

**WELLINGTON, NEW ZEALAND**

**PURSUANT** to Section 158 of the Land Transport Act 1998

**I, Harry James Duynhoven**, Minister for Transport Safety,

**HEREBY** make the following ordinary rule:

Land Transport Rule: Work Time and Logbooks

**SIGNED AT** Wellington

This *28<sup>th</sup>* day of *June* 2007



Harry James Duynhoven  
Minister for Transport Safety

**Land Transport Rule**  
**Work Time and Logbooks 2007**  
**Rule 62001**

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**Land Transport Rule**  
**Work Time and Logbooks 2007**  
**Rule 62001**



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## Objective of the Rule

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

The Rule consolidates and clarifies existing legal requirements and includes changes aimed at increasing safety. In giving effect to the Act, the Rule also:

- sets out the requirements applying to the design and use of logbooks to record and monitor work time;
- defines which services and vehicles are exempted from logbook use, and how work-time variations and logbook exemptions may be applied;
- establishes a framework for managing commercial driver fatigue;
- sets out the proposed entry criteria and legal requirements for drivers covered by alternative fatigue management schemes.

Existing requirements in a number of areas were reviewed in the course of consulting on the Rule. The Rule has introduced a number of changes aimed at updating, rationalising and improving requirements. These take into account the differing operational imperatives of commercial operators and drivers. The major changes, including the relaxation of some previous legal requirements, include:

- allowing drivers to complete a logbook for a cumulative work period (between 24-hour breaks), and to choose, within a cumulative work period, to start the entry for each 24-hour period at either midnight or midday;
- prescribing the logbook form, with formats for general use and for taxis;

- setting out requirements for taxi drivers to take a break after seven hours of work time, when driving short fares only;
- replacing the general exemptions from work time requirements granted to tour bus companies with specific variations;
- allowing essential services drivers to exceed, if necessary, work time requirements to attend an incident affecting essential services, so that, for example, water or electricity supplies can be restored;
- exempting motor homes from logbook requirements;
- approving alternatives to logbooks for recording hours worked;
- placing greater limitations than previously on the scope of individual or company exemptions;
- removing the provision for operators to apply for retrospective exemptions (after working hours have been exceeded).

All logbook exemptions previously stated in the *Transport Act 1962* have been transferred to the Rule, as well as most of the requirements in the *Transport (Driving Hours Logbook Exemption) Notice 2003*. All prior exemptions, including those in the 2003 exemption notice, cease to be valid six months after the Rule comes into effect. Existing logbook forms remain valid until the Rule has been in force for nine months, after which only a logbook prescribed in the Rule may be used.

The Rule has been subject to economic analysis. It seeks to balance safety issues with the need for transport efficiency. The changes made in the Act, and reflected in the Rule, update an existing system of limits to permissible hours, rather than impose a new set of costs on industry. In some cases it is expected that there will be a reduction in compliance requirements and, consequently, the cost of complying.

The removal of the distinction between on-duty and driving hours simplifies the maintenance of logbooks. Compliance requirements have been reduced for people who drive commercial vehicles on a part-time basis by

reducing the period for which logbooks must be completed. Although people who combine commercial driving with other work potentially lose one hour a day, the total time over a week stays the same, and there is more flexibility over the type of work that is done within the prescribed hours.

The Act requires that Rules not be inconsistent with New Zealand's international obligations concerning land transport safety, and that international circumstances in respect of land transport safety be taken into account in making a Rule. In developing the Rule, consideration has been given to safety requirements in safety-conscious jurisdictions, with the aim of giving New Zealand road users the benefit of overseas research into driver fatigue, including the results of extensive trials of fatigue management schemes in Queensland and elsewhere in Australia.

## **Extent of consultation**

The former Land Transport Safety Authority initiated discussion about driving hours in papers sent out in 1998 and 2000 for public comment. In July 2004, the Authority released a discussion draft *Work Time (Driving Hours) and Logbooks Rule* (the blue draft), for the information of key industry representatives.

The legislative changes enacted in June 2005 through the *Land Transport Amendment Act 2005* set standard hours for work time and defined the key terms to be used in the Rule.

Comments received on the discussion draft were taken into account in preparing the yellow draft of the Rule, which Land Transport New Zealand released for public comment in August 2005. The yellow draft was made available to approximately 750 groups and individuals who had registered their interest in the Rule. The availability of the yellow draft was publicised in metropolitan and regional daily newspapers, *Te Karere National News* and the *New Zealand Gazette*. The draft Rule, with information material, was also made available on the Land Transport NZ web site and to libraries and transport organisations overseas.

Land Transport NZ received 64 submissions on the yellow draft and took them into account in redrafting the Rule. There was general agreement on the principal proposals within the Rule. However, some additional proposals were suggested (for example, allowing drivers involved in essential services to exceed the prescribed work time in a crisis), and several definitions required clarification.

A further round of limited consultation was undertaken, with persons who had previously provided submissions, to consider whether a more traditional format for the logbook should be used, rather than that proposed in the yellow draft. Submitters on this issue favoured the formats now specified in the *Schedule*. Finally, the Rule was submitted to Cabinet and to the Minister for Transport Safety for signature.

## **Part 1 Rule requirements**

### **Section 1 Application**

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#### **1.1 Title**

This Rule is *Land Transport Rule: Work Time and Logbooks 2007*.

[Note: Refer to *Parts 4B* and *6B* of the *Land Transport Act 1998*, which set out responsibilities, offences and penalties in respect of work time and logbooks.]

#### **1.2 Scope**

This Rule:

- (a) augments the standard work time hours specified in the Act;
- (b) specifies how logbooks are to be used;
- (c) provides for the need to keep and maintain records of hours worked;
- (d) specifies the requirements for logbook design;
- (e) specifies the requirements for alternative fatigue management schemes.

[Note: 'Alternative fatigue management scheme', 'Logbook', and 'Record' are defined terms. 'Work time' is defined by reference to the Act. See *Part 2, Definitions*.]

#### **1.3 Application of Rule provisions**

1.3(1) This Rule applies to all persons subject to the work time requirements in *Part 4B* of the Act.

[Note: In general, *Part 4B* of the Act applies to a driver of a vehicle that requires a Class 2, 3, 4, or 5 licence, or is used in a transport service (other than a rental service), or that is a vehicle used to carry goods for hire or reward.]

1.3(2) If a driver is working under an exemption from logbook use, or a variation of work time hours, issued in writing by the Director, that document must be carried at all times when driving a vehicle subject to work time requirements

and be produced without delay on demand by an enforcement officer.

- 1.3(3) If there is a conflict between a provision of this Rule and an example included in this Rule, the provision of this Rule applies.

#### **1.4 Date when Rule comes into force**

This Rule comes into force on 1 October 2007.

## **Section 2    Work time and rest time**

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[Note: Refer to *section 30ZC* of the Act for limits to work time hours.]

### **2.1            Rest breaks: driver categories**

#### **Standard rest break requirement**

- 2.1(1)            A driver, other than a driver specified elsewhere in this section, must take a rest break after 5½ hours of continuous work time.

