests of achieving national uniformity and providing an equal playing field for industry across all states.

When considering the impacts of this change on industry, it is important to note that in all other respects, the requirements of the fatigue management legislation still apply to drivers of fatigue regulated heavy vehicles when operating within a 200km (or 100km) radius from their base. That is the work and rest hour requirements and record keeping requirements still apply.

Drivers of fatigue regulated heavy vehicles need to keep a record of their work and rest times and provide this record to their record keeper within 21 days. For drivers previously operating within a 200km radius in Queensland, these records could be kept on a daily running sheet or in a ledger or by way of some other written record. These drivers will now need to keep these records in a national heavy vehicle work diary when they are operating outside of a 100km radius from their base.

The cost of a national heavy vehicle driver work diary is \$20. I am advised that a full time heavy vehicle driver would typically use two or three work diaries per year.

Under the Heavy Vehicle National Law, the National Heavy Vehicle Regulator may provide an exemption for drivers of fatigue regulated heavy vehicles undertaking a particular class of work from the work diary requirements.

I believe that such an exemption is appropriate for drivers of fatigue regulated heavy vehicles involved in primary production in Queensland.

I recently wrote to the Chairman of the National Heavy Vehicle Regulator requesting that the Regulator consider providing an exemption from the requirement to carry and complete a work diary for Queensland's agriculture and primary production industry when travelling within a 200km radius from their base. I made this request in response to concerns raised with me by the Member for Nanango and the agricultural industry directly.

Drivers wanting to enquire about work diary exemptions may contact the National Heavy Vehicle Regulator by email at <https://info@nhvr.gov.au> or on 1300 MYNHVR (1300 696 487).