



## HEAVY VEHICLE NATIONAL LAW

### National Heavy Vehicle Queensland Electricity Entity Fatigue Record Keeping Exemption Notice 2021 (No 1)

#### 1 Purpose

The purpose of this Notice is to exempt record keepers for drivers of fatigue-regulated heavy vehicles carrying out activities on the works of an Electricity Entity from the requirement to comply with stated provisions of Division 3 of Part 6.4 of Chapter 6 of the *Heavy Vehicle National Law* and to specify the conditions of operating under this Notice.

#### 2 Authorising Provision(s)

This notice is made under Section 378 of the *Heavy Vehicle National Law* as in force in Queensland.

#### 3 Title

This notice may be cited as the *National Heavy Vehicle Queensland Electricity Entity Fatigue Record Keeping Exemption Notice 2021 (No.1)*.

#### 4 Commencement

This notice commences on 16 July 2021.

#### 5 Expiry

This notice expires on 15 July 2024.

#### 6 Definitions

(1) Unless otherwise stated, words and expressions used in this Notice have the same meaning as those defined in the *Heavy Vehicle National Law*.

(2) In this Notice—

**Distribution authority** means a current distribution authority that is issued to Electricity entities, pursuant to Part 5 of the *Electricity Act 1994 (Qld)*.

**Electricity entity** as defined in the *Electrical Safety Act 2002 (Qld)*

**Fatigue Management System** means the auditable system of records, policies, standards and procedures maintained by an electricity entity for the purpose of fatigue management in the course of operations registered with the National Heavy Vehicle Regulator under Clause 9.6 of this Notice.

**Reportable fatigue related event** means any incident or accident that involves a fatigue-regulated heavy vehicle that must also be reported under the *Work Health and Safety Act 2011 (Qld)* or any other relevant Queensland or Commonwealth legislation.

**Works of an Electricity Entity** as defined in the *Electrical Safety Act 2002 (Qld)*

## 7 Application

- (1) This notice applies to:
  - a) Record keepers for drivers of fatigue-regulated heavy vehicles employed by an Electricity Entity listed in Schedule 1;
  - b) Carrying out activities on the Works of the Electricity Entity.

## 8 Exemption

This Notice provides an exemption from the requirements under Chapter 6 Part 6.4 Division 3 Requirements About Record Keeping of the *Heavy Vehicle National Law*.

## 9 Conditions

- (1) A Record Keeper operating under this Notice must be an employee of an Electricity Entity listed in Schedule 1.
- (2) While operating under this notice a Record Keeper for an Electricity Entity must keep records of:
  - a) the Electricity Entity's Fatigue Management System including any changes made to the System; and
  - b) the drivers trained in the Electricity Entity's Fatigue Management System; and
  - c) the information specified in section 319 (1) of the Heavy Vehicle National Law for each driver operating under this notice.
- (3) An Electricity Entity operating under this Notice must inform the Regulator in writing of any substantive changes to its Fatigue Management System.
- (4) An Electricity Entity operating under this Notice must inform the Regulator of a reportable fatigue related event as soon as practicable after the event comes to the knowledge of the Electricity Entity.
- (5) When requested by an authorised officer, a Record Keeper operating under this notice must provide the names and details of drivers of fatigue-regulated heavy vehicles employed by the Electricity Entity.
- (6) An Electricity Entity must audit its Fatigue Management System:
  - a) six months after commencing operations under this Notice; and
  - b) thereafter annually; and
  - c) provide the results of those audits to the Regulator or an authorised officer on request.

Don Hogben  
*Chief regulatory Policy and Standards Officer*  
**National Heavy Vehicle Regulator**

**SCHEDULE 1 Table of Electricity Entities**

<b>Electricity Entity</b>	<b>Distribution Authority</b>
s38 Electricity Act 1994 (Qld)	s38 Electricity Act 1994 (Qld)
Ergon Energy Corporation Limited	D01/99
Energex Limited	D07/98