



Heavy Vehicle Victoria Police (Special Operations Group) Work Diary and Record Keeping Exemption (No.1)

1. Purpose

This Notice grants exemptions from work diary and record keeping requirements for the driver of a vehicle who is a member of Victoria Police attached to the Special Operations Group (SOG) and who is performing a function in the course of their police duties. This Notice also provides an exemption for a person who may be a record keeper for such a driver.

Note: Nothing in this exemption relieves the driver of a fatigue regulated heavy vehicle from the duty to avoid driving while fatigued, pursuant to section 228 of the Heavy Vehicle National Law (HVNL).

This Notice does not provide an exemption to work and rest requirements under Part 6.3 of the HVNL, or from any safety duty that may apply under Chapter 1A of the HVNL.

2. Authorising Provisions

- 1) This Notice is issued under the following provisions of the Heavy Vehicle National Law (HVNL):
 - a) *section 357* - Regulator's power to exempt particular drivers from work diary requirements
 - b) *section 378* - Regulator's power to exempt record keepers from fatigue record keeping requirements

3. Title

This Notice may be cited as the *Heavy Vehicle Victoria Police (Special Operations Group) Work Diary and Record Keeping Exemption (No.1)*.

4. Commencement

This Notice commences on 15 February 2023.

5. Expiry

This Notice expires on 14 February 2026.

6. Definitions

Unless stated otherwise, words and expressions used in this Notice have the same meaning as in the HVNL and its regulations.

7. Application

- 1) The exemption from work diary requirements under section 2(1)(a) of this Notice applies to the driver of a fatigue regulated heavy vehicle who is a member of Victoria Police attached to the Special Operations Group (SOG), and who is performing a function in the course of their police duties.
- 2) The exemption from record keeping requirements under section 2(1)(b) of this Notice applies to a record keeper who is a sworn officer or employee of Victoria Police and who is, or would otherwise be, the record keeper for an eligible driver.
- 3) A driver to whom this Notice applies is an eligible driver.
- 4) A record keeper to whom this Notice applies is an eligible record keeper.
- 5) This Notice applies in Victoria.

8. Exemption – work diary requirements

- 1) Pursuant to section 2(1)(a) of this Notice, an eligible driver is exempt from complying with subdivisions 1 to 5 of Division 2 of Part 6.4 of the HVNL.
- 2) The exemption in 1) only applies to an eligible driver who complies with the work record management practices of the Special Operations Group, Victoria Police.

9. Exemption – record keeper requirements

- 1) Pursuant to section 2(1)(b) of this Notice, an eligible record keeper is exempt from complying with Division 3 of Part 6.4 of the HVNL.
- 2) The exemption in 1) only applies to an eligible record keeper who complies with the work record management practices of the Special Operations Group, Victoria Police.

David Hourigan
Chief Regulatory and Policy Standards Officer
National Heavy Vehicle Regulator