



New South Wales

# Motor Traffic Amendment (Two-up Driving) Regulation 1996

under the  
Traffic Act 1909

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Traffic Act 1909*.

MICHAEL KNIGHT, M.P.,  
Minister for Roads

## Explanatory note

The object of this Regulation is to:

- (a) make specific provision for “two-up” driving arrangements on coaches (that is, arrangements under which 2 drivers take turns to drive and take rest periods on the one coach), and
- (b) amend (for the sake of law revision) the requirement as to the recording of rest periods in authorised log books, and
- (c) enable interstate drivers to obtain regular New South Wales Professional Drivers’ Log Books (rather than just Special Purpose Drivers’ Log Books) in cases where they would not be entitled to any log book in their home State or Territory.

This Regulation is made under the *Traffic Act 1909*, including section 3 (1) (a) and (t1).

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Clause 1 Motor Traffic Amendment (Two-up Driving) Regulation 1996

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# Motor Traffic Amendment (Two-up Driving) Regulation 1996

## 1 Name of Regulation

This Regulation is the *Motor Traffic Amendment (Two-up Driving) Regulation 1996*.

## 2 Commencement

This Regulation commences on 30 September 1996.

## 3 Amendment of Motor Traffic Regulations 1935

The *Motor Traffic Regulations 1935* are amended as set out in Schedule 1.

## 4 Notes

The explanatory note does not form part of this Regulation.

## Schedule 1 Amendments

(Clause 3)

### [1] Regulation 125 Definitions

Omit the definition of *sleepers-cab* from Regulation 125 (1).  
Insert instead:

*sleepers-cab* means the sleeping compartment of a motor vehicle, being a sleeping compartment that complies with the Australian Design Rules that apply to that sort of vehicle or that is approved by the Authority.

*two-up driving arrangement* means an arrangement under which 2 people share the driving of a motor vehicle so that one is driving while the other is travelling in the vehicle.

**[2] Regulation 125 (3)**

Insert after Regulation 125 (2):

- (3) For the purposes of this Part, a person who is driving a coach is taken to be driving the coach under a two-up driving arrangement if
  - (a) the person is actually driving the coach under such an arrangement, or
  - (b) though not actually driving the coach under such an arrangement, the person has, within the previous 168 hours, spent an aggregate of 10 hours or more in one or more two-up driving arrangements on any coaches.
- (4) For the purposes of clause (3), it does not matter that the person may also have driven motor vehicles to which this Part applies under other arrangements during that 168 hour period.

**[3] Regulation 126A Hours of driving and rest period requirements**

Insert “otherwise than under a two-up driving arrangement” after “a public street” in Regulation 126A (2A).

**[4] Regulation 126A (2B)**

Insert after Regulation 126A (2A):

- (2B) A person must not drive a coach on a public street under a two-up driving arrangement:
  - (a) if the person has driven one or more motor vehicles to which this Part applies for periods totalling 11 hours or more during the previous 24 hours, or
  - (b) if the person has not had rest totalling at least 13 hours, at least 5 hours and 30 minutes of which must be consecutive and in a sleeper cab or away from motor vehicles to which this Part applies, during the previous 24 hours, or

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- (c) if the person has not had rest totalling at least 13 hours away from motor vehicles to which this Part applies during the previous 53 hours, or
- (d) if the person has driven one or more motor vehicles to which this Part applies for periods totalling 66 hours or more during the previous 168 hours, or
- (e) if the person has not had rest totalling at least 102 hours in a sleeper cab or away from motor vehicles to which this Part applies in the previous 168 hours, or
- (f) if the person has not had rest totalling at least 96 hours away from motor vehicles to which this Part applies during the previous 672 hours or, if the person has had such rest, the rest has not been taken as
  - one period, or
  - 2 or more periods, each of which is at least 24 hours.

**[5] Regulation 126B Issue of log books**

Insert “or who is the holder of a corresponding licence issued in another State or a Territory in a case where that State or Territory does not issue authorised log books” after “applies” where secondly occurring in Regulation 126B (3) (a).

**[6] Regulation 126C Obligation to carry and complete an authorised log book**

Omit Regulation 126C (2) (a) (ii) and (iii). Insert instead:

- (ii) of rest in a sleeper cab, and
- (iii) of rest in a stationary vehicle, and
- (iv) of rest away from motor vehicles to which this Part applies, and

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**[7] Regulation 126I Saving**

Omit the Regulation.

**[8] Schedule K, Part 2, Table A**

Insert “ , (2B)” after the matter referring to Regulation 126A (2A).