



HEAVY VEHICLE NATIONAL LAW

National Heavy Vehicle Work Diary (COVID-19 Relief) Exemption Notice 2020 (No.1)

1. Purpose

The purpose of this Notice is to allow a driver of a fatigue-regulated heavy vehicle who is unable to use the driver's written work diary because it is filled up, destroyed, lost or stolen and is unable to get a replacement work diary due to service disruptions created by the Australian Human Biosecurity Emergency (COVID-19) to use supplementary records for up to 30 days.

2. Authorising Provision

This Notice is made under Section 357 of the Heavy Vehicle National Law as in force in participating jurisdictions.

3. Title

This Notice may be cited as the *National Heavy Vehicle Work Diary (COVID-19 Relief) Exemption Notice 2020*.

4. Commencement

This Notice commences on 1 April 2020.

5. Expiry

This Notice expires on 30 June 2020.

6. Definitions

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

7. Application

- 1) This Notice applies to the driver of a fatigue-regulated heavy vehicle:
 - a) who is required to keep a work diary under Part 4.6 of the *Heavy Vehicle National Law*; and
 - b) whose written work diary has been filled up, destroyed, lost or stolen; and
 - c) who is unable to get a replacement due to closures or restrictions at an official location to purchase a written work diary, caused by the Australian Human Biosecurity Emergency (COVID-19).

8. Exemption

- 1) The driver of a fatigue regulated heavy vehicle to whom s7 applies is exempt from the requirements of s305 relating to the maximum time for which supplementary records may be used, to the extent that a reference to '7 business days' means '30 business days'; and
- 2) The driver of a fatigue regulated heavy vehicle to whom s7 applies is exempt from the requirements of s306 relating to the notification of the Regulator if a work diary is filled up, to the extent that a reference to 'approved form' also means 'approved form or Regulator's website'.

Note: under s306 of the HVNL, a driver must notify the Regulator that a work diary is filled up using an approved form. An approved form is normally only available from an official outlet or another work diary. For the purposes of this Notice, an approved form also means a form that may be found on the Regulator's website.

9. Conditions

- 1) Drivers of fatigue-regulated heavy vehicles operating under this exemption must carry a copy the acknowledgement email issued by the Regulator after the receipt of notification under s306.
- 2) When requested by an authorised officer, a driver of a fatigue regulated heavy vehicle operating under this exemption must present the acknowledgement email issued by the Regulator.

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National Heavy Vehicle Regulator