

Motor Vehicle Registry Information Bulletin

V72 – Heavy Vehicle Driver Fatigue Basic Fatigue Management (BFM)

Effective Date: 21 August 2008

Introduction

The national road transport Heavy Vehicle Driver Fatigue laws sets revised work and rest limits for heavy vehicle drivers and requires better management of driver fatigue. The reform makes all parties in the supply chain legally responsible for preventing driver fatigue. Operators and drivers have three options for managing driver fatigue under the laws.

This Information Bulletin provides assistance to drivers and operators wishing to adopt the BFM Hours option. Further Information on the different driving hours options is available through the following web link: <http://www.nt.gov.au/transport/mvr/vehiclestandards/infobulletins/ibv70.pdf>.

BFM accreditation offers more flexible hours than Standard Hours and allows the ability to work 14 hour shifts. BFM gives operators a greater say in when they can work and rest providing the risks of working long and night hours are properly managed. Operators requiring more flexibility than BFM provides may consider the benefits of Advanced Fatigue Management (AFM).

Operators will need to be accredited in the National Heavy Vehicle Accreditation Scheme (NHVAS) and comply with the six BFM standards covering scheduling and rostering, fitness for duty, fatigue knowledge and awareness, responsibilities, internal review, and records and documentation.

Work and Rest Time

Table 1 sets out the minimum rest and maximum work hours for BFM. Work time refers to all driving and any other tasks related to the operation of a heavy vehicle. All other time is counted as rest.

Under BFM a driver can work up to 14 hours in 24 hours. Drivers must also have a 7 hour continuous rest break in 24 hours but will have the ability to split this rest break. Split rest breaks can not be scheduled but can be taken by a driver if necessary if for example their rest is disturbed and the driver needs to move their vehicle. Drivers splitting their rest will need to have a total of eight hours rest with one part of at least six hours.

Under BFM drivers are required to have 2x24 hour breaks (the first after maximum 84 hours work) and at least four nights rest (two nights consecutive) in each 14 day period (this can include a 24 hour continuous rest).

Table 1: Basic Fatigue Management – Solo Drivers

Time	Work	Rest
In any period of...	A driver must not work for more than a MAXIMUM of...	And must have the rest of that period off work with at least a MINIMUM rest break of...
6 ¼ hours	6 hours work time	15 continuous rest time
9 hours	8 ½ hours work time	30 minutes rest time in blocks of 15 continuous minutes
12 hours	11 hours work time	60 minutes rest time in blocks of 15 continuous minutes
24 hours	14 hours work time	7 continuous hours stationary rest time ¹
7 days	36 hours long/night work time ²	
14 days	144 hours work time	24 continuous hours stationary rest time taken after no more than 84 hours work time and 24 continuous hours stationary rest time and 2 x night rest breaks ³ and 2 x night rest breaks taken on consecutive days

¹ Stationary rest time is the time a driver spends out of a regulated heavy vehicle or in an approved sleeper berth of a stationary regulated heavy vehicle.

² Long/night work time is any work time in excess of 12 hours in a 24 hour period or any work time between midnight and 6 a.m. (or the equivalent hours in the time zone of the base of a driver)

³ Night rest breaks are 7 continuous hours stationary rest time taken between the hours of 10pm on a day and 8am on the next day (using the time zone of the base of the driver) or a 24 continuous hours stationary rest break.

Combining Long Shifts and Night Work – 36 Hour Rule

Table 2 is an example of a 14 day work period for a driver. The table shows night and long hours worked on various days and how these count towards the BFM maximum 36 hour limit in 7 days on working night and long hours. For simplicity it is assumed the driver has not worked in the 7 days before the period shown in the table. This means the 7 day period starts from day one and doesn't include any days before.

The 36 hour rule manages the risk of working long hours in combination with night shifts. A night hour is any hour worked between midnight and 6am. A long hour is any hour worked above 12 hours in 24 hours. For example, if a driver works a full 14 of 24 hours, the last two hours worked are counted as long hours. If a driver works 13 hours and 30 minutes, this is counted as 1.5 long hours and so on.

A driver can only work up to 36 'long and night' hours in any seven day period. Table 2 gives an example of a driver's 14 day schedule and how to calculate long and night hours work over any seven day period. Importantly it can be seen that a night rest, or even a day off, does not clear the accumulated long and night hours. Instead you must always count back seven days to calculate the total accumulated long and night hours worked.

Table 2: Example of the 36 Hour Rule

Day	Hrs worked in one shift	Hours worked in one Shift (showing night and long hours)		Accumulated night and long hours worked in any 24 hours	Total accumulated night and long hours worked in a 7 day period
		Night hours worked (Midnight to 6am)	Long hours Worked (hours worked over 12 hours in 24 hours)		
1	13	5	+1	=6	6
2	14	6	2	+8	14
3	13	5	1	+6	20
4	13	5	1	+6	26
5	13	5	1	+6	32
6	13	3	1	+4	36
7	Day/Night Off			+0	=36
8	Day/Night Off			0	30
9	13	5	1	+6	28
10	14	6	2	+8	30
11	14	6		+8	32
12	13	5	1	+6	32
13	Day/Night Off			+0	28
14	Day/Night Off			+0	=28

Work Diary

Drivers are required at all times to carry and maintain a work diary whilst participating in BFM and driving a regulated heavy vehicle. This is irrespective of any other exemption or exclusion. Nominated drivers must also carry a copy of the accredited operator's certificate of accreditation in BFM and an NHVAS Interception Report Book.

More information on Work Diaries is available on the National Transport Commission's (NTC) website at: <http://www.ntc.gov.au>

BFM Standards

1. Scheduling and Rostering

Plan, document and review driver schedules and rosters to ensure they comply with the operating limits.

