



Driver Factsheet 011

Rules On Drivers Hours (Goods Vehicles)

Introduction To Drivers Hours & Rules

Within Great Britain (GB), EU rules apply to all drivers who drive goods vehicles for employment purposes.

The EU rules (Regulation EU 561/2006) apply to drivers of most vehicles used for the carriage of goods (including dual purpose vehicles) where the maximum permissible weight of the vehicle, including any trailer or semi-trailer, exceeds 3.5 tonnes and where the vehicle is used within the UK or between the UK and other EU and EEA countries and Switzerland.

Brief Summary of rules

- **Breaks**
45 minute break or split break (of at least 15 minutes, and the second being at least 30 minutes) must be taken after 4.5 hours driving time.
- **Daily Driving Limit**
The maximum hours you can drive for daily is 9 hours, this can be increased to 10 hours twice a week.
- **Weekly Driving Limit**
The maximum hours you can drive for weekly are 56 hours.
- **Two weekly driving limit**
The maximum hours you can drive over a two week period is 90 hours.
- **Regular Daily Rest Periods**
You must take a daily rest in each 24 hour period at the end of your shift for 11 hours or more. You can split your daily rest period into two periods of at least 3 hours and at least 9 hours. You can reduce your daily rest period to 9 hours no more than 3 times in a two week period.
- **Weekly rest period.**
A weekly rest period must be started no more than six consecutive 24 hour periods, for at least 45 consecutive hours. You can reduce your weekly rest period to a minimum of 24 consecutive hours; this reduced time must be made up by the end of the third following week and attached to either a daily or weekly rest period.

Rules On Drivers Hours (Goods Vehicles)

Driving Time

'Driving Time' is the duration of driving activity recorded either by the recording equipment (i.e. tachographs) or manually when the equipment is broken.

Rules On Drivers Hours (Goods Vehicles)

Breaks

45 Minute Break

A 'Break' is a period in which a driver may not carry out any driving or any other work. A break may be taken in a moving vehicle, providing no other work is undertaken.

After a driving period of no more than 4.5 hours, a driver must immediately take a break of at least 45 minutes, unless he takes a rest period. A break taken in this way must not be interrupted. For example:

Driving 4.5 hours	Break 45 minutes
-------------------	------------------

Driving 2.5 hours	Other work 1 hour	Driving 2 hours	Break 45 minutes
-------------------	-------------------	-----------------	------------------

Split Break

Alternatively, a full 45 minute break can be replaced by one break of at least 15 minutes followed by another break of at least 30 minutes. These breaks must be distributed over the 4.5 hour period.

Breaks of less than 15 minutes will not contribute towards a qualifying break, but neither will they be counted as duty or driving time. The EU rules will only allow a split break pattern that shows the second period of the break being at least 30 minutes, such as the following examples.

Driving 2 hours	Break 15 minutes	Driving 2.5 hours	Break 30 minutes
-----------------	------------------	-------------------	------------------

Driving 2 hours	Break 34 minutes	Driving 2.5 hours	Break 30 minutes
-----------------	------------------	-------------------	------------------

The following split break pattern is **illegal**, because the second break is less than 30 minutes:

Driving 2 hours	Break 30 minutes	Driving 2.5 hours	Break 15 minutes
-----------------	------------------	-------------------	------------------

Driving Time Periods and Qualifying Breaks

Once a driver has taken a 45 minute break (or qualifying breaks totally 45 minutes) before or at the end of a 4.5 hour driving period a driver wipes the slate clean. This means that in assessing break requirements for the next 4.5 hour period, no reference is to be made to the driving time accumulated before this point.

Rules On Drivers Hours (Goods Vehicles)

Driving Limits

Daily driving time is:

- The total accumulated driving time between the end of one daily rest period and the beginning of the following daily rest period.
- The total accumulated driving time between a daily rest period and a weekly rest period.

Daily driving limit

The maximum daily driving limit is **9 hours**. For example:

Driving 4.5 hours	Break 45 minutes	Driving 4.5 hours
-------------------	------------------	-------------------

Driving 2 hours	Break 45 minutes	Driving 4.5 hours	Break 45 minutes	Driving 2.5 hours
-----------------	------------------	-------------------	------------------	-------------------

This can be increased to **10 hours** twice a week. For example:

Driving 4.5 hours	Break 45 minutes	Driving 4.5 hours	Break 45 minutes	Driving 1 hour
-------------------	------------------	-------------------	------------------	----------------

Driving 2 hours	Break 45 minutes	Driving 4.5 hours	Break 45 minutes	Driving 3.5 hours
-----------------	------------------	-------------------	------------------	-------------------

Weekly driving limit

The maximum weekly driving limit is 56 hours, which applies to a fixed week (see below).

The following is an example of how this might be achieved:

Sun	Weekly Rest
Mon	9 hours driving
Tue	10 hours driving
Wed	9 hours driving
Thur	10 hours driving
Fri	9 hours driving
Sat	9 hours driving
Sun	Weekly Rest

Two weekly driving limit

The maximum driving time over any two weeks is 90 hours, for example:

Week	Total weekly driving hours
9	56 hours
10	34 hours
11	45 hours
12	45 hours
13	43 hours

Rules On Drivers Hours (Goods Vehicles)

Rest Periods

Daily rest periods

A driver must take a daily rest period within each period of 24 hours after the end of the previous daily or weekly rest period. An 11-hour (or more) daily rest is called a regular daily rest period.

