



WELLINGTON, NEW ZEALAND

PURSUANT to *section 158* of the Land Transport Act 1998

I, *Harry James Duynhoven*, Minister for Transport Safety,

HEREBY make the following ordinary Rule:

Land Transport Rule: Work Time and Logbooks 2007

SIGNED AT Wellington

This 28th day of June 2007

Harry James Duynhoven

Minister for Transport Safety

Land Transport Rule
Work Time and Logbooks 2007
Rule 62001/2007
As at 1 October 2017

Land Transport Rule
Work Time and Logbooks 2007

As at 1 October 2017

Contents

Compilation notes	i
Part 1 Rule requirements	1
Section 1 Application	1
1.1 Title	1
1.2 Scope	1
1.3 Application of Rule provisions	1
1.4 Date when Rule comes into force	2
Section 2 Work time and rest time	2
2.1 Rest breaks: driver categories	2
2.2 Particular situations	3
2.3 State of emergency	8
2.4 New Zealand Defence Force	8
2.5 Short-term variation of hours	10
2.6 Variation of hours for critical agricultural operation	11
Section 3 Logbook coverage	12
3.1 Who must use logbooks?	12
3.2 Period in which a logbook must be maintained	12
3.3 Secondary or parallel employment	13
3.4 Alternative approved means of recording	13
Section 4 Exemptions from requirement to maintain logbooks	15
4.1 General requirement	15
4.2 General duty of proof	15
4.3 Emergency services and New Zealand Defence Force	16
4.4 Exemptions by vehicle type	16
4.5 Exemptions by vehicle service	18
4.6 General exemptions by situation	19
4.7 Inability to complete logbooks	21
4.8 Application for logbook exemption	22
Section 5 Managing logbooks	22
5.1 Form of the logbook	22
5.2 Mandatory requirements	23
5.3 Period of recording	24
5.4 Events to be recorded	24
5.5 Managing the records	25
5.6 Accounting for days off work	25

Section 6	Alternative fatigue management schemes	25
6.1	General requirement	25
6.2	Application for alternative fatigue management scheme	25
6.3	[Revoked]	26
6.4	[Revoked]	26
6.5	Approval	26
6.6	Effect of approval	27
6.7	Conditions	27
Section 7	Approved courses	28
7.1	Process	28
7.2	Content	28
Section 8	Transition	28
8.1	Logbooks and exemptions	28
8.2	Small passenger service logbooks	29
Part 2 Definitions		30
Part 3 Schedule		37
Schedule Logbook form		37
Part 1	Prescribed forms	37
1.1	—General use logbook form	37
1.2	—Small passenger service logbook form	38
1.3	—Components of the General use logbook form	39
Part 2	Further requirements	40
2.1	—Format requirements	40
2.2	—Identification details	40
Part 3	Variations on the prescribed forms	41
Part 4	Using the logbook form	41

Compilation notes

1 General

This is a compilation of *Land Transport Rule: Work Time and Logbooks 2007* that incorporates all the amendments to that Rule as at the date of the last amendment to it.

2 Format changes

Format changes to compilations are made so that the format of the compilation is consistent with current drafting practice, including:

- changes to the setting out of provisions, tables, and schedules:
- the repositioning of headings or notes:
- changes to typeface and type size:
- the addition or removal of boldface, italics, and similar textual attributes:
- the addition or removal of quote marks and rules:
- changes to the case of letters or words:
- addition of history and editorial notes.

3 Amendments incorporated in this reprint

Land Transport Rule: Work Time and Logbooks Amendment 2017

Land Transport Rule: Work Time and Logbooks Amendment 2013

Land Transport Rule: Work Time and Logbooks Amendment 2012

Road User Charges Act 2012

Land Transport Rule: Work Time and Logbooks Amendment (No 2) 2011

Land Transport Amendment Act 2009

Land Transport Rule: Work Time and Logbooks Amendment 2011

Land Transport Rule: Work Time and Logbooks Amendment 2010

Land Transport Rule: Work Time and Logbooks Amendment 2009

Land Transport Management Amendment Act 2008

Part 1

Rule requirements

Section 1 Application

1.1 Title

This Rule is *Land Transport Rule: Work Time and Logbooks 2007*.

Note: Refer to *Parts 4B* and *6B* of the *Land Transport Act 1998*, which set out responsibilities, offences and penalties in respect of work time and logbooks.

1.2 Scope

This Rule:

- (a) augments the standard work time hours specified in the Act;
- (b) specifies how logbooks are to be used;
- (c) provides for the need to keep and maintain records of hours worked;
- (d) specifies the requirements for logbook design;
- (e) specifies the requirements for alternative fatigue management schemes.

Note: 'Alternative fatigue management scheme', 'Logbook', and 'Record' are defined terms. 'Work time' is defined by reference to the Act. See *Part 2, Definitions*.

1.3 Application of Rule provisions

1.3(1) This Rule applies to all persons subject to the work time requirements in *Part 4B* of the Act.

Note: In general, *Part 4B* of the Act applies to a driver of a vehicle that requires a Class 2, 3, 4, or 5 licence, or is used in a transport service (other than a rental service), or that is a vehicle used to carry goods for hire or reward.

1.3(2) If a driver is working under an exemption from logbook use, or a variation of work time hours, issued in writing by the Agency, that document must be carried at all times when driving a vehicle subject to work time requirements and be produced without delay on demand by an enforcement officer.

1.3(3) If there is a conflict between a provision of this Rule and an example included in this Rule, the provision of this Rule applies.

Clause 1.3(2): amended, on 1 August 2008, by Schedule 3 of the Land Transport Management Amendment Act 2008.

1.4 Date when Rule comes into force

This Rule comes into force on 1 October 2007.

Section 2 Work time and rest time

Note: Refer to *section 30ZC* of the Act for limits to work time hours.

2.1 Rest breaks: driver categories

Standard rest break requirement

2.1(1) A driver, other than a driver specified elsewhere in this section, must take a rest break after 5½ hours of continuous work time.

Note: ‘Rest break’ and ‘Rest time’ are defined terms.

Small passenger services

Note: “small passenger service” is defined by reference to the Act.

2.1(2) If a driver of a vehicle used in a small passenger service only undertakes short fares around a city or town, a rest break must be taken after seven continuous hours of work time.

Note: ‘Short fare’ is a defined term.

2.1(3) Work time, for a driver of a vehicle used in a small passenger service, includes time spent—

- (a) on a small passenger service vehicle stand; and
- (b) cruising for hire; and
- (c) carrying out administrative work.

2.1(4) [Revoked]

Tour buses

2.1(5) For the purposes of 2.1(6) to 2.1(8), a bus is operated as a tour bus if the tour:

- (a) has a defined schedule of more than 24 hours’ duration; and
- (b) takes a group of tourists on a pre-determined route; and
- (c) is the only scheduled duty in any natural day for the bus driver.

Note: ‘Natural day’ and ‘Operate’ are defined terms.

2.1(6) With the written approval of the Agency, a tour bus driver may vary the work time hours specified in the Act.

Note: 'Agency' is a defined term.

- 2.1(7) A variation approved under 2.1(6) for a tour bus driver must include scheduled meal breaks of at least 30 minutes, which count as the required rest breaks for each cumulative work day.

Note: 'Cumulative work day' and 'Variation' are defined terms.

- 2.1(8) An approval of a variation under 2.1(6) must state the name of the company and the tour (as defined in a company brochure) to which the variation applies, and set an expiry date for the variation.

- 2.1(9) A tour bus driver operating under a variation approved under 2.1(6) must comply with 1.3(2).

Note: *Subclause 1.3(2)* requires the document to be carried and produced to an enforcement officer.

Mixed driving

- 2.1(10) A person who drives a vehicle used in a small passenger service and another class of vehicle subject to work time requirements in a cumulative work day must take a rest break after 5½ hours of continuous work time.

Heading above *clause 2.1(1)*: amended, on 1 October 2017, by *clause 2.1(1)* of *Land Transport Rule: Work Time and Logbooks 2017*.

Note to *clause 2.1(1)*: replaced, on 1 October 2017, by *clause 2.1(2)* of *Land Transport Rule: Work Time and Logbooks 2017*.

Clause 2.1(2): amended, on 1 October 2017, by *clause 2.1(3)* of *Land Transport Rule: Work Time and Logbooks 2017*.

Clause 2.1(3): replaced, on 1 October 2017, by *clause 2.1(4)* of *Land Transport Rule: Work Time and Logbooks 2017*.

Clause 2.1(4): revoked, on 1 October 2017, by *clause 2.1(5)* of *Land Transport Rule: Work Time and Logbooks 2017*.

Clause 2.1(6): amended, on 1 August 2008, by *Schedule 3* of the *Land Transport Management Amendment Act 2008*.

Note to *clause 2.1(6)*: amended, on 1 August 2008, by *Schedule 3* of the *Land Transport Management Amendment Act 2008*.

Clause 2.1(10): amended, on 1 October 2017, by *clause 2.1(6)* of *Land Transport Rule: Work Time and Logbooks 2017*.

