

# Work time and logbooks

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A basic guide to work time and rest time requirements and logbook standards for transport operators and drivers.



For additional information, advice, or support please contact your local Transport Agency Office.

## **IMPORTANT**

This guide is provided to help drivers and commercial transport operators to understand work time and rest time requirements and minimum logbook standards. This is not an exhaustive list of requirements which are contained in the relevant legislation.

People applying guidance provided in this booklet must ensure compliance with all relevant legislation and regulations.

This is not a legal document.



## INTRODUCTION

There are restrictions placed on how long the driver of a commercial or heavy motor vehicle may work before taking rest. Restricting work time helps reduce the risk of fatigue in drivers of commercial and heavy motor vehicles.

## WHAT IS FATIGUE?

People often think that driver fatigue means falling asleep at the wheel. Falling asleep however, is an extreme form of fatigue. Fatigue is tiredness, weariness or exhaustion. You can be fatigued enough for it to impair your driving long before you 'nod off' at the wheel. For example, when you are fatigued:

- Reactions are much slower
- Ability to concentrate is reduced
- It takes longer to interpret and understand traffic situations
- Decision making process is impaired.

## WHO DO WORK TIME RULES APPLY TO?

Work Time rules apply if you drive or operate a vehicle that:

- requires a class 2, 3, 4, or 5 drivers licence, or
- is used in a transport service (other than a rental service), or
- is used in circumstances in which the vehicle must, or ought to be operated under a Transport Service Licence, or
- is used to carry goods for hire or reward.

## WHO IS REQUIRED TO FILL OUT A LOGBOOK?

Logbooks must be completed if you drive a vehicle that:

- requires a class 2, 3, 4, or 5 drivers licence, or
- is used in a transport service (other than a rental service), or
- is used in circumstances in which the vehicle must, or ought to be operated under a Transport Service Licence, or
- is used to carry goods for hire or reward if that vehicle has a gross laden weight exceeding 3,500kg.

**Note:** Some standard work time exemptions that apply to emergency and essential services have been incorporated into the rule.

## WORK TIME

Work time includes (but is not limited to) all time spent driving, or performing work related duties including:

- Loading and unloading
- Maintenance and cleaning of vehicles (other than unpaid cleaning outside of working hours)
- Administration and recording (office work)
- Any paid employment (other than paid leave or breaks of at least 30 minutes in duration) whether or not related to transport activities.

## REST TIME

Rest time means all time that is:

- Not work time, and
- At least 30 minutes in duration, and
- Not spent in a moving vehicle associated with work.

**Note:** All three components must be present to constitute rest time.

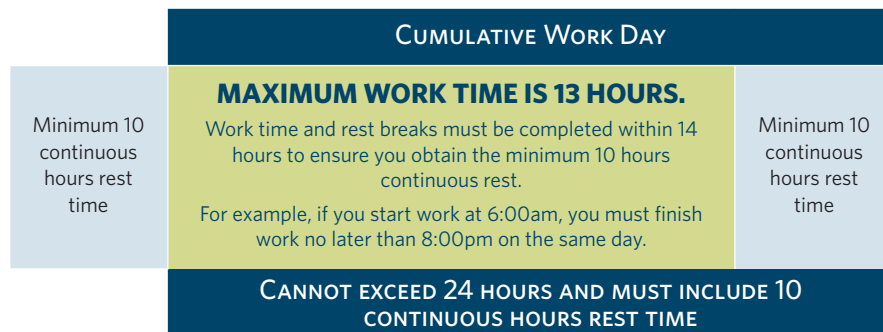
## REST BREAK

A rest break means a period of rest time taken within a cumulative work day. You can work up to 5 ½ hours before having to take a rest break of at least 30 minutes.

**Note:** Rest breaks must be uninterrupted by work activities. For example, you cannot refuel your vehicle, do paperwork, clean your vehicle, or carry out any other “work related duty” during a rest break.