[Note: 'Rest break' and 'Rest time' are defined terms.]

#### **Taxis**

[Note: 'Taxi' is defined by reference to the Act.]

- 2.1(2)            If a taxi driver only undertakes short fares around a city or town, a rest break must be taken after seven continuous hours of work time.

[Note: 'Short fare' is a defined term.]

- 2.1(3)            Work time, for a taxi driver, includes time spent:

- (a)    on a taxi stand; and
- (b)    cruising for hire; and
- (c)    carrying out administrative work.

- 2.1(4)            During a rest break, a taxi driver must not drive a taxi and must not display on the vehicle's taxi sign an indication that the taxi is available for hire.

#### **Tour buses**

- 2.1(5)            For the purposes of *2.1(6)* to *2.1(8)*, a bus is operated as a tour bus if the tour:

- (a)    has a defined schedule of more than 24 hours' duration; and
- (b)    takes a group of tourists on a pre-determined route; and

- (c) is the only scheduled duty in any natural day for the bus driver.

[Note: 'Natural day' and 'Operate' are defined terms.]

- 2.1(6) With the written approval of the Director, a tour bus driver may vary the work time hours specified in the Act.

[Note: 'Director' is a defined term.]

- 2.1(7) A variation approved under *2.1(6)* for a tour bus driver must include scheduled meal breaks of at least 30 minutes, which count as the required rest breaks for each cumulative work day.

[Note: 'Cumulative work day' and 'Variation' are defined terms.]

- 2.1(8) An approval of a variation under *2.1(6)* must state the name of the company and the tour (as defined in a company brochure) to which the variation applies, and set an expiry date for the variation.

- 2.1(9) A tour bus driver operating under a variation approved under *2.1(6)* must comply with *1.3(2)*.

[Note: *Subclause 1.3(2)* requires the document to be carried and produced to an enforcement officer.]

### **Mixed driving**

- 2.1(10) A person who drives a taxi and another class of vehicle subject to work time requirements in a cumulative work day must take a rest break after 5½ hours of continuous work time.

## **2.2 Particular situations**

### **Ferries**

- 2.2(1) A driver may count as a rest break a scheduled vehicle ferry trip of more than one hour's duration, including time spent in the vehicle while the ferry is sailing.
- 2.2(2) Ferry departure and arrival times must be noted as the start and end of a rest break.
- 2.2(3) At the end of a ferry sailing, a driver may take a vehicle to a place of storage or safe parking, even if in doing so the

hours of work time for that cumulative work day would be exceeded, provided that:

- (a) the additional period of work time does not exceed one hour from the arrival time of the ferry; and
- (b) a 10-hour continuous rest break is then taken immediately.

### **Emergency services**

2.2(4) *Subclauses 2.2(5) to 2.2(8)* apply to a person driving for an emergency service, or working under the direction of a principal rural fire officer.

[Note: 'Emergency' and 'Emergency service' are defined terms.]

2.2(5) Subject to *2.2(6)*, limits to work time hours specified in the Act may be exceeded if a driver of an emergency vehicle is required to respond to a priority call.

[Note: 'Priority call' is a defined term.]

2.2(6) A dispatcher must consider alternatives, such as the availability of other drivers, including drivers from other locations, before sending a person who has exceeded their work time hours on a priority call.

2.2(7) At the end of a priority call that takes a driver beyond their work time hours, the driver must not undertake further scheduled or routine driving work for the emergency service, but must take the required 10-hour break before undertaking further driving for the emergency service that is subject to work time requirements.

#### *Example 1:*

A permanent ambulance service driver, having completed his shift with required breaks, acts illegally if he drives an additional transfer task that exceeds his work time hours BUT that driver may attend a priority call.

#### *Example 2:*

Permanent Fire Service officers respond to an alarm call that occurs at the end of a shift.

The call-out, and subsequent fire-fighting tasks, take them past their work time hours. A driver may legally return a fire service vehicle to the station at the conclusion of the fire response, but may not undertake any further driving of vehicles subject to work time requirements until a 10-hour break is taken.

- 2.2(8) For the avoidance of doubt, volunteer fire fighters and volunteer ambulance drivers are not subject to work time limits, even when they have worked a full day, when they are called out to attend, or are returning from, a priority call.

*Example:*

A Fire Service volunteer is employed as a bus driver. He finishes a split shift at 6.00 pm, and is called out to a road crash at 1.00 am the next morning, before starting his regular bus roster at 7.00 am. His logbook, if required, must show the call out, but the call out does not break the requirement for a 10-hour continuous break. While the driver does not commit an offence by exceeding hours in this case, he still has the standard responsibilities set by the Act to avoid dangerous or careless driving (that might arise from excess fatigue).

**Essential service drivers**

- 2.2(9) For the purposes of *subclauses 2.2(10) to 2.2(14)*, essential service drivers are those persons employed by or under contract to:
- (a) a body or person that provides line function services, as defined by *section 2(1)* of the *Electricity Act 1992*, or
  - (b) a road controlling authority, for the purposes of road or bridge repair; or
  - (c) a territorial authority, for the purposes of supplying or repairing reticulated water or sewerage; or
  - (d) a body or person supplying reticulated natural gas, for the purposes of repair; or
  - (e) a person undertaking emergency works to stabilise land or otherwise reduce risk to property.
- 2.2(10) A driver in *2.2(9)(a)* may extend their work time hours if the driver can provide evidence that they were required to undertake any of the following tasks:
- (a) restoration of supply following an unplanned outage;
  - (b) rectification of a dangerous situation including support requested by an emergency service;
  - (c) unplanned events that have a significant impact on the security of supply to a network.

- 2.2(11) A driver in *2.2(9)(b)* may extend their work time hours if the driver can provide evidence that they were required by the road controlling authority to undertake urgent repairs to restore road or bridge access.
- 2.2(12) A driver in *2.2(9)(c)* may extend their work time hours if the driver can provide evidence that they were required by the territorial authority to undertake urgent repairs to restore water or sewerage service.
- 2.2(13) A driver in *2.2(9)(d)* may extend their work time hours if the driver can provide evidence that they were required to undertake urgent repairs to minimise risk or restore gas supply following a break or interruption of the natural gas supply.
- 2.2(14) A driver in *2.2(9)(e)* may extend their work time hours if the driver can provide evidence that they were required by a local authority or the New Zealand Police to undertake urgent work.

[Note: 'Local authority' is a defined term.]

- 2.2(15) At the end of a cumulative work day during which work time hours have been extended to undertake a task in *2.2(10)* to *(14)*, a driver may return a vehicle to a depot if that journey does not exceed two hours' driving, provided that a 10-hour break is taken before undertaking further driving that is subject to work time hours.
- 2.2(16) A person who requires a driver to extend their work time hours in accordance with *2.2(10)* to *(14)*, must record the hours worked, the name of the person who worked those hours, and the situation that required the variation.
- 2.2(17) A record made under *2.2(16)* must be retained for a period of 12 months, and must be produced for inspection to an enforcement officer on demand.