2.2 Particular situations

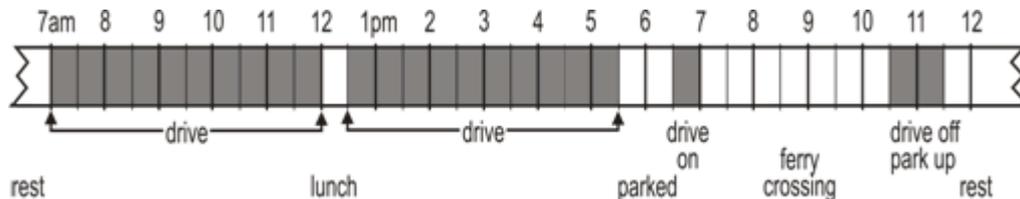
Ferries

- 2.2(1) A driver may count as a rest break a scheduled vehicle ferry trip of more than one hour's duration, including time spent in the vehicle while the ferry is sailing.

- 2.2(2) The actual departure and arrival times of the ferry must be noted as the start and end of a rest break.
- 2.2(3) At the end of a ferry sailing, a driver may take a vehicle to a place of storage or safe parking, even if in doing so the hours of work time for that cumulative work day would be exceeded, provided that:
- the additional period of work time does not exceed one hour from the arrival time of the ferry; and
 - a 10-hour continuous rest break is then taken immediately.

Example:

A driver commences work at 7.00 am. He takes a lunch break of 30 minutes at midday, and arrives at the ferry terminal at 5.30 pm, to catch a ferry sailing scheduled for 6.30 pm. The ferry is delayed, and does not leave until 7.00 pm. The time between 5.30 and 6.30 (when the truck is parked) is counted as rest time. The time taken to drive the vehicle onto the ferry, and secure it (6.30 - 7.00), is counted as work time. The sailing time (departing at 7.00 pm, docking at 10.30 pm), is counted as rest time. The driver then takes the truck to a secure yard, finishing work for the day before 11.30 pm. The driver must then take a 10-hour break and can legally recommence driving at 9.30 am the next day. Total work time hours in this example are 11½. The allowance for the ferry crossing enables the driver to cease work 16½ hours after commencing work. The normal limit is 14 hours.



Emergency services

- 2.2(4) *Subclauses 2.2(5) to 2.2(8) apply to a person driving for an emergency service, or working under the direction of a principal rural fire officer.*

Note: 'Emergency' and 'Emergency service' are defined terms.

- 2.2(5) Subject to 2.2(6), limits to work time hours specified in the Act may be exceeded, or a rest break may be deferred, if a driver of an emergency vehicle is required to respond to a priority call.

Note: 'Priority call' is a defined term.

- 2.2(6) A dispatcher must consider alternatives, such as the availability of other drivers, including drivers from other locations, before

sending a person who has exceeded their work time hours on a priority call.

- 2.2(7) At the end of a priority call that takes a driver beyond their work time hours, the driver must not undertake further scheduled or routine driving work for the emergency service, but must take the required 10-hour break before undertaking further driving for the emergency service that is subject to work time requirements.
- 2.2(7A) Where a rest break has been deferred by a priority call, the driver must take the rest break as soon as is practicable.

Example 1:

A permanent ambulance service driver, having completed his shift with required breaks, acts illegally if he drives an additional transfer task that exceeds his work time hours BUT that driver may attend a priority call.

Example 2:

Permanent Fire Service officers respond to an alarm call that occurs at the end of a shift. The call-out, and subsequent fire-fighting tasks, take them past their work time hours. A driver may legally return a fire service vehicle to the station at the conclusion of the fire response, but may not undertake any further driving of vehicles subject to work time requirements until a 10-hour break is taken.

- 2.2(8) For the avoidance of doubt, volunteer fire fighters and volunteer ambulance drivers are not subject to work time limits, even when they have worked a full day, when they are called out to attend, or are returning from, a priority call.

Example:

A Fire Service volunteer is employed as a bus driver. He finishes a split shift at 6.00 pm, and is called out to a road crash at 1.00 am the next morning, before starting his regular bus roster at 7.00 am. His logbook, if required, must show the call out, but the call out does not break the requirement for a 10-hour continuous break. While the driver does not commit an offence by exceeding hours in this case, he still has the standard responsibilities set by the Act to avoid dangerous or careless driving (that might arise from excess fatigue).

Essential service drivers

- 2.2(9) For the purposes of *subclauses 2.2(10) to 2.2(14B)*, essential service drivers are those persons employed by or under contract to:
- (a) a body or person that provides line function services, as defined by *section 2(1) of the Electricity Act 1992*; or
 - (b) a road controlling authority, for the purposes of road repair, bridge repair or restoring road access; or
 - (c) a territorial authority, for the purposes of supplying or repairing reticulated water or sewerage; or
 - (d) a body or person supplying reticulated natural gas, for the purposes of repair; or
 - (e) a person undertaking emergency works to stabilise land or otherwise reduce risk to persons or property; or
 - (f) a rail access provider, for the purpose of providing or restoring rail access.
- Note: 'Rail access provider' is a defined term.
- 2.2(9A) For the purposes of *2.2(14C)*, essential service drivers include any person requested by the New Zealand Police to provide urgent assistance in an accident or incident.
- 2.2(10) A driver in *2.2(9)(a)* may extend their work time hours if the driver can provide evidence that they were required to undertake any of the following tasks:
- (a) restoration of supply following an unplanned outage;
 - (b) rectification of a dangerous situation including support requested by an emergency service;
 - (c) unplanned events that have a significant impact on the security of supply to a network.
- 2.2(11) A driver in *2.2(9)(b)* may extend their work time hours if the driver can provide evidence that they were required by the road controlling authority to undertake urgent repairs to restore road or bridge access.
- 2.2(12) A driver in *2.2(9)(c)* may extend their work time hours if the driver can provide evidence that they were required by the territorial authority to undertake urgent repairs to restore water or sewerage service.
- 2.2(13) A driver in *2.2(9)(d)* may extend their work time hours if the driver can provide evidence that they were required to undertake

- urgent repairs to minimise risk or restore gas supply following a break or interruption of the natural gas supply.
- 2.2(14) A driver in 2.2(9)(e) may extend their work time hours if the driver can provide evidence that they were required by a local authority or the New Zealand Police to undertake urgent work.
- Note: 'Local authority' is a defined term.
- 2.2(14A) A driver in 2.2(9)(f) may extend their work time hours if the driver can provide evidence that they were required by the rail access provider to undertake urgent repairs to restore rail access.
- 2.2(14B) A driver in 2.2(9)(a) to (f) may also extend their work time hours if the driver can provide evidence that they were required to manage traffic in connection with the purposes described in 2.2(10) to (14A).
- 2.2(14C) A driver in 2.2(9A) may extend their work time hours if the driver can provide evidence that they were requested by the Police to provide urgent assistance, or to manage traffic, in an accident or incident.
- 2.2(15) At the end of a cumulative work day during which work time hours have been extended to undertake a task in 2.2(10) to (14C), a driver may return a vehicle to a depot if that journey does not exceed two hours' driving, provided that a 10-hour break is taken before undertaking further driving that is subject to work time hours.
- 2.2(16) A person who requires a driver to extend their work time hours in accordance with 2.2(10) to (14C), must record the hours worked, the name of the person who worked those hours, and the situation that required the variation.
- 2.2(17) A record made under 2.2(16) must be retained for a period of 12 months, and must be produced for inspection to an enforcement officer on demand.
- Logbook record following provision of emergency or essential services*
- 2.2(18) As soon as is practicable, a driver must record in their logbook the reason for exceeding work time requirements, and any additional hours, if the driver exceeds work time requirements following:
- (a) a priority call; or
 - (b) the provision of an essential service under 2.2(9).

Clause 2.2(2): amended, on 1 April 2010, by clause 2.1(1) of Land Transport Rule: Work Time and Logbooks Amendment 2010.

Clause 2.2(3): amended, on 1 April 2010, by clause 2.1(2) of Land Transport Rule: Work Time and Logbooks Amendment 2010.

Clause 2.2(5): amended, on 1 April 2010, by clause 2.1(3) of Land Transport Rule: Work Time and Logbooks Amendment 2010.

Clause 2.2(7A): inserted, on 1 April 2010, by clause 2.1(4) of Land Transport Rule: Work Time and Logbooks Amendment 2010.

Clause 2.2(9): amended, on 1 April 2010, by clause 2.1(5)(a) of Land Transport Rule: Work Time and Logbooks Amendment 2010.

Clause 2.2(9)(b): amended, on 1 April 2010, by clause 2.1(5)(b) of Land Transport Rule: Work Time and Logbooks Amendment 2010.

Clause 2.2(9)(e): amended, on 1 April 2010, by clause 2.1(5)(c) of Land Transport Rule: Work Time and Logbooks Amendment 2010.

Clause 2.2(9)(f): inserted, on 1 April 2010, by clause 2.1(5)(d) of Land Transport Rule: Work Time and Logbooks Amendment 2010.

Clause 2.2(9A): inserted, on 1 April 2010, by clause 2.1(6) of Land Transport Rule: Work Time and Logbooks Amendment 2010.

Clause 2.2(14A): inserted, on 1 April 2010, by clause 2.1(6) of Land Transport Rule: Work Time and Logbooks Amendment 2010.

Clause 2.2(14B): inserted, on 1 April 2010, by clause 2.1(6) of Land Transport Rule: Work Time and Logbooks Amendment 2010.

Clause 2.2(14C): inserted, on 1 April 2010, by clause 2.1(6) of Land Transport Rule: Work Time and Logbooks Amendment 2010.

Clause 2.2(15): amended, on 1 April 2010, by clause 2.1(7) of Land Transport Rule: Work Time and Logbooks Amendment 2010.