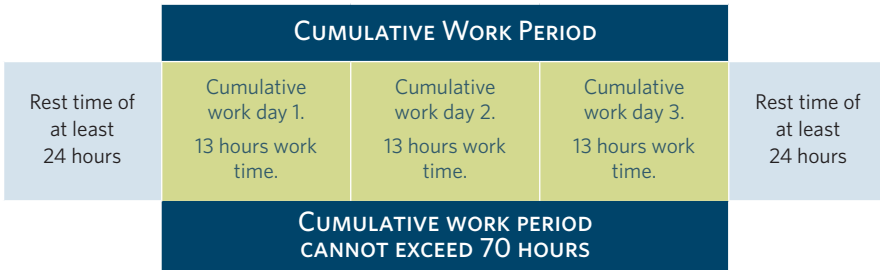
## CUMULATIVE WORK DAY

A cumulative work day means a period during which work occurs that does not exceed 24 hours, and begins after a continuous period of rest time of at least 10 hours (in other words a typical “work day”).



## CUMULATIVE WORK PERIOD

A cumulative work period is a set of cumulative work days between continuous periods of rest time of at least 24 hours in duration (in other words, a typical “working week”).



## SUMMARY: LIMITS ON WORK TIME

- A driver may not exceed 5 ½ hours of continuous work time without taking a rest break
- A driver may not exceed 13 hours of work time in any cumulative work day
- A driver must have at least 10 hours of continuous rest in any cumulative work day
- A driver may not exceed 70 hours of work time in any cumulative work period.

## WHAT MUST BE COMPLETED IN A LOGBOOK

The driver must record his or her name on the cover of each logbook. On each logbook page you must complete:

- Your name (initials and surname, or first and last name)
- The date on which the logbook page starts
- The registration number of all vehicles that are subject to work time (do not use fleet numbers or abbreviate)
- The start and finish distance recorder readings (for vehicles subject to RUC)
- The start and finish times for all periods of work time and rest breaks (times must be recorded either in the am/pm or 24 hr format)
- The location of each event. This only needs to be the town or locality for smaller areas, or for cities you must use the suburb and city (do not abbreviate locations)
- Complete the activity grid.

## PERIOD OF RECORDING

A logbook must be a continuous record of work time and rest time within a cumulative work period (“working week”).

Logbook pages 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.

For example, if you start on the first day back at work on a **midnight** sheet, then every other page for that “working week” must also be a **midnight** sheet until you take the next 24-hour break.

It is recommended that you circle **noon** or **midnight** at the top of the logbook page to clearly indicate when the page commences.

Logbook entries must:

- Show the extent of the cumulative work day and the cumulative work period
- Record when the most recent 10-hour break was taken
- Record the period back to (and including) the last 24-hour break
- Be maintained until the next 24-hour break is taken at the end of the cumulative work period
- Be accurate, clearly legible and unambiguous.

## WHAT MUST BE RECORDED AFTER A DAY OFF

On the **first day** of a new cumulative work period you must record the dates of all days off duty, including annual leave or sick leave, or any other natural days when you haven’t worked.

It is also recommended that you enter the date of the “End of last 24-hour break” in the space provided. **Note:** This is the date that you commence work again.

**Note:** A natural day means a period of 24 hours that begins on midnight one day and ends on midnight the following day.

## LOGBOOK EXAMPLE

The example on the adjacent page shows a standard working day for a driver.

- The driver has finished work at 5pm on 2 December.
- Between midnight on 2 December and midnight on 4 December the driver has had 2 'natural' days (48 hours) when no work was undertaken. These 2 days are recorded as nil work days at the bottom of the page in the space provided.
- From midnight on 4 December to 8:00am on 5 December the driver records on the grid as continuing his rest time.
- At 8:00am the driver commences work time at Te Rapa, Hamilton. The registration number and start hubodometer reading are recorded.
- The driver records the date of the end of his last 24-hour break as 5 December in the space provided.
- At 12:00pm the driver takes a 1 hour rest break at Huntly
- At 1:00pm the driver recommences work time at Huntly.
- At 5:00pm the driver finishes work time at Te Rapa, Hamilton. The end hubodometer is recorded.
- The driver completes the grid to the end of the page.



