

Motor Vehicle Registry Information Bulletin

V73 – Heavy Vehicle Driver Fatigue Advanced Fatigue Management (AFM)

Introduction

The national road transport Heavy Vehicle Driver Fatigue laws sets revised work and rest limits for heavy vehicle drivers and requires better management of driver fatigue. The reform makes all parties in the supply chain legally responsible for preventing driver fatigue. Operators and drivers have three options for managing driver fatigue under the laws.

This Information Bulletin provides assistance to drivers and operators wishing to adopt the AFM Hours option. Further Information on the different driving hours options is available in the Information Bulletin [V70 – Heavy Vehicle Driver Fatigue](#) which can be accessed on-line at the Department of Lands and Planning website at: <http://www.nt.gov.au/transport/mvr/nhvas/publications.shtml>

AFM brings a genuine risk management approach to managing fatigue, rather than prescribing work and rest hours. It offers more flexible hours than [Standard Hours](#) or [Basic Fatigue Management \(BFM\)](#) in return for the operator demonstrating greater accountability for managing fatigue risks. Under AFM drivers may be allowed to split their continuous rest break for more flexibility.

Operators will need to be accredited in the [National Heavy Vehicle Accreditation Scheme \(NHVAS\)](#) and comply with the ten AFM standards including scheduling and rostering, operating limits, readiness for duty, health, management practices, workplace conditions, fatigue knowledge and awareness, responsibilities, records and documentation and internal review.

AFM encourages an operator to develop a customised and auditable safety management system with controls specific to the fatigue risks of a particular business. Limits are set on a case-by-case basis and are dependent upon the individual circumstances and the counter measures proposed by the operator to manage the higher risk. Operators will also need to specify the normal operating limits for each of the parameters in Table 1 and the frequency these may be exceeded.

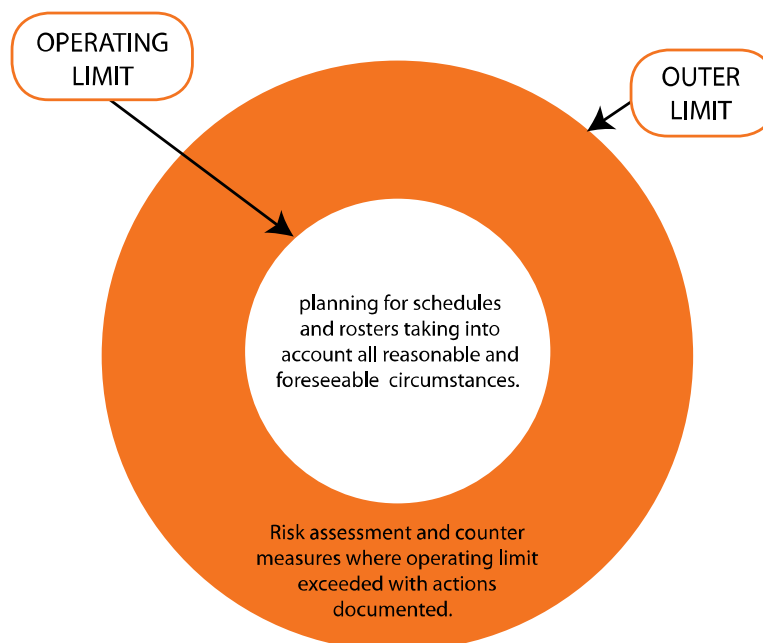
Table 1: AFM parameters

Parameter	Normal operating limits	Frequency for exceeding normal operating limit	Outer Limit
Minimum break in a 24 hour period	operator to propose	operator to propose	6 continuous hours or 8 hours in 2 parts
Minimum continuous 24 hour period free of work	operator to propose	operator to propose	4 periods in 28 days
Minimum opportunity for night sleep (between 10pm and 8am)	operator to propose	operator to propose	2 periods in 14 days
Maximum hours work in 24 hour period	operator to propose	operator to propose	16 hours
Maximum work in 14 days	operator to propose	operator to propose	154 hours
Maximum work in 28 days	operator to propose	operator to propose	288 hours

AFM Limits

AFM operates against two sets of limits to manage the higher fatigue risks (see Figure 1).

Figure 1: Normal operating and outer limits



Normal operating limits are used to guide operators when developing everyday schedules and driver rosters taking into account all foreseeable contingencies and reflecting the inherent fatigue risks (e.g. the amount of night driving balanced against longer rest breaks).