Clause 2.2(16): amended, on 1 April 2010, by clause 2.1(8) of Land Transport Rule: Work Time and Logbooks Amendment 2010.

2.3 State of emergency

2.3(1) During a state of emergency declared under the *Civil Defence Emergency Management Act 2002*, a driver may extend work time hours if the driver can provide evidence that they were directed by the Controller, or by any member of the Police, or any other person acting under their authority, to carry out emergency response work.

2.3(2) As soon as is practicable, a driver must record in their logbook the reason for exceeding work time requirements, and any additional hours, arising from emergency response work.

2.4 New Zealand Defence Force

2.4(1) A driver of a vehicle operated by the New Zealand Defence Force in a country other than New Zealand may vary their work

time hours in accordance with a New Zealand Defence Force work time management plan approved by the Agency.

- 2.4(2) A driver of a vehicle operated by the New Zealand Defence Force or a visiting force in New Zealand may vary their work time hours, provided that:
- (a) the variation complies with terms and conditions set out in writing by the Agency in accordance with *section 30ZA(1)(a)* of the Act; and
 - (b) a superior commander appointed under the *Armed Forces Discipline Act 1971* has authorised the variation for a specific deployment or exercise; and
 - (b) the commanding officer or other person in command of that driver carries a copy of the terms and conditions of the variation and produces it to an enforcement officer on demand.
- 2.4(3) A person subject to work time requirements who is involved in territorial forces training may vary their hours as described in 2.4(4) if they meet the following criteria:
- (a) they have been engaged in scheduled territorial forces training or a course conducted on a weekend; and
 - (b) at least 16 hours elapse between the conclusion of territorial forces training and the commencement of other work duties.

Note: 'Territorial forces' is a defined term.

- 2.4(4) A person meeting the criteria in 2.4(3) is deemed to be commencing a new cumulative work period on commencement of their other work duties.
- 2.4(5) The variation in 2.4(3) cannot be used on two consecutive weekends.

Clause 2.4(1): amended, on 1 August 2008, by *Schedule 3 of the Land Transport Management Amendment Act 2008*.

Clause 2.4(2)(a): amended, on 1 August 2008, by *Schedule 3 of the Land Transport Management Amendment Act 2008*.

Clause 2.4(2): amended, on 1 April 2010, by *clause 2.2(1) of Land Transport Rule: Work Time and Logbooks Amendment 2010*.

Clause 2.4(3): replaced, on 1 April 2010, by *clause 2.2(2) of Land Transport Rule: Work Time and Logbooks Amendment 2010*.

Clause 2.4(4): inserted, on 1 April 2010, by *clause 2.2(2) of Land Transport Rule: Work Time and Logbooks Amendment 2010*.

Clause 2.4(5): inserted, on 1 April 2010, by clause 2.2(2) of Land Transport Rule: Work Time and Logbooks Amendment 2010.

2.5 Short-term variation of hours

Note: Refer to *section 30ZA* of the Act, which gives the authority for the Agency to consider variations of work time, and the conditions attached to that power.

2.5(1) In order to meet short-term operational requirements, a transport service operator, a person who employs drivers subject to work time requirements, or the organiser of a public display or event, may apply for a variation of either:

- (a) allowable work time; or
- (b) required rest breaks.

Note: 'Transport service operator' is defined by reference to the Act.

2.5(2) A variation must meet the following criteria:

- (a) the period for which the variation is sought may not exceed 14 days in total; and
- (b) work time in any cumulative work period may not exceed 70 hours.

Note: 'Cumulative work period' is a defined term.

2.5(3) A variation under this clause may not be applied retrospectively.

Process for seeking a variation

2.5(4) A person seeking a variation must apply in writing or electronically to the Agency, stating:

- (a) the operational requirement and the variation sought to meet it; and
- (b) the period for which the variation is sought; and
- (c) the schedule of hours to be worked if the variation is approved; and
- (d) the drivers involved (by name or job title); and
- (e) evidence of consultation with the affected drivers; and
- (f) any proposed change to the required rest breaks; and
- (g) any mitigating factors in the proposed variation (for example, limits on driving undertaken between midnight and 6.00 am).

2.5(5) The Agency must advise the applicant in writing or electronically of the outcome of the application.

- 2.5(6) The Agency may attach conditions to a variation, when approving it.
- 2.5(7) A driver working within an approved variation must carry a printed copy of the approval at all times while operating a vehicle subject to work time requirements and produce it to an enforcement officer on demand.
- 2.5(8) A driver working within the terms of a variation must observe all the limits and conditions stated in the approval.
- Note to *clause 2.5*: amended, on 1 August 2008, by *Schedule 3 of the Land Transport Management Amendment Act 2008*.
- Clause 2.5(1)*: amended, on 1 April 2010, by *clause 2.3 of Land Transport Rule: Work Time and Logbooks Amendment 2010*.
- Clause 2.5(4)*: amended, on 1 August 2008, by *Schedule 3 of the Land Transport Management Amendment Act 2008*.
- Clause 2.5(4)*: amended, on 1 November 2012, by *clause 2.1(1) of Land Transport Rule: Work Time and Logbooks Amendment 2012*.
- Clause 2.5(5)*: amended, on 1 August 2008, by *Schedule 3 of the Land Transport Management Amendment Act 2008*.
- Clause 2.5(6)*: amended, on 1 August 2008, by *Schedule 3 of the Land Transport Management Amendment Act 2008*.

2.6 Variation of hours for critical agricultural operation

- 2.6(1) A person who is in business as a farmer or an agricultural contractor may apply for a variation of allowable work time or required rest breaks for the purpose of a critical agricultural operation.
- Note: ‘Critical agricultural operation’ is a defined term.
- 2.6(2) A variation for a critical agricultural operation must:
- (a) specify the nature of the critical agricultural operation; and
 - (b) apply for a maximum period of 12 months; and
 - (c) be used solely for the purpose of critical agricultural operations; and
 - (d) not apply retrospectively.
- 2.6(3) The Agency may grant a written variation for a critical agricultural operation to a person.
- 2.6(4) The Agency may attach conditions to a variation when approving it.
- 2.6(5) The holder of a variation issued under this clause must:
- (a) maintain a list of the drivers to whom it applies; and

- (b) maintain records of the circumstances in which the variation is applied.

Clause 2.6: inserted, on 1 June 2013, by clause 2.1 of Land Transport Rule: Work Time and Logbooks Amendment 2013.

Section 3 Logbook coverage

3.1 Who must use logbooks?

A driver subject to *section 30ZE* of the Act must maintain a logbook, unless the driver:

- (a) is a person to whom a logbook exemption in *section 4* applies; or
- (b) has been granted an exemption under *section 30ZA* of the Act.

Clause 3.1(a): replaced, on 1 April 2010, by clause 2.4 of Land Transport Rule: Work Time and Logbooks Amendment 2010.

3.2 Period in which a logbook must be maintained

- 3.2(1) Logbook entries must show the extent of the cumulative work day and the cumulative work period.
- 3.2(2) Logbook entries must record when the most recent 10-hour break was taken.
- 3.2(3) Logbook entries must record the period back to (and including) the last 24-hour break.
- 3.2(4) Logbook entries must be maintained until the next 24-hour break is taken at the end of that cumulative work period.

Note: Refer to *section 30ZH(2)* of the Act, which requires that the logbook in current use, and any previous logbook that covers that cumulative work period, must be carried by the driver at all times when driving a vehicle to which *section 30ZE* applies.

Example 1:

A driver starts work on Monday 3 June at 8.00 am, having worked neither Saturday 1 June nor Sunday 2 June.

She spends Monday and Tuesday mainly around the office, with the only driving being a light van for local deliveries (no logbook required if it is under 3500 kg).

On Wednesday 5 June, she begins a scheduled long-distance goods delivery run in a truck requiring a Class 3 licence. She finishes work driving a light van on Saturday 8 June.

Her logbook must cover the period back to 8.00 am on Sunday 2 June. The Sunday does not require a detailed logbook entry. The

log page related to Monday only requires a note that Sunday was a day off work. There must also be a logbook entry for Saturday 8 June, as part of that work period.

Example 2:

Another driver has Sunday 2 June off, starts work on Monday 3 June, and finishes the last page of the previous logbook on Thursday 6 June. A new logbook is used from Friday 7 June. His next 24-hour break is on Sunday 9 June. The ‘old’ logbook and ‘new’ logbook must be carried by the driver until Sunday 9 June – after that point, the ‘new’ logbook will show the most recent 24-hour break.

Note to *clause 3.2(4)*: amended, on 1 November 2012, by *clause 2.1(2)* of *Land Transport Rule: Work Time and Logbooks Amendment 2012*.

Clause 3.2, Example 1: amended, on 1 April 2010, by *clause 2.5(1)* of *Land Transport Rule: Work Time and Logbooks Amendment 2010*.

Clause 3.2, Example 2: replaced, on 1 April 2010, by *clause 2.5(2)* of *Land Transport Rule: Work Time and Logbooks Amendment 2010*.

3.3 Secondary or parallel employment

The requirement to keep a record of all work time and rest time in a logbook applies regardless of whether or not a driver works for more than one employer, and even if one of those employers is not involved in a transport service.

Note: ‘Transport service’ is a defined term.

Example:

Someone who works mornings setting out stock in a supermarket, where driving is not part of the job, still has to record those hours if that person spends the rest of the work day driving a vehicle used in a small passenger service (which does require a logbook).

