

1994—No. 577

TRAFFIC ACT 1909—REGULATION

(Relating to hours of driving and rest period requirements for coach drivers)

NEW SOUTH WALES



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HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Traffic Act 1909, has been pleased to make the Regulation set forth hereunder.

Bruce Baird, MP
Minister for Transport, and Minister for Roads.

Commencement

1. This Regulation commences on 1 November 1994.

Amendments

2. The Motor Traffic Regulations 1935 are amended:

- (a) by inserting after Regulation 126A (1) the following clause:

(1A) Despite Regulation 125 (2) (f), a person who has been driving one or more motor vehicles (being coaches) to which this Act applies may take the rest period specified in clause (1) as:

- (a) two separate periods of 15 minutes each; or

- (b) one period of 30 minutes,

within any period of 5 hours and 30 minutes.

- (b) by omitting from Regulation 126A (2) the words “a motor vehicle to which this Part applies on a public street” and by inserting instead the words “a heavy motor vehicle (other than a coach) on a public street”;

- (c) by inserting after Regulation 126A (2) the following clause:

(2A) A person must not drive a coach on a public street:

- (a) if the person has driven one or more motor vehicles to which this Part applies for periods totalling 12 hours or more during the preceding 24 hour period; or

- (b) if the person has not had at least 12 hours of rest, 8 hours of which must be consecutive and in a sleeper-cab or away from motor vehicles to which this Part applies, in the preceding 24 hour period; or
 - (c) if the person has driven one or more motor vehicles to which this Part applies for periods totalling 72 hours or more during the preceding 7 day period; or
 - (d) if the person has not had at least 96 hours of rest away from motor vehicles to which this Part applies during the preceding 672 hours and the rest period has not been taken as:
 - one period; or
 - 2 or more periods with each such period being of at least 24 hours duration.
- (d) by omitting from Part 2 of Schedule K the words “Regulation 126A (1), (2), (3) or (4)” and by inserting instead “Regulation 126A (1), (2), (2A), (3) or (4)”.
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EXPLANATORY NOTE

The object of this Regulation is to reflect the national hours of driving and rest period requirements for drivers who drive coaches exclusively or a combination of both coach and heavy vehicles as recommended by the National Road Transport Commission and endorsed by the Australian Transport Council.

This Regulation is made under the Traffic Act 1909, including section 3 (1) (tl).
