

# Two-up driving explained

New laws for 'two-up' driving address specific fatigue risk factors associated with rest in a moving vehicle

## FACT SHEET 7



### Introduction

New national road transport Heavy Vehicle Driver Fatigue laws, implemented in 2008, set revised work and rest limits for heavy vehicle drivers and require better management of driver fatigue.

Under existing regulations, two-up drivers operate under the same limits as solo drivers. Recognising the need for flexibility across a wide range of transport operations, a three-tier approach to fatigue management for two-up driving has been developed (see Table 1).

Please refer to the VicRoads Fact Sheets 'Standard hours explained' and 'Basic Fatigue Management explained' and 'Advanced Fatigue Management explained' for further information.

**Table 1: Fatigue Management Modules (two-up)**

Module	Requirements
Standard Hours	Basic work and rest time
Basic Fatigue Management (NHVAS)	More flexible work hours linked to accreditation
Advanced Fatigue Management (NHVAS)	Create your own safety management system and work hours linked to accreditation

The Standard Hours option is the least flexible of the three options and is aimed at regular scheduled operations with a lower fatigue risk requiring up to 12 hours work each day. If your operation needs more flexible hours, you should look at the Basic Fatigue Management (BFM) and Advanced Fatigue Management (AFM) options.

The basis of the reform is working safer, not less hours. If you manage the proven risk of working long hours and night shifts, BFM and AFM will give you a greater say in when you can work and rest. This includes taking steps to manage driver fatigue such as planning rosters, trips and schedules training drivers and schedulers and checking records for compliance.

Two-up driving is a specialised operation and variations of these options have been developed for two-up operations. However, drivers who find it difficult to sleep in a moving vehicle should not drive two-up.

### General Duty

Under the new laws a 'general duty' (similar to OH&S laws) requires all parties take reasonable steps to prevent drivers fatigue. For example, this means:

- drivers must stop if they are feeling tired or fatigued;
- operators and schedulers must plan when drivers rest;
- a loading manager must take steps to ensure queuing is managed properly; and
- contracts that require a driver to break the law are illegal.



## Work and Rest

Each two-up driver is required to take a minimum continuous rest break of five hours in 24 hours, ensuring flexibility for driver changeovers. This rest can be taken in a moving vehicle fitted with a sleeper berth complying with the regulations (eg a truck must comply with Australian Design Rule 42, although this is not applicable to buses). Drivers should share the driving to best fit each other's body clock – this is particularly important at night.

Two-up drivers are required to take four nights off in 14 days, two of which must be consecutive. A night rest is a seven hour continuous rest between 10 pm and 8 am the next day. Both two-up drivers are required to take a minimum 10 hour continuous stationary rest break within 52 hours of starting a two-up trip.

In any seven day period, each driver must take a minimum 48 hours stationary rest. This rest must include at least a 24 hours continuous stationary rest period, the minimum 10 hour rest break (mentioned above), with the balance to be taken at the driver's discretion in minimum seven hour continuous rest breaks. If these limits are too restrictive for your operation you should consider the more flexible BFM or AFM modules or perhaps staged driving or shuttles.

## Standard Hours (Two-up)

The Standard Hours module for two-up has been developed for operators who only use two-up on an ad-hoc or infrequent basis. Short rest breaks and working hours in 24 hours are the same as for solo drivers (see Table 2).

**Table 2: Standard Hours (Two-up)**

Time	Work	Rest
In any period of...	A driver must not work for more than a <b>MAXIMUM</b> of ...	And must have the rest of that period off work with at least a <b>MINIMUM</b> rest break of ...
5 ½ hours	5 ¼ hours work time	15 continuous minutes rest time
8 hours	7 ½ hours work time	30 minutes rest time in blocks of 15 continuous minutes
11 hours	10 hours work time	60 minutes rest time in blocks of 15 continuous minutes
24 hours	12 hours work time	5 continuous hours stationary rest time <sup>1</sup> <b>or</b> 5 hours continuous rest time in an approved sleeper berth while the vehicle is moving
52 hours		10 continuous hours stationary rest time
7 days	60 hours work time	24 continuous hours stationary rest time <b>and</b> 24 hours stationary rest time in blocks of at least 7 continuous hours of stationary rest time
14 days	120 hours work time	2 x night rest breaks <sup>2</sup> <b>and</b> 2 x night rest breaks taken on consecutive days

<sup>1</sup> 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.

<sup>2</sup> Night rest breaks are seven continuous hours stationary rest time taken between the hours of 10 pm on a day and 8 am on the next day (using the time zone of the base of the driver). These breaks can be part of a 24 continuous hours stationary rest break.

