



HEAVY VEHICLE NATIONAL LAW

National Heavy Vehicle Queensland Electricity Entity Fatigue Record Keeping Exemption Notice 2024 (No.1)

1. Purpose

- 1) This Notice exempts record keepers for drivers of a fatigue-regulated heavy vehicle carrying out activities on the works of an Electricity Entity in Queensland from the requirement to comply with the stated provisions of Part 6.4 Division 3 of the *Heavy Vehicle National Law* (HVNL).

Note: This Notice does not provide an exemption from any safety duty that may apply under Chapter 1A of the HVNL.

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 2024 (No.1)*.

4. Commencement

This Notice commences on 16 July 2024.

5. Expiry

This Notice expires on 15 July 2027.

6. Definitions

- 1) Unless otherwise stated, words and expressions used in this Notice have the same meaning as those defined in the HVNL.
- 2) In this Notice:
 - Distribution Authority** means a current distribution authority that is issued to Electricity Entities, pursuant to Chapter 2, 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 their operations.
 - 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 record keepers for drivers of fatigue-regulated heavy vehicles employed by an Electricity Entity listed in Schedule 1, and who are carrying out activities on the works of the Electricity Entity.

8. Exemptions

- 1) This Notice provides an exemption from the requirements under Part 6.4 Division 3 Requirements About Record Keeping of the HVNL.

9. Conditions

- 1) While operating under this Notice, the record keeper 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.
- 2) The record keeper must inform, or arrange for the Electricity Entity to inform, the Regulator of a reportable fatigue related event as soon as practicable after the event comes to the knowledge of the record keeper.

David Hourigan
Chief Safety and Productivity
National Heavy Vehicle Regulator

Schedule 1 - Table of Electricity Entities

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