Example after *clause 3.3*: amended, on 1 October 2017, by *clause 2.2* of *Land Transport Rule: Operator Licensing 2017*.

3.4 Alternative approved means of recording

3.4(1) Alternative means of recording approved by the Agency are, with necessary modifications, logbooks for the purposes of this Rule.

Note: Refer to *section 30ZG* of the Act, which empowers the Agency to approve (and revoke) an alternative means of recording matters relevant to the monitoring of work time that would otherwise be recorded in a logbook. These may include approved electronic recording systems or devices.

Application for new approvals

- 3.4(2) Any person may apply to the Agency in writing to have an alternative system of recording work time approved.
- 3.4(3) An application under 3.4(2) must specify:
- (a) the data to be collected; and
 - (b) how data is transferred and subsequently managed by the operator; and
 - (c) how drivers using the system will be identified; and
 - (d) what measures will be in place to prevent tampering with the devices or records; and
 - (e) how enforcement officers may access records.
- 3.4(4) The Agency must advise the applicant in writing of the outcome of the application and if granting an approval may impose conditions.
- 3.4(5) The Agency must publicise an approval under this clause by notice in the *Gazette*.

Effect of approval

- 3.4(6) A driver whose work time hours are being recorded by an approved alternative recording system does not have to maintain a logbook in a form specified in the *Schedule* in respect of those hours.
- 3.4(7) Despite 3.4(6), a driver or a transport service operator using an approved alternative means of recording must produce, without delay, any record specified in the approval when required to do so by an enforcement officer.

Clause 3.4(1): amended, on 1 August 2008, by *Schedule 3* of the *Land Transport Management Amendment Act 2008*.

Note to *clause 3.4(1):* amended, on 1 August 2008, by *Schedule 3* of the *Land Transport Management Amendment Act 2008*.

Clause 3.4(2): amended, on 1 August 2008, by *Schedule 3* of the *Land Transport Management Amendment Act 2008*.

Clause 3.4(4): amended, on 1 August 2008, by *Schedule 3* of the *Land Transport Management Amendment Act 2008*.

Clause 3.4(5): amended, on 1 August 2008, by *Schedule 3* of the *Land Transport Management Amendment Act 2008*.

Section 4 Exemptions from requirement to maintain logbooks

4.1 General requirement

- 4.1(1) A driver must record the details prescribed in 5.2(2) or 5.2(2A) for all work for each day within a cumulative work period if required to maintain a logbook for any part of that period.

Note: Refer to *section 30ZA(1)(b)* of the Act, which empowers the Agency to grant partial or total written exemptions from some or all of the requirements to maintain logbooks.

- 4.1(2) Despite 4.1(1), a driver of a vehicle operated in an emergency service who is otherwise required to maintain a logbook must make a record in their logbook of any driving or other duties undertaken in respect of a priority call as soon as is practicable.

- 4.1(3) For the avoidance of doubt, 4.8 does not apply to exemptions specified in 4.3 to 4.7.

- 4.1(4) For the avoidance of doubt, an exemption from the requirement to maintain a logbook is not an exemption from work time requirements.

Note: Refer to *section 30ZH(2)* of the Act, which states that carriage and production of a logbook is required only when driving a vehicle subject to logbook use. An emergency service may be called upon to provide operational records under *section 113A* of the Act.

Clause 4.1(1): amended, on 1 April 2010, by *clause 2.6* of *Land Transport Rule: Work Time and Logbooks Amendment 2010*.

Note to *clause 4.1(1)*: amended, on 1 August 2008, by *Schedule 3* of the *Land Transport Management Amendment Act 2008*.

4.2 General duty of proof

- 4.2(1) A driver to whom this section applies must offer details, on demand by an enforcement officer, to show that they are complying with the applicable conditions of this section or with an exemption granted by the Agency under *section 30ZA* of the Act.

- 4.2(2) An individual granted an exemption from the use of logbooks issued by the Agency under *section 30ZA* of the Act must comply with 1.3(2).

Note: *Subclause 1.3(2)* requires the exemption to be carried and produced to an enforcement officer.

- 4.2(3) If, under *section 30ZA* of the Act, an exemption is issued to a company, a copy of the exemption must:

- (a) be carried by each of the company's drivers who is subject to work time requirements and include contact details of a company representative; and
- (b) be produced by the driver to an enforcement officer on demand.

Note: Refer to *section 30ZA(3)* of the Act, which allows the Agency to revoke by notice in writing any exemption from logbook use if the Agency considers that conditions have been breached.

Clause 4.2(1): amended, on 1 August 2008, by *Schedule 3* of the *Land Transport Management Amendment Act 2008*.

Clause 4.2(2): amended, on 1 August 2008, by *Schedule 3* of the *Land Transport Management Amendment Act 2008*.

Note to *clause 4.2(3)*: amended, on 1 August 2008, by *Schedule 3* of the *Land Transport Management Amendment Act 2008*.

4.3 Emergency services and New Zealand Defence Force

Armed forces

- 4.3(1) A driver of a vehicle that is operated by the New Zealand Defence Force or a visiting force does not have to maintain a logbook.

Police

- 4.3(2) A driver of a vehicle that is operated by the New Zealand Police does not have to maintain a logbook.

Ambulance services

- 4.3(3) A driver of a vehicle operated by an ambulance service does not have to maintain a logbook.

Note: 'Ambulance service' is a defined term.

Fire brigades

- 4.3(4) A driver of a vehicle that is operated by a fire brigade does not have to maintain a logbook.

Clause 4.3(1): amended, on 1 April 2010, by *clause 2.7* of *Land Transport Rule: Work Time and Logbooks Amendment 2010*.

4.4 Exemptions by vehicle type

Farm vehicles

- 4.4(1) A driver of a vehicle in respect of which the person registered under *Part 17* of the *Land Transport Act 1998* is the owner or manager of a farm, or a farm employee, does not have to maintain a logbook, provided that the vehicle is only driven within a 50-km radius of that farm and is used:

- (a) in an agricultural operation that is related directly to the management of that farm; or
- (b) on a road to transport farm products, farm implements, stock, or farm requisites of any kind.

Other agricultural vehicles

- 4.4(2) A driver of an agricultural motor vehicle does not have to maintain a logbook.

Motor homes

- 4.4(3) The driver of a motor home does not have to maintain a logbook if the motor home complies with the conditions in 4.4(4).

- 4.4(4) A motor home must:

- (a) be permanently fitted out for accommodation by the inclusion of sleeping and cooking facilities; and
- (b) have more than half of the vehicle floor area (including the floor area of both tractor and trailer if a combination vehicle) fitted out for accommodation.

Note: 'Combination vehicle' is a defined term.

Recreational vehicles

- 4.4(5) A driver of a recreational vehicle that would require a Class 2 licence to be driven does not have to maintain a logbook.

Note: 'Recreational vehicle' is a defined term.

- 4.4(6) A driver of a vintage heavy vehicle does not have to maintain a logbook.

Note: 'Vintage heavy vehicle' is a defined term.

Special type vehicles

- 4.4(7) A driver of a special type vehicle does not have to maintain a logbook if the vehicle requires a Class 1 or Class 2 licence to be driven.

Note: 'Special type vehicle' is a defined term.

- 4.4(8) A driver of a vehicle constructed or permanently adapted to perform roadside maintenance tasks, such as trimming shelter belts or hedges, does not have to maintain a logbook if the vehicle requires a Class 1 or Class 2 licence to be driven.

- 4.4(9) The driver of a mobile crane does not have to maintain a logbook.

Note: 'Mobile crane' is a defined term.

Clause 4.4(1): amended, on 1 May 2011, by *Part 3 of Schedule 2 of the Land Transport Amendment Act 2009*.

Clause 4.4(2): amended, on 1 April 2010, by *clause 2.8 of Land Transport Rule: Work Time and Logbooks Amendment 2010*.

Clause 4.4(2): replaced, on 1 June 2013, by *clause 2.2 of Land Transport Rule: Work Time and Logbooks Amendment 2013*.

Clause 4.4(9): inserted, on 7 May 2009, by *clause 2.1 of Land Transport Rule: Work Time and Logbooks Amendment 2009*.

4.5 Exemptions by vehicle service

Goods vehicles used within 50 km of base of operations

4.5(1) A driver of a goods service vehicle, or a heavy motor vehicle used to carry goods, does not have to maintain a logbook if the vehicle requires a Class 1 or Class 2 licence to be driven, and:

- (a) is operated only within a 50-km radius of the vehicle operator's usual business location; or
- (b) is driven within a 50-km radius from a base of operations.

Note: 'Base of operations', 'Goods vehicle', and 'Usual business location' are defined terms. 'Goods service vehicle' is defined by reference to the Act.

Vehicle recovery service vehicles

4.5(2) A driver of a vehicle recovery service vehicle does not have to maintain a logbook, provided that the driver completes and retains tow authorities as a record of their work time hours.

Note: 'Tow authority' is a defined term. 'Vehicle recovery service vehicle' is defined by reference to the Act.

Facilitated cost-sharing arrangements

4.5(2A) A driver of a vehicle used in a facilitated cost-sharing arrangement does not have to maintain a logbook.

Urban bus services

4.5(3) Subject to 4.5(4) and 4.5(6), a driver of an urban bus, who is working a defined schedule of routes and times, does not have to maintain a logbook if the following conditions are complied with:

- (a) the routes are registered with the relevant regional council;
- (b) the routes driven do not exceed 100 km from terminus to terminus.

