



New South Wales

Road Transport (Safety and Traffic Management) (Driver Fatigue) Amendment Regulation 2001

under the

Road Transport (Safety and Traffic Management) Act 1999

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Road Transport (Safety and Traffic Management) Act 1999*.

CARL SCULLY, M.P.,

Minister for Roads

Explanatory note

The objects of this Regulation are as follows:

- (a) to require persons who employ drivers to drive heavy trucks or commercial buses to obtain a copy of the drivers' driving records for non-local area work,
- (b) to reduce the fee for issuing a replacement driver certification manual from \$51 to \$11,
- (c) to exempt drivers of motor homes from the application of the *Road Transport (Safety and Traffic Management) (Driver Fatigue) Regulation 1999*.

This Regulation is made under the *Road Transport (Safety and Traffic Management) Act 1999*, including sections 71 (the general regulation-making power) and 72, and Schedule 1.

2001 No 368

Clause 1 Road Transport (Safety and Traffic Management) (Driver Fatigue)
Amendment Regulation 2001

Road Transport (Safety and Traffic Management) (Driver Fatigue) Amendment Regulation 2001

1 Name of Regulation

This Regulation is the *Road Transport (Safety and Traffic Management) (Driver Fatigue) Amendment Regulation 2001*.

2 Amendment of Road Transport (Safety and Traffic Management) (Driver Fatigue) Regulation 1999

The *Road Transport (Safety and Traffic Management) (Driver Fatigue) Regulation 1999* is amended as set out in Schedule 1.

3 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendments

(Clause 2)

[1] Clause 8 What is a heavy truck, bus and commercial bus

Insert “, motor home” after “bus” in clause 8 (1) (a).

[2] Clause 60 Driving records made by employed drivers—non-local area work

Insert at the end of clause 60:

- (2) An employer must obtain a copy of a driver’s driving records referred to in subclause (1) within the period by which the driver must give a copy of those records to the employer under that subclause.

Maximum penalty: 20 penalty units.

[3] Clause 61 Driving records for non-local area work to be kept

Insert “or obtained by” after “given to” in clause 61 (1).

[4] Schedule 1 Fees

Omit “\$51” from the matter relating to the issue of a replacement driver certification manual under clause 88.

Insert instead “\$11”.

[5] Dictionary

Insert in alphabetical order:

motor home means a motor vehicle constructed or adapted to operate principally as self-propelled living quarters containing permanent sleeping and cooking facilities.