## LOGBOOK EXAMPLE

GENERAL USE Logbook form					
Driver name <b>Joseph Bloggs</b>		Start Time for page <b>Noon (midnight)</b>		Date <b>05/12/2011</b>	
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			8:00 am Te Rapa Hamilton	AB1234	99564
9					
10					
11			12:00 pm Huntly		
12					
1			1:00 pm Huntly		
2					
3					
4					
5			5:00 pm Te Rapa Hamilton		99712
6					
7					
8					
9					
10					
11					
End of last 24-hour break (date)		Work time hours – today	+ Previous total for cumulative work period	= Total hours in this cumulative work period	
05/12/2011			+	=	
Nil work days					
Date: 03/12/2011	Date: 04/12/2011	Date:	Date:		

AAA 724958-1

ORIGINAL Remains in book

Record end of last 24 hour break (first day back at work).

Record days off in the space provided in the logbook, or as the first entry at the top of the first page.

## **LOGBOOK EXAMPLE (SOME NON-DRIVING DUTY)**

The example on the adjacent page shows a standard working day where a driver may perform duties other than driving.

- The driver completes the grid showing rest time continuing from midnight on 5 December.
- The driver starts work time at 8:00am at Te Rapa, Hamilton but is not driving (eg working in the yard or fixing the truck). No vehicle details are required.
- At 12:00pm the driver takes a 1 hour rest break at Te Rapa, Hamilton.
- At 1:00pm the driver recommences work time at Te Rapa, Hamilton and commences driving as part of his work time duties. The driver enters the registration number and hubodometer of the vehicle.
- At 5:00pm the driver finishes work time at Te Rapa, Hamilton. The end hubodometer is recorded.
- The driver completes the grid to the end of the page.

### LOGBOOK EXAMPLE (SOME NON-DRIVING DUTY)

<b>GENERAL USE Logbook form</b>						
Driver name	Joseph Bloggs		Start Time for page	Noon (midnight)	Date	06/12/2011
Hours	Rest time	Work time	Location (of each change) Remarks	Registration Driven vehicle	Distance Record for vehicles subject to RUC	AAA 724958-1
12						
1						
2						
3						
4						
5						
6						
7						
8			8:00 am Te Rapa Hamilton			
9						
10						
11			12:00 pm Te Rapa Hamilton			
12						
1			1:00 pm Te Rapa Hamilton	AB1234	99712	
2						
3						
4						
5			5:00 pm Te Rapa Hamilton		99864	
6						
7						
8						
9						
10						
11						
End of last 24-hour break (date)		Work time hours – today	+ Previous total for cumulative work period	= Total hours in this cumulative work period		
			+	=		
Nil work days						
Date:	Date:	Date:	Date:			

ORIGINAL Remains in book

## LOGBOOK EXAMPLE (NON-DRIVING WORK DAYS)

If a person is required to complete a logbook, that logbook must be completed from the last 24-hour rest break, and until the next 24-hour rest break.

Details relating to a non-driving work day or consecutive non-driving work days can be combined onto a single separate logbook page.

Details to be recorded for a non-driving work day must include:

- The driver's name
- The date(s)
- The period worked (eg "8:00am to 4:30pm")
- The total actual work time hours (eg "8 hours")
- A brief description of the type of work undertaken.

GENERAL USE Logbook form						
Driver name		Joseph Bloggs		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	AAA 724958 - 1
12			06/03/2011 08:00am to 5:00pm			
1			8 hours - Line maintenance			
2						
3			07/03/2011 08:00am to 5:00pm			
4			8 hours - Workshop			
5			08/03/2011 08:00am to 5:00pm			
6			8 hours - Line maintenance			
7						
8						
9						
10						
11						

**Note:** In the above example the start and finish time total is 9 hours. The 8 hours total work time recorded shows that 1 hours rest was taken on each day.

## UNEXPECTED DELAYS

Delaying events arising out of circumstances that could not reasonably have been foreseen, or an emergency, can be recorded in your logbook and can be used as a defence against any charge for breaching work time and/or rest time requirements. It is no longer possible to ring up to get approval to exceed work time restrictions.

**Note:** A defence is not the same as an exemption. You can still be charged and convicted. It just clarifies that you can use the cause of the delay or emergency as an argument against being convicted for any charges. Ultimately if charged, the court will determine if any explanation is valid and reasonable.