**Logbook record following provision of emergency or essential services**

- 2.2(18) As soon as is practicable, a driver must record in their logbook the reason for exceeding work time requirements, and any additional hours, if the driver exceeds work time requirements following:
- (a) a priority call; or

- (b) the provision of an essential service under *2.2(9)*.

### **2.3 State of emergency**

- 2.3(1) During a state of emergency declared under the *Civil Defence Emergency Management Act 2002*, a driver may extend work time hours if the driver can provide evidence that they were directed by the Controller, or by any member of the Police, or any other person acting under their authority, to carry out emergency response work.
- 2.3(2) As soon as is practicable, a driver must record in their logbook the reason for exceeding work time requirements, and any additional hours, arising from emergency response work.

### **2.4 New Zealand Defence Force**

- 2.4(1) A driver of a vehicle operated by the New Zealand Defence Force in a country other than New Zealand may vary their work time hours in accordance with a New Zealand Defence Force work time management plan approved by the Director.
- 2.4(2) A driver of a vehicle operated by the New Zealand Defence Force in New Zealand may vary their work time hours, provided that:
- (a) the variation complies with terms and conditions set out in writing by the Director in accordance with *section 30ZA(1)(a)* of the Act; and
  - (b) a superior commander appointed under the *Armed Forces Discipline Act 1971* has authorised the variation for a specific deployment or exercise; and
  - (c) the commanding officer or other person in command of that driver carries a copy of the terms and conditions of the variation and produces it to an enforcement officer on demand.
- 2.4(3) For the avoidance of doubt, *2.4(2)* also applies to members of a visiting force in New Zealand.

[Note: 'Visiting force' is a defined term.]

## 2.5 Short-term variation of hours

[Note: Refer to *section 30ZA* of the Act, which gives the authority for the Director to consider variations of work time, and the conditions attached to that power.]

- 2.5(1) In order to meet short-term operational requirements, a transport service operator may apply for a variation of either:
- (a) allowable work time; or
  - (b) required rest breaks.

[Note: 'Transport service operator' is defined by reference to the Act.]

- 2.5(2) A variation must meet the following criteria:
- (a) the period for which the variation is sought may not exceed 14 days in total; and
  - (b) work time in any cumulative work period may not exceed 70 hours.

[Note: 'Cumulative work period' is a defined term.]

- 2.5(3) A variation under this clause may not be applied retrospectively.

### Process for seeking a variation

- 2.5(4) A transport service operator seeking a variation must apply in writing or electronically to the Director, stating:
- (a) the operational requirement and the variation sought to meet it; and
  - (b) the period for which the variation is sought; and
  - (c) the schedule of hours to be worked if the variation is approved; and
  - (d) the drivers involved (by name or job title); and
  - (e) evidence of consultation with the affected drivers; and
  - (f) any proposed change to the required rest breaks; and
  - (g) any mitigating factors in the proposed variation (for example, limits on driving undertaken between midnight and 6.00 am).

- 2.5(5) The Director must advise the applicant in writing or electronically of the outcome of the application.
- 2.5(6) The Director may attach conditions to a variation, when approving it.
- 2.5(7) A driver working within an approved variation must carry a printed copy of the approval at all times while operating a vehicle subject to work time requirements and produce it to an enforcement officer on demand.
- 2.5(8) A driver working within the terms of a variation must observe all the limits and conditions stated in the approval.

## **Section 3 Logbook coverage**

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### **3.1 Who must use logbooks?**

A driver subject to *section 30ZE* of the Act must maintain a logbook, unless the driver:

- (a) is a person to whom *section 4* of this Rule applies; or
- (b) has been granted an exemption under *section 30ZA* of the Act.

### **3.2 Period in which a logbook must be maintained**

- 3.2(1) Logbook entries must show the extent of the cumulative work day and the cumulative work period.
- 3.2(2) Logbook entries must record when the most recent 10-hour break was taken.
- 3.2(3) Logbook entries must record the period back to (and including) the last 24-hour break.
- 3.2(4) Logbook entries must be maintained until the next 24-hour break is taken at the end of that cumulative work period.

[Note: Refer to *section 30ZE(2)* of the Act, which requires that the logbook in current use, and any previous logbook that covers that cumulative work period, must be carried by the driver at all times when driving a vehicle to which *section 30ZE* applies.]

#### *Example 1:*

A driver starts work on Monday 3 June at 8.00 am, having worked neither Saturday 1 June nor Sunday 2 June. She spends Monday and Tuesday mainly around the office, with the only driving being a light van for local deliveries (no logbook required if it is under 3500 kg).

On Wednesday 3 June, she begins a scheduled long-distance goods delivery run in a truck requiring a Class 3 licence. She finishes work driving a light van on Saturday 8 June.

Her logbook must cover the period back to 8.00 am on Sunday 2 June. The Sunday does not require a detailed logbook entry. The log page related to Monday only requires a note that Sunday was a day off work. There must also be a logbook entry for Saturday 8 June, as part of that work period.

**Example 2:**

Another driver has Sunday 2 June off, starts work on Monday 3 June, and finishes the last page of the previous logbook on Thursday 5 June. A new logbook is used from Friday 6 June.

His next 24-hour break is on Sunday 8 June.

The 'old' logbook and 'new' logbook must be carried by the driver until Sunday 8 June – after that point, the 'new' logbook will show the most recent 24-hour break.

### 3.3 Secondary or parallel employment

The requirement to keep a record of all work time and rest time in a logbook applies regardless of whether or not a driver works for more than one employer, and even if one of those employers is not involved in a transport service.

[Note: 'Transport service' is a defined term.]

**Example:**

Someone who works mornings setting out stock in a supermarket, where driving is not part of the job, still has to record those hours if that person spends the rest of the work day driving a taxi (which does require a logbook).

### 3.4 Alternative approved means of recording

3.4(1) Alternative means of recording approved by the Director are, with necessary modifications, logbooks for the purposes of this Rule.

[Note: Refer to *section 30ZG* of the Act, which empowers the Director to approve (and revoke) an alternative means of recording matters relevant to the monitoring of work time that would otherwise be recorded in a logbook. These may include approved electronic recording systems or devices.]

#### Application for new approvals

3.4(2) Any person may apply to the Director in writing to have an alternative system of recording work time approved.

3.4(3) An application under *3.4(2)* must specify:

- (a) the data to be collected; and
- (b) how data is transferred and subsequently managed by the operator; and
- (c) how drivers using the system will be identified; and

- (d) what measures will be in place to prevent tampering with the devices or records; and
  - (e) how enforcement officers may access records.
- 3.4(4) The Director must advise the applicant in writing of the outcome of the application and if granting an approval may impose conditions.
- 3.4(5) The Director must publicise an approval under this clause by notice in the *Gazette*.

**Effect of approval**

- 3.4(6) A driver whose work time hours are being recorded by an approved alternative recording system does not have to maintain a logbook in a form specified in the *Schedule* in respect of those hours.
- 3.4(7) Despite 3.4(6), a driver or a transport service operator using an approved alternative means of recording must produce, without delay, any record specified in the approval when required to do so by an enforcement officer.