## Basic Fatigue Management (Two-up)

BFM accreditation offers greater flexibility for two-up operators than Standard Hours (see Table 3). Under BFM two-up operators are required to address critical fatigue factors such as driver selection and training, driver comfort, sleeper berth design, and pre-trip preparation. Under BFM two-up short rest breaks are not mandated.

The 'Guidelines for Managing Heavy Vehicle Driver Fatigue' and the NHVAS business rules recommend short rest breaks for two-up operations. These rest breaks can be used as a trigger to change the lead driver. The scheme also provides greater flexibility by allowing 14 hours work in 24 hours, similar to BFM requirements for solo drivers.

**Table 3: Basic Fatigue Management (Two-up)**

Time	Work	Rest
In any period of....	A driver must not work for more than a <b>MAXIMUM</b> of ...	And must have the rest of that period off work with at least a <b>MINIMUM</b> rest break of ...
24 hours	14 hours work time	
82 hours		10 continuous hours stationary rest time <sup>1</sup>
7 days	70 hours work time	24 continuous hours stationary rest time and 24 hours stationary rest time in blocks of at least 7 continuous hours
14 days	140 hours work time	4 x 7 night rest breaks <sup>2</sup>

<sup>1</sup> 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.

<sup>2</sup> Night rest breaks are seven continuous hours stationary rest time taken between the hours of 10 pm on a day and 8 am on the next day (using the time zone of the base of the driver). These breaks can be part of a 24 continuous hours stationary rest break.

Many interstate one-way trips can be run under the BFM module. However, longer trips (such as Perth-Darwin-Sydney) may need to be managed under the AFM module.

## Advanced Fatigue Management (Two-up)

Regular long distance operation may require additional flexibility and more stringent fatigue risk management practices (see Table 4). If your operation needs more flexible hours than those provided by the other two options then you should be looking at AFM. Rather than prescribing work and rest hours, AFM delivers a genuine risk management approach to managing driver fatigue. AFM provides greater flexibility by allowing drivers to 'bank' extended driving hours from one work period and counterbalance this with longer continuous rest breaks in another period.

**Table 4: Summary of BFM/AFM Risk Management for Two-up Operations**

Countermeasures	Requirements
Sleeper berth design	auxiliary air conditioning units
	separate suspension
	noise and heat insulation
	good quality mattress
	dual escape hatches
Driver selection	driver self-selection
	pre-employment screening
	ability to sleep in a moving vehicle
	married teams assessed as individuals
	probationary period with experienced driver
	periodical review of terms
Driver training	Nationally recognised training covering fatigue management, 'sleep hygiene', napping techniques, managing unforeseen delays and stimulant use.
Trip preparation	notify trip details in advance
	designate lead driver
	avoid work prior to a long distance trip
	prepare trip plans
Driver health	education on driver health issues (including stimulant use)
	regular driver medicals





Under AFM, proposals are treated on a case-by-case basis, with individual terms and conditions including outer limits set by approving authorities in each State and Territory. This option also provides greater flexibility to better manage factors such as loading/unloading, hook-ups, drop-offs; vehicle re-configuration and, in some cases, additional time needed to reach road train changeover points.

### Switching Solo to Two-up

As a general rule, a driver switching from solo to two-up (and vice versa) must at all times operate within the legal limits of both solo and two-up limits. A driver moving from solo to two-up must comply with the two-up limits both before setting off and at all times while operating as a two-up driver. For example, in the previous seven days a driver moving from solo to two-up must have had at least 48 hours stationary rest (including 24 hours continuous rest) before moving into two-up (see Table 3 for more details).

Similarly a driver moving from two-up to solo driving must ensure they comply with the solo driving limits (see Table 1) before setting off and at all times while operating as a solo driver. This means, for example, that the driver moving from two-up to solo driving must have had seven hours continuous rest in the previous 24 hour period.

If you think you may operate under both solo and two-up schemes under the new regulations, ensure you understand the limits of both modules. You and your drivers must comply at all times with the limits of the module you are operating under.

### More Information

Those operating as two-up drivers should also see VicRoads:

- Fact Sheet 7: What records you need to keep: A guide for record keepers; and
- Fact Sheet 8: How to use and complete your new work diary.

This fact sheet does not explain all of your obligations under the new laws. For further information on fatigue contact VicRoads on 1300 360 745 or visit the VicRoads website:

[www.vicroads.vic.gov.au](http://www.vicroads.vic.gov.au)

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