Note: 'Urban bus' is a defined term.

4.5(4) For the purposes of 4.5(3), a schedule includes time taken to drive a bus to the beginning of the first scheduled trip, and the

time taken to return to the depot at the completion of the last scheduled trip.

- 4.5(5) A driver of a bus engaged in scheduled work under 4.5(3), including off-peak charter work (that is, driving a bus to and from a specified point for a specified group as part of an event or activity such as a sports function), does not have to keep a logbook, provided that the charter driving:
- (a) occurs between 8.00 am and 6.00 pm, Monday to Friday (inclusive); and
 - (b) is within a 50-km radius of the depot where the bus is normally garaged; and
 - (c) is in accordance with a schedule allocated to the driver in writing, including the required rest breaks.
- 4.5(6) A driver of an urban bus must carry a copy of a document showing the routes and times allocated to that driver for that day, and must show it on demand to an enforcement officer.
- 4.5(7) Despite 4.5(5), a logbook must be maintained for bus driving:
- (a) for routes or charter tasks covering a distance of more than 100 km; or
 - (b) when work is undertaken outside the scheduled hours (for example, extending work time hours for another driver's absence).

School bus services

- 4.5(8) A driver of a school bus does not have to maintain a logbook.

Note: 'School bus' is a defined term.

Clause 4.5(1): amended, on 7 May 2009, by clause 2.2 of *Land Transport Rule: Work Time and Logbooks Amendment 2009*.

Clause 4.5(2): amended, on 1 April 2010, by clause 2.9 of *Land Transport Rule: Work Time and Logbooks Amendment 2010*.

Heading above *clause 4.5(2A)*: inserted, on 1 October 2017, by clause 2.3 of *Land Transport Rule: Work Time and Logbooks Amendment 2017*.

Clause 4.5(2A): inserted, on 1 October 2017, by clause 2.3 of *Land Transport Rule: Work Time and Logbooks Amendment 2017*.

4.6 General exemptions by situation

Off-road vehicles

- 4.6(1) A driver of a vehicle used only in an area to which the public does not have access as of right does not have to maintain a logbook.

- 4.6(2) A driver of a vehicle does not have to maintain a logbook, provided that the vehicle is only being operated within a defined construction zone under the control of an approved temporary traffic management plan.
- 4.6(3) A driver of a vehicle only using public roads at designated crossing points approved by the road controlling authority does not have to maintain a logbook.

Example:

An individual starts the day driving a bus taking forestry workers from a town to the current work site, before driving a log stacker (off road) for the remainder of the work day.

Because a logbook must be completed for the bus driving, then the record for the day must show all work time activities.

Aircraft refuelling

- 4.6(4) A driver of an aircraft-refuelling vehicle that is driven only within a 3-km radius of the control tower of an international airport, does not have to maintain a logbook.

Vehicles under repair or being demonstrated or awaiting assembly

- 4.6(5) A driver does not have to maintain a logbook if the driving occurs within a 50-km radius of the enterprise's usual business location and a load is not being carried for hire or reward; and
- (a) the vehicle is under mechanical repair or is being used solely for road testing; or
 - (b) the driver's duties are solely concerned with sales, servicing, or demonstration of new or used vehicles; or
 - (c) the vehicle is a vehicle that:
 - (i) has not been registered in New Zealand; and
 - (ii) is moving within a 50-km radius of the operator's usual business location; and
 - (iii) is displaying trade plates or is exempted from registration by *clause 6 of Schedule 1 of the Transport (Vehicle Registration and Licensing) Regulations 1994*; and
 - (iv) is being operated under an annex C conditional permit.

Note: 'Annex C conditional permit' is a defined term.

Vehicles under test

- 4.6(6) A driver of a vehicle driven solely for the purpose of obtaining evidence of vehicle inspection does not have to maintain a logbook, provided that the vehicle is driven:
- (a) directly between the nearest location at which evidence of vehicle inspection can be issued, and the operator's usual business location; or
 - (b) in the immediate vicinity of the inspection location for necessary testing.
- 4.6(7) An enforcement officer testing a vehicle for safety or other compliance in the immediate vicinity of the inspection location does not have to maintain a logbook.

Local authorities

- 4.6(8) A driver who is an employee of a local authority and for whom driving is secondary to their principal employment does not have to maintain a logbook for driving a vehicle owned or leased and operated by the local authority.

- 4.6(9) *Subclause 4.6(8)* does not apply if the employee is driving a passenger service vehicle for the local authority.

Note: 'Passenger service vehicle' is defined by reference to the Act.

Rubbish collection

- 4.6(10) A driver of a vehicle that is operated solely as part of a domestic rubbish collection service operated by or under contract to a local authority does not have to maintain a logbook, provided that the driving takes place between the hours of 5.00 am and 7.00 pm, Monday to Saturday (inclusive).

Services on Great Barrier Island, Stewart Island or the Chatham Islands

- 4.6(11) A driver of a vehicle driven only on Great Barrier Island, Stewart Island or the Chatham Islands does not have to maintain a logbook.

Clause 4.6(4): amended, on 1 April 2010, by *clause 2.10 of Land Transport Rule: Work Time and Logbooks Amendment 2010*.

4.7 Inability to complete logbooks

- 4.7(1) A person who suffers from a medical or other condition that results in an inability to keep a logbook may, upon application to the Agency, be issued with a notice that confirms that the person does not have to maintain a logbook.

- 4.7(2) An application under 4.7(1) must include a statement by a medical practitioner providing the grounds for granting the exemption.
- 4.7(3) The Agency may impose conditions on a notice issued under 4.7(1) (such as a requirement to keep records of work time in a different form).
- 4.7(4) A notice issued under 4.7(1) must be carried by the driver and must be produced to an enforcement officer on demand.

Clause 4.7(1): amended, on 1 August 2008, by *Schedule 3* of the *Land Transport Management Amendment Act 2008*.

Clause 4.7(3): amended, on 1 August 2008, by *Schedule 3* of the *Land Transport Management Amendment Act 2008*.

4.8 Application for logbook exemption

An application for an individual exemption from logbook use must include:

- (a) the contact details of the applicant or company representative; and
- (b) the types of transport operation undertaken; and
- (c) the range of duties that drivers are expected to undertake; and
- (d) the names, driver licence numbers and job titles of drivers to be exempted; and
- (e) a record of hours that is in place at the time of application.

Section 5 Managing logbooks

5.1 Form of the logbook

- 5.1(1) Except as provided in 8.1(4), a logbook must be in a form prescribed in the *Schedule*.
- 5.1(2) A proposed logbook form, including any explanatory notes to be included on the cover or elsewhere, must be approved by the Agency before the forms are printed.
- 5.1(3) The book code must be printed on each page of the logbook form.
- 5.1(4) The cover of the logbook must include reference to approval by the Agency, and provide a space for the driver to enter his or her name, or their unique identifier.

Note: 'Unique identifier' is a defined term.

- 5.1(5) A person who drives a vehicle subject to work time requirements must use either an approved general use logbook form or an approved small passenger service logbook form.
- 5.1(6) A driver who is an employee must use a three-copy logbook form, and a self-employed driver may use a two-copy logbook form, and both must use the logbook in the manner prescribed in the *Schedule*.
- 5.1(7) Despite 5.1(1), a logbook may be in a form that was approved before 1 April 2010 if:
- (a) the logbook would have been complied with this clause and the *Schedule* at the time of the approval; and
 - (b) that approval has not been withdrawn.

Clause 5.1(2): amended, on 1 August 2008, by *Schedule 3* of the *Land Transport Management Amendment Act 2008*.

Clause 5.1(4): amended, on 1 August 2008, by *Schedule 3* of the *Land Transport Management Amendment Act 2008*.

Clause 5.1(5): amended, on 1 October 2017, by *clause 2.4* of *Land Transport Rule: Work Time and Logbooks 2017*.

Clause 5.1(7): inserted, on 1 April 2010, by *clause 2.11* of *Land Transport Rule: Work Time and Logbooks Amendment 2010*.

5.2 **Mandatory requirements**

- 5.2(1) A driver must enter his or her name or unique identifier in the space provided on the cover of the logbook.
- 5.2(2) Subject to 5.3, a driver must record on each page for the period that the logbook must be maintained:
- (a) the driver's name; and
 - (b) the date on which the logbook page starts; and
 - (c) the registration plate details, and for vehicles subject to road user charges start and finish distance recorder readings, of all vehicles subject to work time requirements that have been driven in each cumulative work day; and
 - (d) the start time and finish time, with a location for each, for all work time hours; and
 - (e) the start time, finish time, and location of all rest breaks.

Note: 'Road user charges' and 'Distance recorder' are defined terms.

- 5.2(2A) Despite 5.2(2) and 5.2(3), for any day on which a driver does not drive any vehicle that is subject to logbook requirements:
- (a) the driver need only record for that day:

- (i) the driver's name; and
 - (ii) the date or dates to which entries on that page refer; and
 - (iii) the total work time hours; and
 - (iv) a brief description of the nature of the work that was undertaken; and
 - (v) the start time for the first work period and the finish time for the last work period; and
- (b) to avoid doubt, the driver may record consecutive entries of information required by *paragraph (a)*, without repeating the driver's name, on the same page.

5.2(3) A driver using an approved general use logbook form must also complete the activity grid.