## Section 4 Exemptions from requirement to maintain logbooks

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### 4.1 General requirement

- 4.1(1) A driver must record all work for each day within a cumulative work period if required to maintain a logbook for any part of that period.

[Note: Refer to *section 30ZA(1)(b)* of the Act, which empowers the Director to grant partial or total written exemptions from some or all of the requirements to maintain logbooks.]

- 4.1(2) Despite *4.1(1)*, a driver of a vehicle operated in an emergency service who is otherwise required to maintain a logbook must make a record in their logbook of any driving or other duties undertaken in respect of a priority call as soon as is practicable.
- 4.1(3) For the avoidance of doubt, *4.8* does not apply to exemptions specified in *4.3* to *4.7*.
- 4.1(4) For the avoidance of doubt, an exemption from the requirement to maintain a logbook is not an exemption from work time requirements.

[Note: Refer to *section 30ZH(2)* of the Act, which states that carriage and production of a logbook is required only when driving a vehicle subject to logbook use. An emergency service may be called upon to provide operational records under *section 113A* of the Act.]

### 4.2 General duty of proof

- 4.2(1) A driver to whom this section applies must offer details, on demand by an enforcement officer, to show that they are complying with the applicable conditions of this section or with an exemption granted by the Director under *section 30ZA* of the Act.
- 4.2(2) An individual granted an exemption from the use of logbooks issued by the Director under *section 30ZA* of the Act must comply with *1.3(2)*.

[Note: *Subclause 1.3(2)* requires the exemption to be carried and produced to an enforcement officer.]

- 4.2(3) If, under *section 30ZA* of the Act, an exemption is issued to a company, a copy of the exemption must:

- (a) be carried by each of the company's drivers who is subject to work time requirements and include contact details of a company representative; and
- (b) be produced by the driver to an enforcement officer on demand.

[Note: Refer to *section 30ZA(3)* of the Act, which allows the Director to revoke by notice in writing any exemption from logbook use if the Director considers that conditions have been breached.]

### **4.3 Emergency services and New Zealand Defence Force**

#### **Armed forces**

- 4.3(1) A driver of a vehicle that is operated by the New Zealand Defence Force does not have to maintain a logbook.

#### **Police**

- 4.3(2) A driver of a vehicle that is operated by the New Zealand Police does not have to maintain a logbook.

#### **Ambulance services**

- 4.3(3) A driver of a vehicle operated by an ambulance service does not have to maintain a logbook.

[Note: 'Ambulance service' is a defined term.]

#### **Fire brigades**

- 4.3(4) A driver of a vehicle that is operated by a fire brigade does not have to maintain a logbook.

### **4.4 Exemptions by vehicle type**

#### **Farm vehicles**

- 4.4(1) A driver of a vehicle, the registered owner of which is the owner or manager of a farm, or a farm employee, does not have to maintain a logbook, provided that the vehicle is only driven within a 50-km radius of that farm and is used:

- (a) in an agricultural operation that is related directly to the management of that farm; or

- (b) on a road to transport farm products, farm implements, stock, or farm requisites of any kind.

### **Other agricultural vehicles**

- 4.4(2) A driver of an agricultural harvester that travels less than 50 km on a road in a natural day does not have to maintain a logbook.

### **Motor homes**

- 4.4(3) The driver of a motor home does not have to maintain a logbook if the motor home complies with the conditions in 4.4(4).
- 4.4(4) A motor home must:
- (a) be permanently fitted out for accommodation by the inclusion of sleeping and cooking facilities; and
  - (b) have more than half of the vehicle floor area (including the floor area of both tractor and trailer if a combination vehicle) fitted out for accommodation.

[Note: 'Combination vehicle' is a defined term.]

### **Recreational vehicles**

- 4.4(5) A driver of a recreational vehicle that would require a Class 2 licence to be driven does not have to maintain a logbook.

[Note: 'Recreational vehicle' is a defined term.]

- 4.4(6) A driver of a vintage heavy vehicle does not have to maintain a logbook.

[Note: 'Vintage heavy vehicle' is a defined term.]

### **Special type vehicles**

- 4.4(7) A driver of a special type vehicle does not have to maintain a logbook if the vehicle requires a Class 1 or Class 2 licence to be driven.

[Note: 'Special type vehicle' is a defined term.]

- 4.4(8) A driver of a vehicle constructed or permanently adapted to perform roadside maintenance tasks, such as trimming shelter belts or hedges, does not have to maintain a

logbook if the vehicle requires a Class 1 or Class 2 licence to be driven.

## **4.5 Exemptions by vehicle service**

### **Goods vehicles used within 50 km of base of operations**

4.5(1) A driver of a goods vehicle does not have to maintain a logbook if the vehicle requires a Class 1 or Class 2 licence to be driven and:

- (a) is operated only within a 50-km radius of the vehicle operator's usual business location; or
- (b) is driven within a 50-km radius from a base of operations.

[Note: 'Base of operations', 'Goods vehicle', and 'Usual business location' are defined terms. 'Goods service vehicle' is defined by reference to the Act.]

### **Vehicle recovery service vehicles**

4.5(2) A driver of a vehicle recovery service vehicle does not have to maintain a logbook, provided that the driver completes and retains tow authorities as an equivalent record of their work time hours.

[Note: 'Tow authority' is a defined term. 'Vehicle recovery service vehicle' is defined by reference to the Act.]

### **Urban bus services**

4.5(3) Subject to 4.5(4) and 4.5(6), a driver of an urban bus, who is working a defined schedule of routes and times, does not have to maintain a logbook if the following conditions are complied with:

- (a) the routes are registered with the relevant regional council;
- (b) the routes driven do not exceed 100 km from terminus to terminus.

[Note: 'Urban bus' is a defined term.]

4.5(4) For the purposes of 4.5(3), a schedule includes time taken to drive a bus to the beginning of the first scheduled trip, and the time taken to return to the depot at the completion of the last scheduled trip.

- 4.5(5) A driver of a bus engaged in scheduled work under *4.5(3)*, including off-peak charter work (that is, driving a bus to and from a specified point for a specified group as part of an event or activity such as a sports function), does not have to keep a logbook, provided that the charter driving:
- (a) occurs between 8.00 am and 6.00 pm, Monday to Friday (inclusive); and
  - (b) is within a 50-km radius of the depot where the bus is normally garaged; and
  - (c) is in accordance with a schedule allocated to the driver in writing, including the required rest breaks.
- 4.5(6) A driver of an urban bus must carry a copy of a document showing the routes and times allocated to that driver for that day, and must show it on demand to an enforcement officer.
- 4.5(7) Despite *4.5(5)*, a logbook must be maintained for bus driving:
- (a) for routes or charter tasks covering a distance of more than 100 km; or
  - (b) when work is undertaken outside the scheduled hours (for example, extending work time hours for another driver's absence).

### **School bus services**

- 4.5(8) A driver of a school bus does not have to maintain a logbook.

[Note: 'School bus' is a defined term.]

