This PUBLIC BILL *originated in the* LEGISLATIVE ASSEMBLY, *and, having this day passed, is now ready for presentation to the* LEGISLATIVE COUNCIL *for its concurrence.*

I. P. K. VIDLER,
Clerk of the Legislative Assembly.

Legislative Assembly Chamber,
Sydney, 18 *November,* 1970.

New South Wales

ANNO UNDEVICESIMO

ELIZABETHÆ II REGINÆ

* *

Act No. , 1970.

An Act relating to the hours of driving and rest of drivers of certain heavy motor vehicles; for this purpose to amend the Motor Traffic Act, 1909; and for purposes connected therewith.

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Motor Traffic (Amendment) Act, 1970". Citation and commencement.

(2)

(2) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

2. The Motor Traffic Act, 1909, is amended—

Amendment of Act No. 5, 1909.

Sec. 8c. (Limitation of time for which drivers of certain vehicles may remain continuously on duty.)

(a) (i) by omitting from subparagraph (iii) of paragraph (a) of subsection one of section 8c the word "ten" and by inserting in lieu thereof the word "five";

(ii) by inserting at the end of the same subparagraph the following word and new subparagraph :—

or

(iv) unless he has had at least one period of twenty-four consecutive hours for rest during the preceding seven days or at least forty-eight hours for rest in two periods of not less than twenty-four consecutive hours each during the preceding fourteen days.

(b) (i) by omitting from subparagraph (iii) of paragraph (b) of the same subsection the word "ten" and by inserting in lieu thereof the word "five";

(ii) by inserting at the end of the same subparagraph the following word and new subparagraph :—

or

(iv) unless the driver has had at least one period of twenty-four consecutive hours for rest during the preceding seven days or at least forty-eight hours for rest in two periods of not less than twenty-four consecutive hours each during the preceding fourteen days.

(c)

(c) by omitting subsection two of the same section and by inserting in lieu thereof the following subsection :—

(2) For the purposes of this section—

5 (a) any interval or interruption from driving for a period of less than half an hour; and

(b) any time spent—

(i) on any work on or in connection with a vehicle to which this section
10 applies or any load carried thereby; or

(ii) in or on a motor vehicle to which this section applies whether driving or not or in or on any other vehicle
15 for any purpose connected with or incidental to the journey of a motor vehicle to which this section applies,

shall be deemed to be time spent in driving :

Provided that in the application of the foregoing
20 provisions, time spent in the sleeping compartment of a motor vehicle, the registration certificate for which issued in any State or Territory of the Commonwealth indicates that it is registered as a motor vehicle with a sleeper-cab compartment, and in
25 respect of which two persons are available to drive the vehicle at all relevant times while it is in motion, if each of those persons had at least twenty-four consecutive hours for rest outside the vehicle during the preceding ninety-six hours, shall not be regarded
30 as time spent in driving.

BY AUTHORITY:
V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1970
[5c]

No. , 1970.

A BILL

Relating to the hours of driving and rest of drivers of certain heavy motor vehicles; for this purpose to amend the Motor Traffic Act, 1909; and for purposes connected therewith.

[MR MORRIS—11 *November*, 1970.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Motor Traffic (Amendment) Act, 1970". Citation and commencement.

(2)

(2) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

2. The Motor Traffic Act, 1909, is amended—

Amendment of Act No. 5, 1909.

Sec. 8c. (Limitation of time for which drivers of certain vehicles may remain continuously on duty.)

(a) (i) by omitting from subparagraph (iii) of paragraph (a) of subsection one of section 8c the word "ten" and by inserting in lieu thereof the word "five";

(ii) by inserting at the end of the same subparagraph the following word and new subparagraph :—

or

(iv) unless he has had at least one period of twenty-four consecutive hours for rest during the preceding seven days or at least forty-eight hours for rest in two periods of not less than twenty-four consecutive hours each during the preceding fourteen days.

(b) (i) by omitting from subparagraph (iii) of paragraph (b) of the same subsection the word "ten" and by inserting in lieu thereof the word "five";

(ii) by inserting at the end of the same subparagraph the following word and new subparagraph :—

or

(iv) unless the driver has had at least one period of twenty-four consecutive hours for rest during the preceding seven days or at least forty-eight hours for rest in two periods of not less than twenty-four consecutive hours each during the preceding fourteen days.

(c)

(c) by omitting subsection two of the same section and by inserting in lieu thereof the following subsection :—

(2) For the purposes of this section—

(a) any interval or interruption from driving for a period of less than half an hour; and

(b) any time spent—

(i) on any work on or in connection with a vehicle to which this section applies or any load carried thereby; or

(ii) in or on a motor vehicle to which this section applies whether driving or not or in or on any other vehicle for any purpose connected with or incidental to the journey of a motor vehicle to which this section applies,

shall be deemed to be time spent in driving :

Provided that in the application of the foregoing provisions, time spent in the sleeping compartment of a motor vehicle, the registration certificate for which issued in any State or Territory of the Commonwealth indicates that it is registered as a motor vehicle with a sleeper-cab compartment, and in respect of which two persons are available to drive the vehicle at all relevant times while it is in motion, if each of those persons had at least twenty-four consecutive hours for rest outside the vehicle during the preceding ninety-six hours, shall not be regarded as time spent in driving.

BY AUTHORITY:
V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1970
[5c]

PROOF

MOTOR TRAFFIC (AMENDMENT) BILL, 1970

EXPLANATORY NOTE

THE objects of this Bill are—

(a) to prohibit drivers of heavy motor vehicles exceeding two tons in weight driving such vehicles unless they have had at least five consecutive hours of rest in any period of twenty-four hours and at least one day of rest in the preceding seven days or two days of rest in the preceding fourteen days;

(b) to make further provisions as to what constitutes time spent in driving such vehicles; and

(c) to make other provisions consequential on or ancillary to the foregoing.