## LOGBOOK EXEMPTION

A driver of a goods vehicle does not have to maintain a logbook if the vehicle requires a class 1 or 2 licence to be driven and is operated only within a 50km radius of the vehicle operator's usual business location or is driven within a 50km radius from a base of operations. Base of operations means a site office established for at least 24 hours, or a local depot to which drivers report daily for assignment of tasks or to commence driving.

**Note:** A logbook exemption only removes the requirement for a driver to complete a logbook. Normal work time rules still apply and must be adhered to.

## WORK TIME EXEMPTIONS FOR ESSENTIAL SERVICES

A driver may extend their work time hours if employed by or under contract to a person or body that is undertaking urgent work to:

- Repair or restore road or bridge access
- Repair or restore electrical (line) services
- Repair or restore sewerage or reticulated water, services
- Repair or restore natural gas services
- To otherwise stabilise land or reduce risk to persons or property.

This includes a person who is requested by the NZ Police to provide urgent assistance in an accident or incident.

At the end of the day during which work time hours were exceeded, a driver may return a vehicle to the depot if the journey does not exceed 2 hours driving. The person must then take a minimum 10 hour break before undertaking further driving that is subject to work time

As soon as practicable, the driver must record in their logbook the reason for exceeding the work time requirements and any additional hours.

A person (employer) requiring a driver to extend their work time hours must record and retain the name of the driver, the hours worked, and the situation requiring the variation details for 12 months.

The same rules apply for a State of Emergency.

## FERRY CROSSINGS

Scheduled ferry trips of more than 1 hour may count as a rest break (includes time spent in the vehicle during the sailing). The driver must use the actual departure and arrival times of the ferry when recording the rest break.

At the end of the ferry sailing the driver may drive to a place of storage or safe parking, even if the hours of work time for that cumulative work day would be exceeded, provided that:

- The additional work time does not exceed 1 hour from the ferry arrival time, and
- A 10 hour continuous rest break is taken immediately.

## DRIVER DUTIES

A driver must:

- Produce their logbook without delay on demand by any enforcement officer. The logbook must relate to that day, and all days back to and including the last 24-hour rest break
- Retain their logbook for a period of 12 months after the date of last entry in that logbook
- Deliver a copy of each logbook page to their employer within 14 days of completing that record.

## EMPLOYER DUTIES

Employers and self-employed drivers must keep the following records for 12 months from the date the record is made:

- Time, wage and other employment records for the driver
- Accommodation records and receipts relevant to the transport service or transport service vehicle
- Fuel Records and receipts for relevant transport service vehicles
- Logbook pages (employer copy for employed drivers or own copy if self-employed).

Employers and self-employed drivers must be able to produce the above records on demand by an enforcement officer.

**Note:** Transport Operators are required to maintain additional records for the purposes of road user charges (RUC). Please refer to the *Road user charges handbook* available on the Transport Agency website for details.

## EMPLOYER EXPECTATIONS

It is considered 'best practice' and the expectation is that employers will:

- Maintain a process to regularly collect logbook pages from all drivers
- Periodically check logbook pages for omissions and accuracy, including auditing entries against other records.
- File logbook pages in a manner so they can monitor if there are any missing (eg file by book/page number and/or by driver name)
- Take appropriate action where any issues are identified (ie remedial training, warnings etc).

## PENALTIES

Penalties for breaching logbook or work/rest time requirements can be significant for an individual and/or a company. In addition offences may have an adverse effect on a transport operators star rating under the Operator Rating System (where applicable).

For example, producing a logbook with an omission:

1 to 5 omissions	10 demerit points	\$150 infringement
6 to 10 omissions	20 demerit points	\$300 infringement
11+ omissions	30 demerit points	\$500 infringement
Failed to produce logbook	35 demerit points	\$500 infringement

Upon conviction, maximum penalties for court offences such as producing a logbook that is not clear and legible, making a false statement in a logbook, exceeding work time limits, or not meeting minimum rest requirements, include fines of up to \$2000 and disqualification of classes 2-5 and/or P endorsement for at least one month on each charge.

Upon conviction, maximum penalties for other court offences such as failing to keep and/or produce records on demand include for an individual a \$2,000 fine and disqualification of classes 2-5 and/or P endorsement for at least one month and/or for a company a \$100,000 fine.



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**NZ Transport Agency**

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