

The Land Transport Act 1998 (LTA) sets out the overall driving time requirements:

<https://www.legislation.govt.nz/act/public/1998/0110/latest/whole.html#DLM433613>

Land Transport Rule 62001 outlines in more detail the finer points of the worktime and logbooks regime. The full rule is available here: <https://www.nzta.govt.nz/resources/rules/work-time-and-logbooks-2007/>

Overview

The Transport Act sets out the general road rules. Rule 62001 has been created to ensure fatigue is proactively controlled in the driver workforce i.e., truck and transport service drivers. As such it is probably not applicable to most AREC members. If a member is a regular driver of Class 2, 3, 4, or 5 vehicles, then the rule may well apply to them and may limit the hours they can be available for AREC or other volunteer activities.

For other AREC members the transport rules give an indication of what constitutes sensible work and rest periods. Remember, if you are on an overnight SAROP or SAREX then fatigue can be significant. Driving home after the event without the recommended rest period may be placing you and others in jeopardy.

Key points that may be relevant to AREC members relate to work time, rest time, and total work exposure.

Limits on work time – Land Transport Act 1998

Definitions:

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 [Note: we mostly think in terms of a week as 7x 24 hr periods – see 30ZC below when the first period starts Monday morning after at least 24 hours off on the weekend].

work time includes (but is not limited to) all the time spent—

- (a) driving a vehicle to which [section 30ZB\(1\)](#) applies: [Note: 30ZB specifies vehicles and types of work]
- (b) performing work-related duties, including (but not limited to)—
 - (i) loading and unloading;
 - (ii) maintenance and cleaning of vehicles (other than unpaid cleaning outside working hours);
 - (iii) administration or recording;
- (c) in any paid employment (other than paid leave or paid breaks of at least 30 minutes' duration), whether or not related to transport activities. [Note: This means that if you have been working all day at a desk or any other job then your work time for that day started when you started work].

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

Applicable section of the Act

30ZC Limits on work time

- (1) A driver subject to this subpart—
- (a) may not exceed the work time restrictions specified in this section, the rules, or any variation granted under [section 30ZA](#); and [Note: 30ZA refers to approval of alternative fatigue management plans.]
 - (b) must comply with the rest time requirements specified in this section, the rules, or any variation granted under [section 30ZA](#).
- (2) In any cumulative work day, a driver—
- (a) may not exceed 13 hours of work time; and
 - (b) must have at least 10 hours of continuous rest time.
- (3) In any cumulative work period, a driver may not exceed 70 hours of work time.
- (4) To avoid doubt, the rules may extend the limits for a cumulative work day or period for a specified activity or service.

AREC applicability: The total work time rules and rest periods are a good guide for AREC members to follow. If working with LandSAR the LandSAR guidelines should also be considered and applied. Remember your work period starts with at least a 24-hour rest period. Your work time then accumulates from the start of that first work period e.g., Monday morning. If your work is continuous such as carrying on after a callout Friday night then finishing Sunday, you have worked close to a 70 hour work week at which time you should have a 24-hour period of rest to be truly rested.

Land Transport Rule 62001

Rule 62001 section 2 – Rest breaks

2.1 (1) A driver ... must take a rest break after 5½ hours of continuous work time.

AREC applicability: The same minimum rest periods should apply to an AREC member working as part of an Incident Management Team (IMT). Ideally the breaks should be more frequent and the workload shared around if busy. Would a 1½ or 2-hour work period be more appropriate? Remember, it is up to you and the other members of your AREC team to decide how to arrange your breaks. Also, work-in with others in the IMT to ensure no-one else is getting excessively fatigued.