Note: Completing the *Summary of hours* panel is not a legal requirement.

5.2(4) The details in 5.2(1), 5.2(2), 5.2(2A) and 5.2(3) must be recorded legibly.

Note: Refer to *sections 30ZD* and *30ZH* of the Act for requirements relating to records and logbooks.

Clause 5.2(2A): inserted, on 1 April 2010, by clause 2.12(1) of *Land Transport Rule: Work Time and Logbooks Amendment 2010*.

Clause 5.2(2A)(v): inserted, on 1 April 2011, by clause 2.1 of *Land Transport Rule: Work Time and Logbooks Amendment 2011*.

Clause 5.2(4): amended, on 1 April 2010, by clause 2.12(2) of *Land Transport Rule: Work Time and Logbooks Amendment 2010*.

5.3 Period of recording

5.3(1) A logbook record must be a continuous record of work time and rest time within a cumulative work period.

5.3(2) For the avoidance of doubt, logbook records within a cumulative work period must consistently start at midnight or midday, as set by the first cumulative work day within that cumulative work period.

5.4 Events to be recorded

Whenever a delay causes, or is likely to cause, the work time limits for that day or the cumulative work period to be exceeded, the event and the extent of the delay must be recorded in the logbook.

5.5 Managing the records

- 5.5(1) The completed original ('driver') copy of each page must be left in the logbook.
- 5.5(2) An employed driver or, in the case of a small passenger service, a driver who is facilitated to drive by a small passenger service operator must remove each 'record' copy at the end of a cumulative work period and hand it to their employer or facilitator within 14 days of the date of the record being made.
- 5.5(3) Each enforcement ('enforce') copy must be left in the logbook unless an enforcement officer removes it under *section 30ZH(3)* of the Act.

Note: An employer or transport service operator must retain records provided by a driver under 5.5(2) for a period of 12 months from the date the record was made, as required by *section 30ZH(1)(b)* of the Act.

Clause 5.5(2): replaced, on 1 October 2017, by *clause 2.5(1)* of *Land Transport Rule: Work Time and Logbooks Amendment 2017*.

Note to *clause 5.5:* replaced, on 1 October 2017, by *clause 2.5(2)* of *Land Transport Rule: Work Time and Logbooks Amendment 2017*.

5.6 Accounting for days off work

- 5.6(1) Logbook pages do not have to be completed for days when work is not undertaken.
- 5.6(2) A driver must note in the logbook on their first work day the dates of any days off, if annual leave of one or more days has been taken or work has resumed after one or more natural days when work is not undertaken.

Section 6 Alternative fatigue management schemes

6.1 General requirement

A person may not operate an alternative fatigue management scheme unless it has been approved in writing by the Agency.

Clause 6.1: amended, on 1 August 2008, by *Schedule 3* of the *Land Transport Management Amendment Act 2008*.

6.2 Application for alternative fatigue management scheme

- 6.2(1) A transport operator may apply for approval of an alternative fatigue management scheme on a form approved by the Agency.
- 6.2(2) An application must include:
- (a) the name of the applicant; and

- (b) the names of the drivers who are to participate in the scheme; and
- (c) evidence of consultation with the drivers, or the representatives of the drivers, who will participate in the scheme; and
- (d) details of the alternative fatigue management scheme; and
- (e) the period, up to a maximum of five years, for which the approval is sought; and
- (f) the appropriate fee, if any is specified in regulations made under the *Land Transport Act 1998*.

Clause 6.2: replaced, on 1 June 2013, by *clause 2.3(1)* of *Land Transport Rule: Work Time and Logbooks Amendment 2013*.

6.3 [Revoked]

Clause 6.3: revoked, on 1 June 2013, by *clause 2.3(2)* of *Land Transport Rule: Work Time and Logbooks Amendment 2013*.

6.4 [Revoked]

Clause 6.4: revoked, on 1 June 2013, by *clause 2.3(2)* of *Land Transport Rule: Work Time and Logbooks Amendment 2013*.

6.5 Approval

- 6.5(1) The Agency may:
- (a) approve the alternative fatigue management scheme with conditions; or
 - (b) request additional information from the applicant; or
 - (c) decline the application if it is not satisfied that the proposed scheme would adequately manage the risk of fatigue.
- 6.5(2) The Agency must advise the applicant in writing of the outcome of the application.
- 6.5(3) The number of approvals granted under this clause must be notified in the *Gazette* annually.

Clause 6.5(1): replaced, on 1 June 2013, by *clause 2.3(3)* of *Land Transport Rule: Work Time and Logbooks Amendment 2013*.

Clause 6.5(2): amended, on 1 August 2008, by *Schedule 3* of the *Land Transport Management Amendment Act 2008*.

Clause 6.5(3): replaced, on 1 June 2013, by *clause 2.3(4)* of *Land Transport Rule: Work Time and Logbooks Amendment 2013*.

6.6 Effect of approval

6.6(1) An approved alternative fatigue management scheme authorises the holder to conduct the operations described in the scheme in accordance with its terms and conditions.

6.6(2) The holder of an approved alternative fatigue management scheme may apply to the Agency to add participants to the scheme.

Clause 6.6(2): replaced, on 1 June 2013, by clause 2.3(5) of Land Transport Rule: Work Time and Logbooks Amendment 2013.

Clause 6.6(3) to 6.6(9): revoked, on 1 June 2013, by clause 2.3(6) of Land Transport Rule: Work Time and Logbooks Amendment 2013.

6.7 Conditions

6.7(1) The term of the alternative fatigue management scheme is subject to the following conditions:

- (a) the scheme remains in force up to a maximum of five years or until it expires (whichever is the earlier), or until it is suspended or revoked by the Agency by written notice to the applicant;
- (b) if the associated transport service licence is suspended or revoked, the scheme is also suspended or revoked;
- (c) an application for renewal must be made not less than 60 days before the expiry date for the scheme.

Note: 'Transport service licence' is defined by reference to the Act.

6.7(2) The Agency may audit compliance with the scheme at any time during the term of the scheme.

6.7(3) The Agency may revoke any scheme approval or the approval of any participant in a scheme.

Clause 6.7(1)(a): amended, on 1 August 2008, by Schedule 3 of the Land Transport Management Amendment Act 2008.

Clause 6.7(2): amended, on 1 August 2008, by Schedule 3 of the Land Transport Management Amendment Act 2008.

Clause 6.7(3): inserted, on 1 June 2013, by clause 2.3(7) of Land Transport Rule: Work Time and Logbooks Amendment 2013.

Section 7 **Approved courses**

7.1 **Process**

The provisions of *clauses 93 to 103 of Land Transport (Driver Licensing) Rule 1999* apply, with necessary modifications, with regard to:

- (a) the approval of courses that address work time requirements, fatigue management, and logbook use; and
- (b) the approval of course providers; and
- (c) conditions attached to those approvals.

7.2 **Content**

A work time and logbook course specifically designed as a directed course for the purposes of *section 79O(a)(ii)* of the Act must require a person who has completed the course to demonstrate the following skills and attributes:

- (a) an understanding of the legal requirements to limit work time;
- (b) the ability to maintain a logbook correctly unless exempted under 4.7;
- (c) an understanding of the risks associated with driving while fatigued;
- (d) an understanding of life-management skills designed to mitigate fatigue;
- (e) the ability to monitor driving performance, and take appropriate countermeasures when fatigue impairment is detected.

Section 8 **Transition**

8.1 **Logbooks and exemptions**

8.1(1) For the avoidance of doubt, the following requirements apply from 1 October 2007:

- (a) the limits to work time stated in the Act or in this Rule, and the requirements to take rest time;
- (b) the exemptions from logbook use specified in *section 4*;
- (c) the period for which logbook entries must be maintained (specified in 3.2);

- (d) when copies of completed logbook records must be handed to employers.
- 8.1(2) Up to 1 April 2008, existing exemptions from logbook use or driving hours issued under the *Transport Act 1962*, whether provided to an individual driver or to the persons employed by a transport service operator, continue to have effect (with any necessary modifications).
- 8.1(3) On or after 1 April 2008, all exemptions listed in the *Transport (Driving Hours Logbook Exemption) Notice 2003*, or any exemption authorised under the *Transport Act 1962*, cease to have effect.
- Note: Revocation occurs under *section 100* of the *Land Transport Amendment Act 2005*.
- 8.1(4) Up to 1 July 2008, instead of the logbook forms prescribed in the *Schedule*, logbook forms that were approved for use under the *Transport Act 1962* may be used to record work time undertaken during that period.
- 8.1(5) Up to 1 July 2008, logbook forms may be completed either:
- (a) in the manner previously required under the *Transport Act 1962*; or
 - (b) in accordance with the requirements in 5.2.
- 8.1(6) On or after 1 July 2008, the only means by which work time may be recorded are:
- (a) a logbook form prescribed in the *Schedule*; or
 - (b) an alternative means of recording approved by the Agency; or
 - (c) tow authorities, in respect of drivers of vehicle recovery service vehicles.

Clause 8.1(6)(b): amended, on 1 August 2008, by *Schedule 3* of the *Land Transport Management Amendment Act 2008*.

8.2 Small passenger service logbooks

On and after 1 October 2017, a driver of a small passenger service may continue to use a taxi logbook approved prior to the commencement of this clause as though it were a small passenger service logbook approved after the commencement of this clause.