## **4.6 General exemptions by situation**

### **Off-road vehicles**

- 4.6(1) A driver of a vehicle used only in an area to which the public does not have access as of right does not have to maintain a logbook.
- 4.6(2) A driver of a vehicle does not have to maintain a logbook, provided that the vehicle is only being operated within a defined construction zone under the control of an approved temporary traffic management plan.

- 4.6(3) A driver of a vehicle only using public roads at designated crossing points approved by the road controlling authority does not have to maintain a logbook.

*Example:*

An individual starts the day driving a bus taking forestry workers from a town to the current work site, before driving a log stacker (off road) for the remainder of the work day.

Because a logbook must be completed for the bus driving, then the record for the day must show all work time activities.

**Aircraft refuelling**

- 4.6(4) A driver of an aircraft-refuelling vehicle that does not travel on a road, or that is driven only within a 3-km radius of the control tower of an international airport, does not have to maintain a logbook.

**Vehicles under repair or being demonstrated or awaiting assembly**

- 4.6(5) A driver does not have to maintain a logbook if the driving occurs within a 50-km radius of the enterprise's usual business location and a load is not being carried for hire or reward; and
- (a) the vehicle is under mechanical repair or is being used solely for road testing; or
  - (b) the driver's duties are solely concerned with sales, servicing, or demonstration of new or used vehicles; or
  - (c) the vehicle is a vehicle that:
    - (i) has not been registered in New Zealand; and
    - (ii) is moving within a 50-km radius of the operator's usual business location; and
    - (iii) is displaying trade plates or is exempted from registration by clause 6 of *Schedule 1* of the *Transport (Vehicle Registration and Licensing) Regulations 1994*; and
    - (iv) is being operated under an annex C conditional permit.

[Note: 'Annex C conditional permit' is a defined term.]

**Vehicles under test**

- 4.6(6) A driver of a vehicle driven solely for the purpose of obtaining evidence of vehicle inspection does not have to maintain a logbook, provided that the vehicle is driven:
- (a) directly between the nearest location at which evidence of vehicle inspection can be issued, and the operator's usual business location; or
  - (b) in the immediate vicinity of the inspection location for necessary testing.
- 4.6(7) An enforcement officer testing a vehicle for safety or other compliance in the immediate vicinity of the inspection location does not have to maintain a logbook.

**Local authorities**

- 4.6(8) A driver who is an employee of a local authority and for whom driving is secondary to their principal employment does not have to maintain a logbook for driving a vehicle owned or leased and operated by the local authority.
- 4.6(9) *Subclause 4.6(8)* does not apply if the employee is driving a passenger service vehicle for the local authority.

[Note: 'Passenger service vehicle' is defined by reference to the Act.]

**Rubbish collection**

- 4.6(10) A driver of a vehicle that is operated solely as part of a domestic rubbish collection service operated by or under contract to a local authority does not have to maintain a logbook, provided that the driving takes place between the hours of 5.00 am and 7.00 pm, Monday to Saturday (inclusive).

**Services on Great Barrier Island, Stewart Island or the Chatham Islands**

- 4.6(11) A driver of a vehicle driven only on Great Barrier Island, Stewart Island or the Chatham Islands does not have to maintain a logbook.

## **4.7 Inability to complete logbooks**

- 4.7(1) A person who suffers from a medical or other condition that results in an inability to keep a logbook may, upon application to the Director, be issued with a notice that confirms that the person does not have to maintain a logbook.
- 4.7(2) An application under 4.7(1) must include a statement by a medical practitioner providing the grounds for granting the exemption.
- 4.7(3) The Director may impose conditions on a notice issued under 4.7(1) (such as a requirement to keep records of work time in a different form).
- 4.7(4) A notice issued under 4.7(1) must be carried by the driver and must be produced to an enforcement officer on demand.

## **4.8 Application for logbook exemption**

An application for an individual exemption from logbook use must include:

- (a) the contact details of the applicant or company representative; and
- (b) the types of transport operation undertaken; and
- (c) the range of duties that drivers are expected to undertake; and
- (d) the names, driver licence numbers and job titles of drivers to be exempted; and
- (e) a record of hours that is in place at the time of application.

## **Section 5    Managing logbooks**

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### **5.1            Form of the logbook**

- 5.1(1)            Except as provided in *8.1(4)*, a logbook must be in a form prescribed in the *Schedule*.
- 5.1(2)            A proposed logbook form, including any explanatory notes to be included on the cover or elsewhere, must be approved by the Director before the forms are printed.
- 5.1(3)            The book code must be printed on each page of the logbook form.
- 5.1(4)            The cover of the logbook must include reference to approval by the Director, and provide a space for the driver to enter his or her name, or their unique identifier.

[Note: 'Unique identifier' is a defined term.]

- 5.1(5)            A person who drives a vehicle subject to work time requirements must use either an approved general use logbook form or an approved taxi logbook form.
- 5.1(6)            A driver who is an employee must use a three-copy logbook form, and a self-employed driver may use a two-copy logbook form, and both must use the logbook in the manner prescribed in the *Schedule*.

### **5.2            Mandatory requirements**

- 5.2(1)            A driver must enter his or her name or unique identifier in the space provided on the cover of the logbook.
- 5.2(2)            Subject to *5.3*, a driver must record on each page for the period that the logbook must be maintained:
- (a)    the driver's name; and
  - (b)    the date on which the logbook page starts; and
  - (c)    the registration plate details, and for vehicles subject to road user charges start and finish distance recorder readings, of all vehicles subject to work time requirements that have been driven in each cumulative work day; and

- (d) the start time and finish time, with a location for each, for all work time hours; and
- (e) the start time, finish time, and location of all rest breaks.

[Note: 'Road user charges' and 'Distance recorder' are defined terms.]

5.2(3) A driver using an approved general use logbook form must also complete the activity grid.

[Note: Completing the *Summary of hours* panel is not a legal requirement.]

5.2(4) The details in 5.2(1), 5.2(2) and 5.2(3) must be recorded legibly.

[Note: Refer to sections 30ZD and 30ZH of the Act for requirements relating to records and logbooks.]

### **5.3 Period of recording**

5.3(1) A logbook record must be a continuous record of work time and rest time within a cumulative work period.

5.3(2) For the avoidance of doubt, logbook records within a cumulative work period must consistently start at midnight or midday, as set by the first cumulative work day within that cumulative work period.

### **5.4 Events to be recorded**

Whenever a delay causes, or is likely to cause, the work time limits for that day or the cumulative work period to be exceeded, the event and the extent of the delay must be recorded in the logbook.

### **5.5 Managing the records**

5.5(1) The completed original ('driver') copy of each page must be left in the logbook.

5.5(2) An employed driver must remove each 'record' copy at the end of a cumulative work period and hand it to their employer within 14 days of the date of the record being made.

- 5.5(3) Each enforcement ('enforce') copy must be left in the logbook unless an enforcement officer removes it under *section 30ZH(3)* of the Act.

