

Land Transport Rule Work Time and Logbooks

**Consolidated Rule
with amendments incorporated
as at
1 October 2011**

The consolidation of the Rule and its amendments is intended to provide up-to-date details of the current requirements. It is not the official version of the Rule.

Preface

The consolidated Rule brings together the requirements relating to work time and logbooks in the principal Rule and its amendments. These Rules were produced, under an agreement with the Secretary for Transport, by the NZ Transport Agency (NZTA) or its predecessor land transport Crown entities. They were signed into law by the Minister of Transport or his or her delegate under the *Land Transport Act 1998*.

The principal Rule

Land Transport Rule: Work Time and Logbooks 2007 sets out how the limits to work time hours prescribed in the *Land Transport Act 1998* are administered for drivers of vehicles that require a Class 2, 3, 4 or 5 licence, vehicles used in a transport service (other than a rental service) and vehicles used to transport goods for hire or reward.

Amendment 1

Following public consultation, the Rule was amended with effect from 7 May 2009 to remove the requirement for logbooks to be maintained by mobile crane drivers and for the purpose of *subclause 4.5(1)* of the Rule, to delete the definition of ‘goods vehicle’ and to correct an anomaly in the Rule by providing that vehicles, with a gross laden weight between 4501 kg and 5999 kg that are used to carry goods, are covered by the logbook exemption in *subclause 4.5(1)*.

Amendment 2

Following public consultation, the Rule was amended with effect from 1 April 2010 to make a number of changes that address issues raised by industry groups, and by the New Zealand Police, about the way in which variations of work time requirements are dealt with for specific services or in particular situations.

The amendment Rule:

- clarifies the requirements for recording rest breaks when taken in conjunction with vehicle ferry sailings and the requirements for varying work time hours following a ferry sailing;
- amends the rest break requirements to allow emergency services drivers to deal with priority calls;
- extends the category of ‘essential service driver’, for the purposes of *subclauses 2.2(10) to 2.2(14B)* of the Rule, to include persons assisting with restoration of road access, or provision or restoration of rail access;

- extends the current variation to working hours for a person involved in emergency works or a situation involving a risk to property, to include situations in which risk exists to persons;
- extends the variation of working hours applying to essential service drivers to drivers who are urgently called upon by the Police to assist in an accident or incident;
- allows persons involved in territorial forces training in the New Zealand Defence Force to vary their work time hours to fit in with their weekend training schedule;
- clarifies that persons who employ drivers subject to work-time restrictions, or who are organisers of a public event, are able to apply for a short-term variation of work time hours;
- clarifies that tow authorities are the only record of work time hours required by vehicle recovery service drivers;
- makes corrections to examples used in the Rule;
- clarifies that drivers of tractors and other self-propelled agricultural machinery do not have to complete a logbook;
- allows the continued use of logbooks that were approved before the amendment Rule comes into force;
- clarifies the use of logbooks on a day when no driving subject to work time requirements is undertaken, and makes a minor change to the prescribed form of a logbook;
- amends definitions in the Rule.

Amendment 3

Following public consultation on amendment proposals in *Land Transport Rule: Omnibus Amendment 2010*, the Rule was amended with effect from 1 April 2011 to enable enforcement staff to be able to properly check that a driver, who is changing from driving that is exempt from logbook use to driving subject to logbook use, has complied with work-time limits, in particular, the required minimum 10-hour rest break before starting work. This reduces fatigue and, in doing so, promotes the safety of drivers and of other road users.

Amendment 4

The Rule was amended with effect from 1 October 2011 to include a change consulted on in *Land Transport Rule: Omnibus Amendment 2011*.

The amendment prescribed a format for specifying times in a driver's logbook so that times are recorded accurately.