Clause 8.2: inserted, on 1 October 2017, by *clause 2.6* of *Land Transport Rule: Work Time and Logbooks Amendment 2017*.

Part 2 Definitions

Act means the *Land Transport Act 1998*.

Agency means the New Zealand Transport Agency established under *section 93* of the *Land Transport Management Act 2003*.

Agricultural motor vehicle

- (a) means a motor vehicle that is designed, constructed, or adapted for agricultural purposes; and
- (b) includes:
 - (i) an agricultural trailer; and
 - (ii) an agricultural tractor; but
- (c) does not include any vehicle that is:
 - (i) of a class specified in *Table A* of *Part 2* of *Land Transport Rule: Vehicle Standards Compliance 2002*; and
 - (ii) designed or constructed for general road use

Agricultural purpose

- (a) includes:
 - (i) land cultivation;
 - (ii) growing and harvesting crops (including horticulture and viticulture);
 - (iii) rearing livestock;
 - (iv) any land management operation undertaken in connection with:
 - (A) the operation or management of a farm; or
 - (B) a purpose described in *subparagraphs (i) to (iii)*; but
- (b) does not include forestry, or any land management operation not referred to in *paragraph (a)(iv)*

Agricultural tractor means a vehicle that is designed and constructed principally for the purposes of:

- (a) towing an agricultural trailer; or
- (b) drawing, or powering, an implement ordinarily used for an agricultural purpose

Agricultural trailer

- (a) means a trailer that is used principally for agricultural purposes; and

- (b) includes a wheeled agricultural implement, the wheels of which are in contact with the road when the implement is being towed; but
- (c) does not include:
 - (i) a trailer that is:
 - (A) designed principally for the carriage of goods; and
 - (B) operated at a speed exceeding 40 km/h; or
 - (ii) a logging trailer

Alternative fatigue management scheme means a systematic process for monitoring and managing driver fatigue, that is undertaken by a transport service operator and approved by the Agency in accordance with *section 30ZA(1)(c)* of the Act.

Ambulance service means a service that complies with the requirements in *NZS 8156:2002 Ambulance Sector Standard*.

Annex C conditional permit has the same meaning as it has in *Land Transport Rule: Vehicle Standards Compliance 2002*.

Base of operations means a site office established for at least 24 hours to manage a contract of works, or a local depot, to which drivers report daily for assignment of tasks or to commence driving.

Combination vehicle means a towing vehicle in combination with one or more trailers or other motor vehicle that is being towed.

Critical agricultural operation means work that is required for an agricultural purpose that must be completed urgently to avoid the adverse impact of a biological event, including a natural process such as a crop becoming ready for harvesting, or a change in weather conditions

Cumulative work day means a period:

- (a) during which work occurs; and
- (b) that:
 - (i) does not exceed 24 hours; and
 - (ii) begins after a continuous period of rest time of at least 10 hours.

Cumulative work period means a set of cumulative work days between continuous periods of rest time of at least 24 hours.

Distance recorder has the same meaning as it has in the *Road User Charges Act 2012*.

Emergency means:

- (a) a state of emergency; or
- (b) an incident attended by an emergency service; or

(c) an event requiring immediate action to save life or prevent serious injury.

Emergency service means the New Zealand Police, New Zealand Fire Service, any fire brigade or an ambulance service.

facilitator has the same meaning as in *section 2(1)* of the Act

Fire brigade includes:

- (a) a fire brigade, a volunteer fire brigade, a defence fire brigade, and an industrial fire brigade (as those terms are defined in *section 2* of the *Fire Service Act 1975*); and
- (b) an airport fire brigade; and
- (c) a rural fire party; and
- (d) the employed firefighters or other members of any fire brigade referred to in this definition.

Goods service vehicle has the same meaning as it has in *section 2(1)* of the Act.

Heavy motor vehicle has the same meaning as it has in *section 2(1)* of the Act.

Large passenger service vehicle has the same meaning as it has in *section 2(1)* of the Act.

Local authority means a local authority within the meaning of the *Local Government Act 2002*.

Logbook means a logbook that is in a form prescribed in the *Schedule*; or any alternative means approved by the Agency under *section 30ZG* of the Act.

Mobile crane

- (a) means a self-propelled vehicle that:
 - (i) is designed solely or principally for lifting objects using a boom with lifting gear; and
 - (ii) does not carry any load except that which is necessary for its own propulsion or equipment; and
- (b) does not include:
 - (i) a truck mounted with crane apparatus; or
 - (ii) a vehicle recovery service vehicle.

Natural day means a period of 24 hours that begins on midnight on one day and ends on midnight on the following day.

Operate in relation to a vehicle, means to drive or use the vehicle on a road, or cause or permit the vehicle to be on a road or to be driven on a road, whether or not the person is present with the vehicle.

Passenger service vehicle has the same meaning as it has in *section 2(1)* of the Act.

Priority call means an incident where life or property is, or is believed to be, at serious risk and to which an emergency service responds in a time-critical manner, and includes:

- (a) a fire or a fire alarm; and
- (b) a transport accident; and
- (c) a medical incident attended by an ambulance service.

Rail access provider has the same meaning as ‘access provider’ in the *Railways Act 2005*.

Record includes:

- (a) an original logbook entry page; and
- (b) any carbon or other self-produced copy, whether in duplicate or triplicate, held in or removed from a logbook; and
- (c) an alternative means of recording approved by the Agency under *section 30ZG* of the Act.

Recreational vehicle includes a private vehicle towing another vehicle such as a caravan or boat trailer; but does not include a vehicle that is used for hire or reward, or that performs a service on behalf of, or under the direction of, any commercial enterprise.

Rest break means a period of rest time taken within a cumulative work day.

Rest time means all time that:

- (a) is not work time; and
- (b) is at least 30 minutes in duration; and
- (c) is not spent in a moving vehicle associated with work.

Road user charges has the same meaning as it has in the *Road User Charges Act 2012*.

School bus means a bus that is used, whether or not for hire or reward:

- (a) for transporting (in addition to the driver) school children to or from school with or without their teachers or caregivers; or
- (b) for transporting school children to or from a school function.

Short fare means a single hire where the distance driven between where the passenger is picked up and set down is less than 100 km.

small passenger service has the same meaning as in *section 2(1)* of the Act

Special type vehicle has the same meaning as it has in the *Land Transport (Driver Licensing) Rule 1999*.

Territorial forces has the same meaning as in the *Defence Act 1990*.

Tow authority means a form, approved under 5.8(2) of *Land Transport Rule: Operator Licensing 2017*, that must be completed by the driver of a vehicle recovery service vehicle before towing a vehicle away.

Tractor means a motor vehicle (other than a traction engine) constructed principally for towing an agricultural trailer or powering agricultural implements.

Transport service

- (a) means any goods service, passenger service, rental service, or vehicle recovery service; but
- (b) does not include:
 - (i) a service under the *Railways Act 2005*; and
 - (ii) any service specified as an exempt transport service in the regulations or the rules.

Transport service licence has the same meaning as it has in *section 2(1)* of the Act.

Transport service operator has the same meaning as it has in *section 2(1)* of the Act.

Unique Identifier has the same meaning as it has in *Land Transport Rule: Operator Licensing 2017*.

Urban bus means a large passenger service vehicle used on a regular route in a city, metropolitan area or district to convey fare-paying passengers.

Usual business location means the depot, office or other location where the vehicle is normally garaged when not being driven or the location from which drivers are normally assigned tasks or commence work.

Variation means any change to, or extension of, the work time limits set by the Act.

Vehicle recovery service vehicle has the same meaning as it has in *section 2(1)* of the Act.

Vintage heavy vehicle means a motor vehicle requiring a Class 2, 3, 4, or 5 driver licence to be operated, which was manufactured at least 40 years ago and which is no longer in commercial use.

Visiting force has the same meaning as it has in *section 4* of the *Visiting Forces Act 2004*.

Work time has the same meaning as it has in *section 2(1)* of the Act.

*Part 2, Definitions, **Agency**: inserted, on 1 August 2008, by *Schedule 3 of the Land Transport Management Amendment Act 2008.**

*Part 2, Definitions, **Agricultural motor vehicle**: inserted, on 1 June 2013, by *clause 3.2 of Land Transport Rule: Work Time and Logbooks Amendment 2013.**

*Part 2, Definitions, **Agricultural -purpose**: inserted, on 1 June 2013, by *clause 3.2 of Land Transport Rule: Work Time and Logbooks Amendment 2013.**

*Part 2, Definitions, **Agricultural tractor**: inserted, on 1 June 2013, by *clause 3.2 of Land Transport Rule: Work Time and Logbooks Amendment 2013.**

*Part 2, Definitions, **Agricultural trailer**: inserted, on 1 June 2013, by *clause 3.2 of Land Transport Rule: Work Time and Logbooks Amendment 2013.**

*Part 2, Definitions, **Alternative fatigue management system**: amended, on 1 August 2008, by *Schedule 3 of the Land Transport Management Amendment Act 2008.**

*Part 2, Definitions, **Critical agricultural operation**: inserted, on 1 June 2013, by *clause 3.2 of Land Transport Rule: Work Time and Logbooks Amendment 2013.**

*Part 2, Definitions, **Director**: revoked, on 1 August 2008, by *Schedule 3 of the Land Transport Management Amendment Act 2008.**

*Part 2, Definitions, **distance recorder**: amended, on 1 August 2012, by *Schedule 3 of the Road User Charges Act 2012.**