Outer limits represent the point past which further driving or work poses an unacceptable fatigue risk. The national outer limit of 16 hours cannot be exceeded. This limit is based on robust advice from fatigue experts, and experience from current transport industry practices.

Only in exceptional circumstances would a driver be allowed to work between the normal operating limit and the outer limit. For example, if an unforeseen and lengthy delay in loading or unloading greatly extends the driver's work schedule.

The operator's fatigue management system must describe how the additional fatigue risk will be managed and ensure the driver takes additional 'recovery' rest. The operator will be required to document the details of the incident causing the delay, the breach of the operating limits and the actions taken by the operator to address the risk.

If a driver exceeds the normal operating limit more frequently than agreed in the terms of the operator's accreditation, the operator must raise a non-compliance report which is then produced for external audit.

Gaining Accreditation

Operators need to develop a fatigue management plan through consultation with a fatigue expert that will include the proposed operating limits, the frequencies these can be exceeded and system for managing the fatigue risks. The operator then submits this application to the accrediting agency for approval. An entry audit is conducted and the final application is then considered for approved.

If an operator intends to operate in more than one State or Territory the accrediting agency must first forward the application to the national Fatigue Authorities Panel (FAP) for advice. The accrediting agency takes the advice of this Panel before considering the final application.

A typical AFM application will include a description of planned operations (for example major routes) with distances, details of the freight task, the locations of depots and driver numbers. The operator will have to identify the key fatigue risks and propose counter measures to address those risks.

Industry developed AFM templates may assist individual transport operators wishing to operate under AFM who can use an industry developed template as a basis for developing their own fatigue management systems.

Work Diary

Nominated drivers of an accredited operator are required at all times to carry and maintain a work diary whilst participating in AFM and driving a regulated heavy vehicle. This is irrespective of any other exemption or exclusion. Nominated drivers must also carry a copy of the accredited operator's certificate of accreditation in AFM and an NHVAS Interception Report Book.

More information on Work Diaries is available on the National Transport Commission's (NTC) website at: <http://www.ntc.gov.au>

Standards

1. Scheduling and Rostering

The operator must plan, document and review driver schedules and rosters to ensure they are suitable for drivers and comply with the operating limits set under the terms of the accreditation agreement.

What you need to do:

- Document schedules and rosters
- Monitor and regularly review schedules and rosters
- Minimise risk when altering schedules and rosters
- Ensure guidelines are in place for the increased risk of using relief/casual drivers
- Consider increased risk with drivers returning from leave
- Allow schedule and roster input from drivers to ensure trips are reasonable
- Ensure schedules and rosters are planned to be achievable within the normal operating limits
- Ensure no schedules and rosters are planned to extend beyond approved frequencies

2. Readiness for Duty

A program must put in place to ensure drivers are in a fit state to perform work duties and also have required medical assessments.

What you need to do:

- Have procedures for driver fitness for duty which include issues of driver health, use of drugs and alcohol, medical condition, well-being and state of fatigue
- Have procedures for drivers to assess their fitness for duty before and during work
- Have procedures for drivers to notify the operator if they are unfit for duty due to any lifestyle, health or medical issues both before and during work

3. Fatigue Knowledge and Awareness

All managers, supervisors and drivers taking part in AFM must demonstrate they are competent in managing driver fatigue.

What you need to do:

- Ensure that anyone involved in the management, operation, administration, participation and verification of the fatigue management system is aware of the operator's current fatigue management policies and procedures
- Ensure all persons who hold a position of responsibility under the system is identified and;
 - o Have been inducted and are regularly updated in policies and procedures
 - o Can demonstrate competence in managing driver fatigue, including understanding causes, effects and symptoms of fatigue, and being able to apply strategies to better manage fatigue
 - o Drivers can demonstrate competence with TLIF1007C - *Apply fatigue management strategies*
 - o Schedulers can demonstrate competence with TLIF6307A – *Administer the implementation of fatigue management strategies*
- Establish a procedure for ensuring all relevant staff are kept up to date with fatigue management. This would include identifying, re-assessment and retraining needs of staff and ensuring any needs have been satisfactorily addressed
- Keep records of competency of drivers, schedulers and relevant staff. This should include:
 - o Details of necessary training
 - o Retraining and follow up procedures
 - o Records of personnel qualifications

4. Responsibilities

All responsibilities and duties identified for AFM must be clearly defined, up-to-date, and all staff must understand and carry out their duties accordingly.