[Note: An employer must retain records provided by an employee under *5.5(2)* for a period of 12 months from the date the record was made, as required by *section 30ZH(1)(b)* of the Act.]

## **5.6 Accounting for days off work**

- 5.6(1) Logbook pages do not have to be completed for days when work is not undertaken.
- 5.6(2) A driver must note in the logbook on their first work day the dates of any days off, if annual leave of one or more days has been taken or work has resumed after one or more natural days when work is not undertaken.

## **Section 6    Alternative fatigue management schemes**

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### **6.1            General requirement**

A person may not operate an alternative fatigue management scheme unless it has been approved in writing by the Director.

### **6.2            Registration of interest**

6.2(1)        Every applicant completing a registration of interest for approval to operate an alternative fatigue management scheme must be a licensed transport service operator.

6.2(2)        The Director may consider a registration of interest for an alternative fatigue management scheme that is:

- (a)        operated by a person who provides a transport service under contract, other than a contract of employment, to an applicant for a scheme or the holder of an approved scheme; and
- (b)        authorised in writing by that applicant for a scheme or the holder of an approved scheme; and
- (c)        is managed by the same person or persons; and
- (d)        has the same operating limits and countermeasures; and
- (e)        can only be used when providing transport services to the holder of that scheme.

6.2(3)        An applicant must complete a registration of interest form, and provide to the Director in writing the information specified in *6.2(4)*.

6.2(4)        A registration of interest form must include:

- (a)        a description of the business and types of operation for which the registration of interest is being lodged; and
- (b)        a statement signed by the applicant, confirming that:
  - (i)        the application and any included documents accurately describe the business, and provide the names of the persons managing it; and

- (ii) the persons named in the application have the authority to negotiate the terms of a scheme on behalf of the applicant.

6.2(5) The Director must consider the registration of interest, seeking further particulars if necessary, taking into account:

- (a) the applicant's safety record; and
- (b) the applicant's operator safety rating (if any); and
- (c) the extent of existing fatigue monitoring and compliance by the applicant.

6.2(6) The Director must advise the applicant in writing of the outcome of the registration of interest.

### **6.3 Application for assessment and approval**

6.3(1) An applicant whose registration of interest has been accepted must:

- (a) complete a form approved by the Director and submit it with any additional information in support of the application; and
- (b) consult with any representatives of the drivers covered by the relevant transport service licence (including, but not limited to, unions) or with the drivers or contractors who will be covered by the proposed scheme, where no representation is in place.

6.3(2) When submitting the application for the Director's approval, the applicant must pay the appropriate fee or fees (if any) specified or assessed in accordance with regulations made under the Act.

### **6.4 Information required for assessment and approval**

6.4(1) An application submitted to the Director for assessment and approval must include:

- (a) a statement of the applicant's driver fatigue management policy;

- (b) the name, title, and contact details of the person with overall responsibility for managing the scheme and ensuring compliance with it;
  - (c) the titles and names of persons who are to manage and supervise the scheme;
  - (d) a summary of the duties and responsibilities of those persons referred to in *paragraph (c)* in relation to the scheme;
  - (e) the names and driver licence details of all employed drivers operating under the scheme;
  - (f) the names, driver licence numbers, and transport service licence details of any contractors who have the applicant's permission to apply to establish a scheme under joint management in accordance with *6.2(2)*;
  - (g) details of the applicant's proposed alternative fatigue management scheme, including:
    - (i) a definition of the normal limits to hours of work, operating limits, and countermeasures to be applied before, in the course of, and after normal limits are exceeded;
    - (ii) incident and accident reporting and investigation procedures;
    - (iii) education and training requirements, and procedures to record education and training;
    - (iv) internal review procedures to verify that the scheme is being complied with and to ensure effective corrective and preventative actions are taken when required;
    - (v) any other related matter that the Director considers necessary.
- 6.4(2) The Director may consider supporting information submitted by the applicant.
- 6.4(3) The Director may request the applicant to make an oral submission in support of the application.
- 6.4(4) The Director may require a review of the matters described in the application, to ensure that they are properly

provided for and that appropriate capability exists to implement the scheme on an ongoing basis.

## **6.5 Approval**

6.5(1) The Director may:

- (a) approve the alternative fatigue management scheme as described in the application; or
- (b) request additional information from the applicant; or
- (c) require changes to the details described under *6.4(1)(g)*, which may be resubmitted for approval; or
- (d) reject the application if it does not meet the criteria in *6.4*.

6.5(2) The Director must advise the applicant in writing of the outcome of the application.

6.5(3) If the alternative fatigue management scheme is approved, the Director must publish a notice in the *Gazette* stating to whom approval has been granted and the term of the approval.

## **6.6 Effect of approval**

6.6(1) An approved alternative fatigue management scheme authorises the holder to conduct the operations described in the scheme in accordance with its terms and conditions.

6.6(2) The holder of an approved alternative fatigue management scheme must:

- (a) maintain accurate records of each employee or contractor covered by the scheme and any scheme under joint management, including the details of relevant experience, qualifications, training and refresher training of each employee or contractor covered by the scheme; and
- (b) maintain all operational records specified in the approval, including, but not limited to, internal reviews, non-compliance reports, incident and

- accident reports, schedules and rosters, trip records, and fatigue countermeasures adopted; and
- (c) hold prior versions of the terms and conditions if the Director approves a change under *6.6(9)*; and
  - (d) retain those records for at least one year from the date of creation.
- 6.6(3) Records must be maintained for at least one year from the date of their creation even where an alternative fatigue management scheme has ceased to exist.
- 6.6(4) All drivers or contractors covered by an alternative fatigue management scheme, or persons involved in administering the scheme, must comply with the requirements of the approval.
- 6.6(5) An employed driver or contractor working within an approved alternative fatigue management scheme must, instead of complying with the work time and rest time requirements in the Act or in *section 2*, comply with the operating limits and countermeasures described in the scheme.
- 6.6(6) A driver or contractor working within an approved alternative fatigue management scheme must keep the records required by the scheme.
- 6.6(7) A driver working under the terms of an approved alternative fatigue management scheme must, at all times while operating a vehicle that would otherwise be subject to work time requirements, carry a copy of a letter signed by the Director, outlining the conditions of the scheme and providing contact details for the holder of the scheme, and must produce the letter to an enforcement officer on demand.
- 6.6(8) The holder of the alternative fatigue management scheme must advise the Director of:
- (a) any change in the person or persons managing the scheme, or their contact details;
  - (b) the name and driver licence number of any driver who has left the scheme or who is to be added to its coverage.

- 6.6(9) The holder of an approved alternative fatigue management scheme may not alter the operating limits or countermeasures specified in the approval without authorisation in writing from the Director.

## **6.7 Conditions**

- 6.7(1) The term of the alternative fatigue management scheme is subject to the following conditions:

- (a) the scheme remains in force up to a maximum of five years or until it expires (whichever is the earlier), or until it is suspended or revoked by the Director by written notice to the applicant;
- (b) if the associated transport service licence is suspended or revoked, the scheme is also suspended or revoked;
- (c) an application for renewal must be made not less than 60 days before the expiry date for the scheme.