34189 412—

PROOF

No. , 1970.

A BILL

Relating to the hours of driving and rest of drivers of certain heavy motor vehicles; for this purpose to amend the Motor Traffic Act, 1909; and for purposes connected therewith.

[MR MORRIS—11 *November*, 1970.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Motor Traffic (Amendment) Act, 1970". Citation and commencement.

(2)

34189 412—

(2) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

2. The Motor Traffic Act, 1909, is amended—

Amendment of Act No. 5, 1909.

Sec. 8c. (Limitation of time for which drivers of certain vehicles may remain continuously on duty.)

(a) (i) by omitting from subparagraph (iii) of paragraph (a) of subsection one of section 8c the word "ten" and by inserting in lieu thereof the word "five";

(ii) by inserting at the end of the same subparagraph the following word and new subparagraph :—

or

(iv) unless he has had at least one period of twenty-four consecutive hours for rest during the preceding seven days or at least forty-eight hours for rest in two periods of not less than twenty-four consecutive hours each during the preceding fourteen days.

(b) (i) by omitting from subparagraph (iii) of paragraph (b) of the same subsection the word "ten" and by inserting in lieu thereof the word "five";

(ii) by inserting at the end of the same subparagraph the following word and new subparagraph :—

or

(iv) unless the driver has had at least one period of twenty-four consecutive hours for rest during the preceding seven days or at least forty-eight hours for rest in two periods of not less than twenty-four consecutive hours each during the preceding fourteen days.

(c)

(c) by omitting subsection two of the same section and by inserting in lieu thereof the following subsection :—

(2) For the purposes of this section—

(a) any interval or interruption from driving for a period of less than half an hour; and

(b) any time spent—

(i) on any work on or in connection with a vehicle to which this section applies or any load carried thereby; or

(ii) in or on a motor vehicle to which this section applies whether driving or not or in or on any other vehicle for any purpose connected with or incidental to the journey of a motor vehicle to which this section applies,

shall be deemed to be time spent in driving :

Provided that in the application of the foregoing provisions, time spent in the sleeping compartment of a motor vehicle, the registration certificate for which issued in any State or Territory of the Commonwealth indicates that it is registered as a motor vehicle with a sleeper-cab compartment, and in respect of which two persons are available to drive the vehicle at all relevant times while it is in motion, if each of those persons had at least twenty-four consecutive hours for rest outside the vehicle during the preceding ninety-six hours, shall not be regarded as time spent in driving.

BY AUTHORITY:
V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1970

I certify that this PUBLIC BILL, *which originated in the* LEGISLATIVE ASSEMBLY, *has finally passed the* LEGISLATIVE COUNCIL *and the* LEGISLATIVE ASSEMBLY *of* NEW SOUTH WALES.

I. P. K. VIDLER,
Clerk of the Legislative Assembly.

Legislative Assembly Chamber,
Sydney, 25 *November,* 1970.

New South Wales

ANNO UNDEVICESIMO

ELIZABETHÆ II REGINÆ

* *

Act No. 89, 1970.

An Act relating to the hours of driving and rest of drivers of certain heavy motor vehicles; for this purpose to amend the Motor Traffic Act, 1909; and for purposes connected therewith. [Assented to, 9th December, 1970.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Motor Traffic (Amendment) Act, 1970". Citation and commencement.

(2)

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

L. A. PUNCH,
Chairman of Committees of the Legislative Assembly.

(2) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

Amendment of Act No. 5, 1909.

Sec. 8c. (Limitation of time for which drivers of certain vehicles may remain continuously on duty.)

2. The Motor Traffic Act, 1909, is amended—

(a) (i) by omitting from subparagraph (iii) of paragraph (a) of subsection one of section 8c the word "ten" and by inserting in lieu thereof the word "five";

(ii) by inserting at the end of the same subparagraph the following word and new subparagraph :—

or

(iv) unless he has had at least one period of twenty-four consecutive hours for rest during the preceding seven days or at least forty-eight hours for rest in two periods of not less than twenty-four consecutive hours each during the preceding fourteen days.

(b) (i) by omitting from subparagraph (iii) of paragraph (b) of the same subsection the word "ten" and by inserting in lieu thereof the word "five";

(ii) by inserting at the end of the same subparagraph the following word and new subparagraph :—

or

(iv) unless the driver has had at least one period of twenty-four consecutive hours for rest during the preceding seven days or at least forty-eight hours for rest in two periods of not less than twenty-four consecutive hours each during the preceding fourteen days.

(c)

(c) by omitting subsection two of the same section and by inserting in lieu thereof the following subsection :—

(2) For the purposes of this section—

(a) any interval or interruption from driving for a period of less than half an hour; and

(b) any time spent—

(i) on any work on or in connection with a vehicle to which this section applies or any load carried thereby; or

(ii) in or on a motor vehicle to which this section applies whether driving or not or in or on any other vehicle for any purpose connected with or incidental to the journey of a motor vehicle to which this section applies,

shall be deemed to be time spent in driving :

Provided that in the application of the foregoing provisions, time spent in the sleeping compartment of a motor vehicle, the registration certificate for which issued in any State or Territory of the Commonwealth indicates that it is registered as a motor vehicle with a sleeper-cab compartment, and in respect of which two persons are available to drive the vehicle at all relevant times while it is in motion, if each of those persons had at least twenty-four consecutive hours for rest outside the vehicle during the preceding ninety-six hours, shall not be regarded as time spent in driving.

In the name and on behalf of Her Majesty I assent to this Act.

A. R. CUTLER,
Governor.

Government House,
Sydney, 9th December, 1970.