What you need to do:

- Document Schedules and Rosters
- Monitor and Regularly Review Schedules and Rosters
- Minimise risk when altering schedules and rosters
- Ensure guidelines are in place for the use of relief/casual drivers
- Consider increased risk with drivers returning from leave
- Allow schedule input from drivers to ensure trips are reasonable

- Provide sufficient advanced pre-trip notification from Schedulers so drivers can comply with legislation
- Ensure schedules and rosters are planned to be reasonable and achievable under legislative operating limits.

2. Fitness for Duty

Have in place a program to ensure drivers are in a fit state to perform work duties and also have required medical assessments.

What you need to do:

- Have nominated drivers assessed by a medical Practitioner and certified as being fit to drive in accordance with Austroads guidelines
- Have procedures for driver fitness for duty which include issues of driver health, use of drugs and alcohol, medical condition, well-being and state of fatigue
- Have procedures for drivers to assess their fitness for duty before and during work
- Have procedures for drivers to notify the operator if they are unfit for duty due to any lifestyle, health or medical issues both before and during work
- Take medical advice for drivers into account when assigning duties
- Have procedures in place for undertaking two-up driver recruitment and team selection and provide optimised comfort to alternate drivers when they are resting in a moving vehicle

3. Fatigue Knowledge and Awareness

All personnel involved in the management, operation, administration, participation and verification of the BFM system need to demonstrate appropriate knowledge and skill in fatigue management relevant to their position

What you need to do:

- Ensure that anyone involved in the management, operation, administration, participation and verification of the fatigue management system is aware of the operator's current fatigue management policies and procedures
- Ensure all persons who hold a position of responsibility under the system is identified and;
 - o Have been inducted and are regularly updated in policies and procedures
 - o Can demonstrate competence in managing driver fatigue, including understanding causes, effects and symptoms of fatigue, and being able to apply strategies to better manage fatigue
 - o Drivers can demonstrate competence with TLIF1007C - *Apply fatigue management strategies*
 - o Schedulers can demonstrate competence with TLIF6307A – *Administer the implementation of fatigue management strategies*
- Establish a procedure for ensuring all relevant staff are kept up to date with fatigue management. This would include identifying, re-assessment and retraining needs of staff and ensuring any needs have been satisfactorily addressed.
- Keep records of competency of drivers, schedulers and relevant staff. This should include:
 - o Details of necessary training
 - o Retraining and follow up procedures
 - o Records of personnel qualifications

4. Responsibilities

All responsibilities and duties identified for BFM must be up-to-date, clearly defined and all staff must understand and carry out their duties.

What you need to do:

- Ensure all relevant personnel are carrying out their duties and responsibilities in compliance with the system
- Ensure all responsibilities, authorities and duties are current, clearly defined and communicated to all appropriate persons
- Have management practices in place to deter non-compliance and have procedures in place for the implementation of corrective actions when required
- Have an effective communications process in place for the exchange of information between all involved parties

5. Internal Review

A system is required to identify non-compliances and verify that the activities comply with the BFM standards and the operator's fatigue management system. Incidents must be identified, investigated and reasonable steps must be taken to manage any problems. Internal audits must be undertaken at least every 12 months.

What you need to do:

- Have procedures to define how an internal review program of the system is produced, conducted, reported and recorded at least every 12 months. This should include corrective actions procedures
- Where practical, have the reviews undertaken by competent persons not responsible for that area of activity
- Have procedures in place to monitor, identify, report, investigate and record non-compliances and take the necessary corrective action to prevent further occurrences
- Have procedures in place to investigate incidents to determine whether fatigue was a contributing factor
- Regularly review records of drivers' work and rest times to ensure compliance with the legislated operating limits

6. Records and Documentation

Operators must develop policies, procedures and instructions covering all activities required to meet BFM standards and keep records to provide evidence of compliance. These include work hours records (e.g. work diaries, rosters, schedules), a review of the fatigue management system in place and compliance checks. All managers, supervisors and drivers taking part in BFM must demonstrate they are competent in managing driver fatigue.

What you need to do:

- Ensure policies, procedures and instructions covering all activities required to meet the standards are authorised, current, clearly defined and readily available to all relevant personnel
- Keep all records related to accreditation stored, legible, maintained and available for management and audit purposes for at least three years
- Ensure a roster of nominated drivers is kept up to date and the accrediting agency is informed on any changes in a timely manner
- Ensure documents are approved, issued, reviewed, modified and accounted for in accordance with the operator's prescribed control procedures
- Keep detailed records including individual driving hours records for all nominated drivers (e.g. work diaries, rosters, schedules)

General Duty of Care

Under the Workplace Health and Safety Act, Transport Operators working within the Territory have a general duty of care to ensure, as far as reasonably practical, that workers and others are not exposed to risks to health or safety arising from the employer's business. To demonstrate this requirement operators need to have a fatigue management system in place which effectively manages the risks associated with driver fatigue.

The national driver fatigue legislation is consistent with current obligations under Occupational Health and Safety (OH&S) laws and will assist operators in demonstrating that they have taken reasonable steps in managing driver fatigue.

Further Information

Further information on OH&S requirements for employers, employees, owner/operators and supply agents can be accessed through the NT Worksafe website at: <http://www.worksafe.nt.gov.au>

Further information on fatigue and copies of the Information Bulletin '*Guidelines for Managing Heavy Vehicle Driver Fatigue*' are available from NTC website at: www.ntc.gov.au

For information on how to apply for NHVAS accreditation, contact the Accreditation and Audit Unit on (08) 8999 3149

Contact Details	
Motor Vehicle Registry	
Telephone	1300 654 628
Facsimile	(08) 8999 3103
Email	mvr@nt.gov.au
Web	www.mvr.nt.gov.au
Postal Address	GPO Box 530 Darwin NT 0801