

### Work diary exemption

From 1 June 2014, drivers of fatigue-regulated heavy vehicles carrying out **primary production** in Queensland are not required to carry and record information in a National Driver Work Diary if within a 160km radius of their base.

### Primary production

Primary production means the:

- cultivation of land to sell its produce
- maintenance of animals (including birds) to sell them or their produce
- keeping of bees to sell their honey or other apinary products
- transporting animals/produce in connection with the sale of animals/produce.

### Fatigue management requirements

Although exempt drivers do not need to carry and record information in a National Driver Work Diary, all other aspects of fatigue regulations still apply. Drivers must continue to comply with driving hours. Record keepers must continue to record driver details, including work and rest times. For more information about recording work and rest times see the FAQ section on this fact sheet.

All other heavy vehicle drivers in Queensland are still required to complete a National Driver Work Diary for work outside the standard 100km radius, as set out in the Heavy Vehicle National Law effective from 10 February 2014 (unless they have a work diary exemption).

For more information about the National Driver Work Diary and other possible exemptions, visit the NHVR website at [www.nhvr.gov.au](http://www.nhvr.gov.au).

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## Frequently Asked Questions

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### Where can I get a copy of the work diary exemption?

The Queensland Work Diary Exemption Notice (No. 1) 2014 will be available from the 'Notices and permit-based schemes' section of the NHVR website soon.

### Do drivers have to carry the work diary exemption when driving or working?

No. Primary producers and their transport providers do not have to carry the notice to use it. Enforcement officers have been advised of the notice and will take it into consideration when conducting an intercept.

### Do I have to be a primary producer?

No; drivers only need to be performing a transport service that is involved in primary production.

### What happens if I work outside the 160km radius on a day?

Drivers must record relevant information in a National Driver Work Diary or supplementary records for the entire day. This applies even if drivers have a major rest break during the day.

### Does the work diary exemption apply to BFM or AFM?

Yes. Primary producers (or their transport providers) are exempted from having to carry and complete the National Driver Work Diary even when they are working under Basic Fatigue Management or Advanced Fatigue Management.

### Does the work diary exemption apply to two-up driving?

Yes. Primary producers (or their transport providers) who are operating in a two-up arrangement are exempted from having to carry and complete the National Driver Work Diary.

### Does the work diary exemption apply if my base is outside of Queensland?

Yes. Primary producers (or their transport providers) who are working in Queensland, within a 160km radius of their driver's base are exempted from carrying and completing their work diary, even if their base is not in Queensland.

### What about literacy problems?

Drivers who have problems with English literacy can contact the NHVR to apply for an individual work diary exemption permit.

### How does this exemption affect record keepers of primary producers and their transport providers?

Record keepers for primary producers and their transport providers who are exempt from carrying and completing a National Driver Work Diary must still keep records of work and rest time.

Specifically, record keepers must record:

- the driver's name and contact details
- the driver's current driver licence number and the jurisdiction in which the licence was issued

- the dates on which the driver drives a fatigue-regulated heavy vehicle on a road
- the registration number for each fatigue-regulated heavy vehicle the driver drives
- the total of the driver's work times and rest times on each day on which the driver drives a fatigue-regulated heavy vehicle
- the total of the driver's work times and rest times for each week during which the driver drives a fatigue-regulated heavy vehicle, and
- the driver's rosters and trip schedules, including details of driver changeovers.

Record keepers must also keep a copy of payment records relating to the driver, including time sheet records if the driver is paid according to time at work. These records must be kept at the record location for three years.

### Do I have to be driving a vehicle with 'primary producer' registration?

No.

### About the NHVR

The National Heavy Vehicle Regulator (NHVR) is Australia's dedicated independent regulator for heavy vehicles over 4.5 tonnes gross vehicle mass.

The NHVR was created to administer one set of rules for heavy vehicles under the Heavy Vehicle National Law (HVNL), improve safety and productivity, minimise the compliance burden on the heavy vehicle transport industry and reduce duplication and inconsistencies across state and territory borders.

### For more information

- subscribe [www.nhvr.gov.au/subscribe](http://www.nhvr.gov.au/subscribe)
- visit [www.nhvr.gov.au/workdiary](http://www.nhvr.gov.au/workdiary)
- email [info@nhvr.gov.au](mailto:info@nhvr.gov.au)
- fax 07 3309 8777
- post PO Box 492, Fortitude Valley Q 4006
- tel 1300 MYNHVR\* (1300 696 487)

*\*Standard 1300 call charges apply. Please check with your phone provider*



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Please note: While every attempt has been made to ensure the accuracy of the content of this fact sheet, it should not be relied upon as legal advice.