What you need to do:

- Ensure all relevant personnel are carrying out their duties and responsibilities in compliance with the AFM standards
- Ensure all responsibilities, authorities and duties are current, clearly defined and communicated to all appropriate persons

5. Internal Review

Operators must have a system to identify non-compliances and verify that the activities comply with the AFM standards and the operator's fatigue management system. Driver fatigue incidents must be identified, documented and investigated and the operator must take the necessary steps to manage any problems. Operators must carry out an internal audit of their fatigue management system at least once a year to ensure it is managing the fatigue risk.

What you need to do:

- Have procedures to define how an internal review program of the system is produced, conducted, reported and recorded at least every 12 months. This should include corrective actions procedures
- Where practical, have the reviews undertaken by competent persons not responsible for that area of activity
- Have procedures in place to monitor, identify, report, investigate and record non-compliances and take the necessary corrective action to prevent further occurrences
- Have procedures in place to investigate incidents to determine whether fatigue was a contributing factor
- Regularly review records of drivers' work and rest times to ensure compliance with the operating limits

6. Records and Documentation

Operators must develop, maintain and review policies, procedures and instructions covering all activities required to meet the AFM standards. The operator must keep records to provide proof of compliance. These include work hours records (e.g. work diaries, rosters, schedules), a review of the fatigue management system in place and compliance checks.

What you need to do:

- Ensure policies, procedures and instructions covering all activities required to meet the standards are authorised, current, clearly defined and readily available to all relevant personnel
- Keep all records related to accreditation stored, legible, maintained and available for management and audit purposes for at least three years
- Ensure a roster of nominated drivers is kept up to date and the accrediting agency is informed on any changes in a timely manner
- Ensure documents are approved, issued, reviewed, modified and accounted for in accordance with the operator's prescribed control procedures
- Keep detailed records including individual driving hours records for all nominated drivers (e.g. work diaries, rosters, schedules)

7. Health

A driver health management system must be in place to help drivers manage their health. As part of this, drivers must be certified by a doctor as being fit to drive a heavy vehicle and perform their required duties. The driver medical assessment must include an assessment for sleep disorders, and must be conducted every three years (annually for drivers over 50).

What you need to do:

- Ensure drivers are certified as being fit to driver a heavy vehicle by a medical practitioner according to the Austroads guidelines – Assessing Fitness to Drive
- Take into account medical advice for drivers when assigning duties
- Provide information to drivers to promote and encourage better management of their health

8. Workplace Conditions

The operator must put arrangements in place to manage driver fatigue such as sleeper berth facilities.

What you need to do:

- Ensure sleeper berths are optimised for driver rest
- Ensure the vehicle cabin is optimised for the driver comfort whilst driving

9. Management Practices

The operator must develop management practices to minimise driver fatigue such as matching drivers to the freight task and good communication practices between drivers and base.

What you need to do:

- Have management practices in place which include counselling and disciplinary action to deter non-compliance and implements corrective action when required
- Have a communication process in place to facilitate the exchange of information between drivers and management

10. Operating Limits

Normal operating limits allow drivers and operators to plan, monitor and manage work and rest times to minimise the impact of fatigue. Normal operating limits may be exceeded up to the outer limits as specified by the frequency in the AFM conditions for that operator

What you need to do:

- Monitor and review the normal operating limits at least every 12 months to ensure they are still relevant
- Provide drivers with the flexibility to alter trip schedules within the normal operating limits and outer limits to maximise rest opportunities and minimise fatigue risk
- Have appropriate counter measures to manage occasions when a driver is permitted to exceed the normal operating limits
- Regularly review work and rest times to ensure compliance with the approved operating limits

General Duty of Care

Under the *Workplace Health and Safety Act*, transport operators working within the Territory have a general duty of care to ensure, as far as reasonably practical, that workers and others are not exposed to risks to health or safety arising from the employer's business. To demonstrate this requirement operators need to have a fatigue management system in place which effectively manages the risks associated with driver fatigue.

The national driver fatigue legislation is consistent with current obligations under Occupational Health and Safety (OH&S) laws and will assist operators in demonstrating that they have taken reasonable steps in managing driver fatigue.

Further Information

Further information on OH&S requirements for employers, employees, owner/operators and supply agents can be accessed through the NT Worksafe website at: <http://www.worksafe.nt.gov.au>

For further information regarding NHVAS and its modules contact the Department's Accreditation and Audit Unit or access the Department's Heavy Vehicle Accreditation webpage at: <http://www.nt.gov.au/transport/mvr/nhvas>

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