[Note: 'Transport service licence' is defined by reference to the Act.]

- 6.7(2) The Director may audit compliance with the scheme at any time during the term of the scheme.

## **Section 7    Approved courses**

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### **7.1            Process**

The provisions of *clauses 93 to 103 of Land Transport (Driver Licensing) Rule 1999* apply, with necessary modifications, with regard to:

- (a) the approval of courses that address work time requirements, fatigue management, and logbook use; and
- (b) the approval of course providers; and
- (c) conditions attached to those approvals.

### **7.2            Content**

A work time and logbook course specifically designed as a directed course for the purposes of *section 79O(a)(ii)* of the Act must require a person who has completed the course to demonstrate the following skills and attributes:

- (a) an understanding of the legal requirements to limit work time;
- (b) the ability to maintain a logbook correctly unless exempted under *4.7*;
- (c) an understanding of the risks associated with driving while fatigued;
- (d) an understanding of life-management skills designed to mitigate fatigue;
- (e) the ability to monitor driving performance, and take appropriate countermeasures when fatigue impairment is detected.

## **Section 8 Transition**

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### **8.1 Logbooks and exemptions**

- 8.1(1) For the avoidance of doubt, the following requirements apply from 1 October 2007:
- (a) the limits to work time stated in the Act or in this Rule, and the requirements to take rest time;
  - (b) the exemptions from logbook use specified in *section 4*;
  - (c) the period for which logbook entries must be maintained (specified in *3.2*);
  - (d) when copies of completed logbook records must be handed to employers.
- 8.1(2) Up to 1 April 2008, existing exemptions from logbook use or driving hours issued under the *Transport Act 1962*, whether provided to an individual driver or to the persons employed by a transport service operator, continue to have effect (with any necessary modifications).
- 8.1(3) On or after 1 April 2008, all exemptions listed in the *Transport (Driving Hours Logbook Exemption) Notice 2003*, or any exemption authorised under the *Transport Act 1962*, cease to have effect.
- [Note: Revocation occurs under *section 100* of the *Land Transport Amendment Act 2005*.]
- 8.1(4) Up to 1 July 2008, instead of the logbook forms prescribed in the *Schedule*, logbook forms that were approved for use under the *Transport Act 1962* may be used to record work time undertaken during that period.
- 8.1(5) Up to 1 July 2008, logbook forms may be completed either:
- (a) in the manner previously required under the *Transport Act 1962*, or
  - (b) in accordance with the requirements in *5.2*.
- 8.1(6) On or after 1 July 2008, the only means by which work time may be recorded are:
- (a) a logbook form prescribed in the *Schedule*, or

- (b) an alternative means of recording approved by the Director; or
- (c) tow authorities, in respect of drivers of vehicle recovery service vehicles.

## Part 2 Definitions

<b>Act</b>	means the <i>Land Transport Act 1998</i> .
<b>Alternative fatigue management scheme</b>	means a systematic process for monitoring and managing driver fatigue, that is undertaken by a transport service operator and approved by the Director in accordance with <i>section 30ZA(1)(c)</i> of the Act.
<b>Ambulance service</b>	means a service that complies with the requirements in <i>NZS 8156:2002 Ambulance Sector Standard</i> .
<b>Annex C conditional permit</b>	has the same meaning as it has in <i>Land Transport Rule: Vehicle Standards Compliance 2002</i> .
<b>Base of operations</b>	means a site office established for at least 24 hours to manage a contract of works, or a local depot, to which drivers report daily for assignment of tasks or to commence driving.
<b>Combination vehicle</b>	means a towing vehicle in combination with one or more trailers or other motor vehicle that is being towed.
<b>Cumulative work day</b>	means a period: <ul style="list-style-type: none"> <li>(a) during which work occurs; and</li> <li>(b) that: <ul style="list-style-type: none"> <li>(i) does not exceed 24 hours; and</li> <li>(ii) begins after a continuous period of rest time of at least 10 hours.</li> </ul> </li> </ul>

- Cumulative work period** means a set of cumulative work days between continuous periods of rest time of at least 24 hours.
- Director** means the Director of Land Transport appointed under *section 186* of the Act.
- Distance recorder** has the same meaning as it has in the *Road User Charges Act 1977*.
- Emergency** means:
- (a) a state of emergency; or
  - (b) an incident attended by an emergency service; or
  - (c) an event requiring immediate action to save life or prevent serious injury.
- Emergency service** means the New Zealand Police, New Zealand Fire Service, any fire brigade, or an ambulance service.
- Fire brigade** includes:
- (a) a fire brigade, a volunteer fire brigade, a defence fire brigade, and an industrial fire brigade (as those terms are defined in *section 2* of the *Fire Service Act 1975*); and
  - (b) an airport fire brigade; and
  - (c) a rural fire party; and
  - (d) the employed firefighters or other members of any fire brigade referred to in this definition.
- Goods vehicle** means:
- (a) a goods service vehicle; and

- (b) a light motor vehicle used to carry goods for hire or reward.

**Goods service vehicle** has the same meaning as it has in *section 2(1)* of the Act.

**Large passenger service vehicle** has the same meaning as it has in *section 2(1)* of the Act.

**Local authority** means a local authority within the meaning of the *Local Government Act 2002*.

**Logbook** means a logbook that is in a form prescribed in the *Schedule*, or any alternative means approved by the Director under *section 30ZG* of the Act.

**Natural day** means a period of 24 hours that begins on midnight on one day and ends on midnight on the following day.

**Operate** in relation to a vehicle, means to drive or use the vehicle on a road, or cause or permit the vehicle to be on a road or to be driven on a road, whether or not the person is present with the vehicle.

**Passenger service vehicle** has the same meaning as it has in *section 2(1)* of the Act.

**Priority call** means an incident where life or property is, or is believed to be, at imminent risk and to which an emergency service responds in a time-critical manner; and includes:

- (a) a fire or a fire alarm; and
- (b) a transport accident; and
- (c) a medical incident attended by an ambulance service.

- Record** includes:
- (a) an original logbook entry page; and
  - (b) any carbon or other self-produced copy, whether in duplicate or triplicate, held in or removed from a logbook; and
  - (c) an alternative means of recording approved by the Director under *section 30ZG* of the Act.
- Recreational vehicle** includes a private vehicle towing another vehicle such as a caravan or boat trailer; but does not include a vehicle that is used for hire or reward, or that performs a service on behalf of, or under the direction of, any commercial enterprise.
- Rest break** means a period of rest time taken within a cumulative work day.
- Rest time** means all time that:
- (a) is not work time; and
  - (b) is at least 30 minutes in duration; and
  - (c) is not spent in a moving vehicle associated with work.
- Road user charges** has the same meaning as it has in the *Road User Charges Act 1977*.
- School bus** means a bus that is used, whether or not for hire or reward:
- (a) for transporting (in addition to the driver) school children to or from school with or without their teachers or caregivers; or

- (b) for transporting school children to or from a school function.