*Part 2, Definitions, **facilitator**: inserted, on 1 October 2017, by *clause 3.1(1) of Land Transport Rule: Work Time and Logbooks Amendment 2017.**

*Part 2, Definitions, **Goods vehicle**: revoked, on 7 May 2009, by *clause 3.1(2) of Land Transport Rule: Work Time and Logbooks Amendment 2009.**

*Part 2, Definitions, **Heavy motor vehicle**: inserted, on 7 May 2009, by *clause 3.1(1) of Land Transport Rule: Work Time and Logbooks Amendment 2009.**

*Part 2, Definitions, **Logbook**: amended, on 1 August 2008, by *Schedule 3 of the Land Transport Management Amendment Act 2008.**

*Part 2, Definitions, **Mobile crane**: inserted, on 7 May 2009, by *clause 3.1(1) of Land Transport Rule: Work Time and Logbooks Amendment 2009.**

*Part 2, Definitions, **Priority call**, amended, on 1 April 2010, by *clause 3.2 of Land Transport Rule: Work Time and Logbooks Amendment 2010.**

*Part 2, Definitions, **Rail access provider**, inserted, on 1 April 2010, by *clause 3.1 of Land Transport Rule: Work Time and Logbooks Amendment 2010.**

*Part 2, Definitions, **Record**, paragraph (c): amended, on 1 August 2008, by *Schedule 3 of the Land Transport Management Amendment Act 2008.**

*Part 2, Definitions, **road user charges**: amended, on 1 August 2012, by *Schedule 3 of the Road User Charges Act 2012.**

*Part 2, Definitions, **Self-propelled agricultural machinery**, revoked, on 1 June 2013, by *clause 3.1 of Land Transport Rule: Work Time and Logbooks Amendment 2013.**

*Part 2, Definitions, **short fare**: amended, on 1 October 2017, by *clause 3.1(2) of Land Transport Rule: Work Time and Logbooks Amendment 2017.**

*Part 2, Definitions, **small passenger service**: inserted, on 1 October 2017, by *clause 3.1(1) of Land Transport Rule: Work Time and Logbooks Amendment 2017.**

*Part 2, Definitions, **Taxi**: revoked, on 1 October 2017, by clause 3.1(3) of Land Transport Rule: Work Time and Logbooks Amendment 2017.*

*Part 2, Definitions, **Territorial forces**, amended, on 1 April 2010, by clause 3.1 of Land Transport Rule: Work Time and Logbooks Amendment 2010.*

*Part 2, Definitions, **Tow authority**: amended, on 1 October 2017, by clause 3.1(4) of Land Transport Rule: Work Time and Logbooks Amendment 2017.*

*Part 2, Definitions, **Tractor**, amended, on 1 April 2010, by clause 3.1 of Land Transport Rule: Work Time and Logbooks Amendment 2010.*

*Part 2, Definitions, **Unique identifier**: amended, on 1 October 2017, by clause 3.1(5) of Land Transport Rule: Work Time and Logbooks Amendment 2017.*

Part 3 Schedule

Schedule Logbook form

Part 1 Prescribed forms

1.1—General use logbook form

Driver name		Start time for page	Noon / midnight	Date	
Hours	Rest time	Work time	Location (of each change) Remarks	Registration Driven vehicle	Distance Driven vehicle
12					
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					

Driver copy stays in the book AB-CDEF 00

All work must be recorded, including other employment.

No more than 13 hours work time in any cumulative work day – 10-hour break between days.

No more than 70 hours work time before taking a 24-hour break.

Record copy must be given to **employer** within 14 days.

End of last 24-hour break (date)	Work time hours — today	+ previous total for cumulative work period	= total hours in this cumulative work period
		+	=

1.3—Components of the General use logbook form

General use logbook form

Driver name		Start time for page	Noon / midnight	Date	
Hours	Rest time	Work time	Location (of each change) Remarks	Registration Driven vehicle	Distance Record for vehicles subject to RUC
12					
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					

Activity grid

Driver copy stays in the book

AB-CDEP-00

All work must be recorded, including other employment.

No more than 13 hours work time in any 24 hours – 10-hour break between days.

No more than 70 hours work time before taking a 24-hour break.

Record copy must be given to **employer** within 14 days.

Summary of hours

End of last 24-hour break (date)	Work time hours – today	+ previous total for cumulative work period	= total hours in this cumulative work period
		+	=

Copy label

Page code

Book code

Advisory text

Schedule, Part 1, Form 1.1: amended, on 1 April 2010, by clause 4.1(1) of Land Transport Rule: Work Time and Logbooks Amendment 2010.

Schedule, Part 1, Form 1.2: amended, on 1 April 2010, by clause 4.1(1) of Land Transport Rule: Work Time and Logbooks Amendment 2010.

Part 2 Further requirements

2.1—Format requirements

Page size	Minimum A5, Maximum A4 with intermediate page sizes permissible; a page that is 150 mm x 250 mm, for example, would comply.
Font size	Minimum 8 pt in a plain font.
Visual division	Any additional information should be divided from the components specified by this Rule either by a ruled line, or shading of those portions of the page, or the use of a distinctive font.
Duplicates	<p>A. An employed driver must use a form printed with 3 (self-carbonating) copies for each page:</p> <ul style="list-style-type: none"> • an original page (“driver” copy) (WHITE) • a duplicate page (employer or “record” copy) (YELLOW) • a triplicate page (“enforce” copy) (PINK) <p>B. A self-employed driver may use a form printed with 2 (self-carbonating) copies for each page:</p> <ul style="list-style-type: none"> • an original page (“driver” copy) (WHITE) • a duplicate page (“enforce” copy) (PINK)

2.2—Identification details

Book code	<p>Code reproduced on every page of, and unique to, this logbook.</p> <p>Must consist of a prefix and suffix (eg, ABC-12345) where:</p> <ul style="list-style-type: none"> • the prefix is allocated by the Agency to designate the printer or other company producing the logbook; and • the suffix consists of letters or numbers allocated by the printer to distinguish this logbook.”
Page code	Sequential number (01 to 99 or end page) reproduced on each copy of the page.
Approval	Front cover must include wording to the effect that this form has been approved by the Agency, and the date (month and year) of that approval.
Name of holder	<p>Front cover must include a space for the driver using this logbook to insert his or her name or unique identifier, if relevant.</p> <p>Must be associated with advisory text: “This logbook is for the sole use of the person whose name is recorded on this cover.”</p>

Schedule, Part 2, clause 2.2, table: amended, on 1 August 2008, by Schedule 3 of the Land Transport Management Amendment Act 2008.

Schedule, Part 2, clause 2.2, table: amended, on 1 April 2010, by clause 4.1(2) of Land Transport Rule: Work Time and Logbooks Amendment 2010.

Part 3 Variations on the prescribed forms

Copy label	May be printed at the top right or bottom right of each page.
Book code and page number	Must be placed together, and may be printed at the top left or bottom right of each page.
Advisory text	May be printed at any position on each page, or on the inside cover of the logbook. Further instructions on how to complete the logbook form may be added to the advisory text.
Additional information	May be added to the right of, or below, the prescribed components.

All other prescribed components for a logbook form must, as far as is practicable, appear in the format shown in this *Schedule*.

Part 4 Using the logbook form

Please note that all details must be clearly legible. Mandatory requirements for completing the form are specified in 5.2.

When a mistake is made in completing a page, and it cannot be easily corrected, do not remove that page from the logbook but instead cross it out and write “cancelled” on that page, and start a new page for that day immediately following the page that is cancelled.

Where alternative forms are given, either is an acceptable way to complete that field.

NAME	<i>Either</i> Initials and family name	J. R. Ewing
	<i>or</i> First and family name	John Ewing
DATE	<i>Either</i> Day/ Month/ Year as numbers	6/11/07
	<i>or</i> Day/ Month/ Year in mixed format	6 Nov 07
LOCATION	Suburb must be included if the location forms part of a designated city (<i>schedule 2 of the Local Government Act 2002</i>) <i>otherwise</i> only the town/city location needs to be entered.	Maori Hill Dunedin Marton
REMARKS	Comments can include: • days off or on leave • notes on cause and extent of significant delays.	
DRIVEN VEHICLE	Record each vehicle subject to work time requirements; private car should not be included, even where it is used for work-related duties.	

REGISTRATION	Registration plate number	AHE 364
DISTANCE RECORD	(For vehicles subject to Road User Charges) Use reading from electronic distance recorder or hubodometer if the vehicle is fitted with one. Otherwise use odometer reading Must enter start and end readings for each vehicle subject to work time that is driven.	
TIMES	Times must be <i>either</i> a.m./ p.m. <i>or</i> 24-hour clock	9:17 a.m. 0917
WORK TIME START	<i>Either</i> when paid employment begins <i>or</i> when driving a vehicle subject to work time requirements commences – <i>whichever is earliest</i>	
WORK TIME FINISH	<i>Either</i> when paid employment ends <i>or</i> when driving a vehicle subject to work time requirements finishes – <i>whichever is latest</i>	
REST BREAKS	Times and locations must be entered for <i>each</i> break	

Schedule, Part 4, item relating to DISTANCE RECORD: amended, on 1 August 2012, by *Schedule 3* of the *Road User Charges Act 2012*.

Schedule, Part 4, item relating to TIMES: amended, on 1 October 2011, by *clause 2.1* of *Land Transport Rule: Work Time and Logbooks Amendment (No 2) 2011*.