24 hour period	
Driving & other work + breaks = 13 hours	Regular daily rest 11 hours

Alternatively, a driver can split a regular daily rest period into two periods. The first period must be at least **3 hours** of uninterrupted rest and can be taken at any time during the day. The second must be at least **9 hours** of uninterrupted rest, giving a total **minimum rest of 12 hours**; for example:

24 hour period			
8 hours (driving + other work + breaks)	3 hours (rest)	4 hours (driving + other work + breaks)	9 hours (rest)

A driver may reduce his daily rest period to no less than **9** continuous hours, but this can be done no more than **three times** between **any two weekly rest periods**, and **no compensation** for the reduction is required. A daily rest that is less than 11 hours but at least 9 hours long is called a reduced daily rest period.

24 hour period	
Driving & other work + breaks = 15 hours	Regular daily rest 9 hours

Where a daily rest is taken, this may be taken in a vehicle, provided that it has suitable sleeping facilities and is stationary.

To summarise, a driver who begins work at 06.00 on day 1 must, by 06.00 on day 2 at the latest, have completed either:

- A regular daily rest period of at least 11 hours; **or**
- A split daily rest period of at least 12 hours; **or**
- If entitled, a reduced daily rest period of at least 9 hours.

Regular daily rest

A continuous period of at least 11 hours' rest.

Split daily rest period

A regular rest taken in two separate periods – the first at least 3 hours, and the second at least 9 hours.

Reduced daily rest period

A continuous rest period of at least 9 hours but less than 11 hours

Weekly rest periods

A driver must start a weekly rest period no later than at the end of six consecutive 24-hour periods from the end of the last weekly rest period. A regular weekly rest period is a period of at least **45** consecutive hours.

Week 1				Week 2				Week 3			
		Rest	Rest			Rest	Rest			Rest	Rest
45 hours				144 hours				45 hours			
				80 hours				45 hours			

Note: An actual working week starts at the end of a weekly rest period, and finishes when another weekly rest period is commenced, which may mean weekly rest is taken in the middle of a fixed (Monday to Sunday) week. This is perfectly acceptable – the working week is not required to be aligned with the 'fixed' week contained in the rules, provided all the relevant limits are complied with.

Alternatively, a driver can take a reduced weekly rest period of a minimum of **24** consecutive hours. If a reduction is taken, it must be compensated for by an equivalent period of rest taken **in one block** before the end of the **third week** following the week in question. The compensating rest must be attached to a period of rest of at least **9 hours** – in effect either a weekly or a daily rest period.

For example, where a driver reduces a weekly rest period to 33 hours in week 1, he must compensate for this by attaching a 12-hour period of rest to another rest period of at least 9 hours before the end of week 4. This compensation cannot be taken in several smaller periods.

	Week 1	Week 2	Week 3	Week 4
Weekly rest	33 hours	45 hours	45 hours	45 hours + 12 compensated

In any **two consecutive ‘fixed’ weeks** a driver must take at least:

- **Two regular weekly rests (45 consecutive hours);** or
- **One regular weekly rest and one reduced weekly rest (at least 24 hours).**

The following is an example of how a driver’s duties might be organised in compliance with the rules on weekly rest, which allow two reduced weekly rest periods to be taken consecutively. This complies with the rules because at least one regular and one reduced weekly rest period have been taken in two consecutive ‘fixed’ weeks.

Week 1					Week 2					Week 3					
45 hours rest					24 hours rest					27 hours rest					45 hours rest

A weekly rest period that falls in two weeks may be counted in either week but not in both. However, a rest period of at least 69 hours in total may be counted as two back-to-back weekly rests (e.g. a 45-hour weekly rest followed by 24 hours), provided that the driver does not exceed 144 hours’ work either before or after the rest period in question.

Where reduced weekly rest periods are taken away from base, these may be taken in a vehicle, provided that it has suitable sleeping facilities and is stationary.

Note: Operators who utilise a cyclical shift pattern should take care that their shift patterns allow for compliance with the rolling two-weekly requirements for weekly rest and compensation.

Travelling time

Where a vehicle coming within the scope of the EU rules is neither at the driver’s home nor at the employer’s operational centre where the driver is normally based but is at a separate location, time spent travelling to or from that location to take charge of the vehicle may not be counted as a rest or break, unless the driver is in a ferry or train and has access to a bunk or couchette.

Unforeseen events

Provided that road safety is not jeopardised, and to enable a driver to reach a **suitable stopping place**, a departure from the EU rules may be permitted to the extent necessary to ensure the safety of persons, the vehicle or its load. Drivers must note all the reasons for doing so on the back of their tachograph record sheets (if using an analogue tachograph) or on a printout or temporary sheet (if using a digital tachograph) at the latest on reaching the suitable stopping place (see relevant sections covering manual entries). Repeated and regular occurrences, however, might indicate to enforcement officers that employers were not in fact scheduling work to enable compliance with the applicable rules.

Some examples of such events are delays caused by severe weather, road traffic accidents, mechanical breakdowns, interruptions of ferry services and any event that causes or is likely to cause danger to the life or health of people or animals. Note that this concession only allows for drivers to reach a suitable stopping place, not necessarily to complete their planned journey. Drivers and operators would be expected to reschedule any disrupted work to remain in compliance with the EU rules.