**Short fare** means a single taxi hire where the distance driven between where the passenger is picked up and set down is less than 100 km.

**Special type vehicle** has the same meaning as it has in the *Land Transport (Driver Licensing) Rule 1999*.

**Taxi** has the same meaning as it has in *section 2(1)* of the Act.

**Tow authority** means a form, approved under *10.9(2)* of *Land Transport Rule: Operator Licensing 2007*, that must be completed by the driver of a vehicle recovery service vehicle before towing a vehicle away.

**Transport service**

- (a) means any goods service, passenger service, rental service, or vehicle recovery service; but
- (b) does not include:
  - (i) a service under the *Railways Act 2005*; and
  - (ii) any service specified as an exempt transport service in the regulations or the rules.

**Transport service licence** has the same meaning as it has in *section 2(1)* of the Act.

**Transport service operator** has the same meaning as it has in *section 2(1)* of the Act.

**Unique Identifier** has the same meaning as it has in *Land Transport Rule: Operator Licensing 2007*.

**Urban bus** means a large passenger service vehicle used on a regular route in a city, metropolitan area or district to convey fare-paying passengers.

**Usual business location** means the depot, office or other location where the vehicle is normally garaged when not being driven or the location from which drivers are normally assigned tasks or commence work.

**Variation** means any change to, or extension of, the work time limits set by the Act.

**Vehicle recovery service vehicle** has the same meaning as it has in *section 2(1)* of the Act.

**Vintage heavy vehicle** means a motor vehicle requiring a Class 2, 3, 4, or 5 driver licence to be operated, which was manufactured at least 40 years ago and which is no longer in commercial use.

**Visiting force** has the same meaning as it has in *section 4* of the *Visiting Forces Act 2004*.

**Work time** has the same meaning as it has in *section 2(1)* of the Act.

# Part 3 Schedule

## Schedule Logbook form

### Part 1 Prescribed forms

#### 1.1 General use logbook form

Driver name		Start time for page	Noon / midnight	Date	
Hours	Rest time	Work time	Location (of each change) Remarks	Registration Driven vehicle	Distance Record for vehicles subject to RUC
12					
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					

**Driver copy stays in the book AB-CDEF 00**

All work must be recorded, including other employment.

No more than 13 hours work time in any 24 hours — 10-hour break between days.

No more than 70 hours work time before taking a 24-hour break.

Record copy must be given to **employer** within 14 days.

End of last 24-hour break (date)	Work time hours — today	+ previous total for cumulative work period	= total hours in this cumulative work period
		+	=



1.3 Components of the General use logbook form

General use logbook form

Driver name		Start time for page	Noon / midnight	Date	
Hours	Rest time	Work time	Location (if each change) Remarks	Registration Driven vehicle	Distance Record for vehicles subject to RUC
12					
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## Part 2 Further requirements

### 2.1 Format requirements

<b>Page size</b>	Minimum A5, Maximum A4 with intermediate page sizes permissible; a page that is 150 mm x 250 mm, for example, would comply.
<b>Font size</b>	Minimum 8 pt in a plain font.
<b>Visual division</b>	Any additional information should be divided from the components specified by this Rule either by a ruled line, or shading of those portions of the page, or the use of a distinctive font.
<b>Duplicates</b>	<p>A. An employed driver must use a form printed with <b>3</b> (self-carbonating) copies for each page:</p> <ul style="list-style-type: none"> <li>• an original page (“driver” copy) (WHITE)</li> <li>• a duplicate page (employer or “record” copy) (YELLOW)</li> <li>• a triplicate page (“enforce” copy) (PINK)</li> </ul> <p>B. A self-employed driver may use a form printed with <b>2</b> (self-carbonating) copies for each page:</p> <ul style="list-style-type: none"> <li>• an original page (“driver” copy) (WHITE)</li> <li>• a duplicate page (“enforce” copy) (PINK).</li> </ul>

### 2.2 Identification details

<b>Book code</b>	Code reproduced on every page of, and unique to, this logbook.  Must follow the form AB-CDEF, where the first two letters (allocated by the Director) designate the printer or other company producing the logbook, and CDEF are letters allocated by the printer to distinguish this logbook.
<b>Page code</b>	Sequential number (01 to 99 or end page) reproduced on each copy of the page.
<b>Approval</b>	Front cover must include wording to the effect that this form has been approved by the Director, and the date (month and year) of that approval.
<b>Name of holder</b>	Front cover must include a space for the driver using this logbook to insert his or her name or unique identifier, if relevant.  Must be associated with advisory text: “This logbook is for the sole use of the person whose name is recorded on this cover.”

### Part 3 Variations on the prescribed forms

<b>Copy label</b>	May be printed at the top right or bottom right of each page.
<b>Book code and page number</b>	Must be placed together, and may be printed at the top left or bottom right of each page.
<b>Advisory text</b>	May be printed at any position on each page, or on the inside cover of the logbook.  Further instructions on how to complete the logbook form may be added to the advisory text.
<b>Additional Information</b>	May be added to the right of, or below, the prescribed components.

All other prescribed components for a logbook form must, as far as is practicable, appear in the format shown in this *Schedule*.

## Part 4 Using the logbook form

Please note that all details must be clearly legible. Mandatory requirements for completing the form are specified in 5.2. When a mistake is made in completing a page, and it cannot be easily corrected, do not remove that page from the logbook but instead cross it out and write “cancelled” on that page, and start a new page for that day immediately following the page that is cancelled.

Where alternative forms are given, either is an acceptable way to complete that field.

NAME	<i>Either</i> Initials and family name  <i>or</i> First and family name	J. R. Ewing  John Ewing
DATE	<i>Either</i> Day/ Month/ Year as numbers  <i>or</i> Day/ Month/ Year in mixed format	6/11/07  6 Nov 07
LOCATION	Suburb <b>must</b> be included if the location forms part of a designated city (schedule 2 of the Local Government Act 2002)  <i>otherwise</i> only the town/city location needs to be entered.	Maori Hill Dunedin  Marton
REMARKS	Comments can include: <ul style="list-style-type: none"> <li>• days off or on leave</li> <li>• notes on cause and extent of significant delays</li> </ul>	
DRIVEN VEHICLE	Record each vehicle subject to work time requirements; private car should not be included, even where it is used for work-related duties.	
REGISTRATION	Registration plate number	AHE 364
DISTANCE RECORD	(For vehicles subject to Road User Charges)  Use reading from Hubodometer if the vehicle is fitted with one.  Otherwise use odometer reading  Must enter start and end readings for each vehicle subject to work time that is driven.	
TIMES	Times can be <i>either</i> a.m./ p.m. <i>or</i> 24-hour clock	9:17 a.m.  0917
WORK TIME START	<i>Either</i> when paid employment begins <i>or</i> when driving a vehicle subject to work time requirements commences – <i>whichever is earliest</i>	
WORK TIME FINISH	<i>Either</i> when paid employment ends <i>or</i> when driving a vehicle subject to work time requirements finishes – <i>whichever is latest</i>	
REST BREAKS	Times and locations must be entered for <i>each</i> break	

