

New Drivers Hours' Rules

On 11 April 2007, the current Regulations governing drivers' hours will change, and Council Regulation (EC) No 3820/85 will be replaced by Regulation (EC) No 561/2006. Although some of the rules will be the same, or broadly similar, some changes are due to be implemented. The following tables are designed to give a brief overview in lieu of more detail to be published in the near future.

	Current Rules	New Rules from 11 April 2007
Daily Driving	9 hours. Can be extended to 10 hours twice a week.	No change.
Weekly Driving	There is currently no weekly driving limit specified in legislation.	A weekly driving time limit of 56 hours is specified in the new rules.
Fortnightly driving	Maximum 90 hours driving per fortnight.	Maximum 90 hours in any two consecutive weeks.
Breaks from driving	45 minutes break on or immediately following 4 ½ hours cumulative driving. The 45 minute breaks can be broken down into breaks of at least 15 minutes each.	After four and a half hours driving, a driver must take a break of at least 45 minutes. The break is a period during which the driver may not perform other work and is exclusively used for recuperation. This break may be split into smaller periods and distributed throughout the 4 ½ hour. In this case, the first period must be at least 15 minutes, and the second period must be at least 30 minutes.
Daily rest	<p>11 hours in the 24 hour period commencing at the end of the last daily or weekly rest period. This may be reduced to a minimum of 9 hours no more than three times per fixed week.</p> <p>Daily rest may be taken in a vehicle as long as it is fitted with a bunk and is stationary. Reductions must be compensated before the end of the following week and attached to another rest period of at least 8 hours.</p>	<p>11 hours in the 24 hour period commencing at the end of the last daily or weekly rest period. This may be reduced to 9 hours no more than three times between any two weekly rest periods. There is no compensation required.</p> <p>Where a driver chooses to take daily rest periods away from base, they may be taken in a vehicle provided that there are suitable sleeping facilities for each driver and the vehicle is stationary</p>
Split Daily rest	May be made up of 2 or 3 periods totaling 12 hours. Each period must be no less than 1 hour, with the last period being 8 hours.	The 12 hour rest period can be taken in two periods. The first period must be at least 3 hours, and the second at least 9 hours.
Weekly Rest	At least 45 consecutive hours which can be reduced to 36 hours at base or 24 hours away from base. This must be taken after no more than 6 successive periods of 24 hours following the last weekly rest period (provided the total driving time does not exceed the maximum corresponding to six daily driving periods).	<p>Within six 24 hour periods from the end of the last weekly rest period, a driver will extend a daily rest period into either; a regular weekly rest period of at least 45 hours, or a reduced weekly rest period of less than 45 hours but at least 24 hours.</p> <p>In any two consecutive weeks, a driver shall take at least two</p>

	<p>Reductions must be taken en bloc before the end of the third week following the week of reduction, and attached to another rest period of at least 8 hours long. Compensation shall be taken at the vehicle or driver's base at the driver's request. A weekly rest that begins in one week and continues in the following week may be attached to either of these weeks.</p>	<p>regular weekly rest periods, or one regular weekly rest period and one reduced weekly rest period of at least 24 hours. However, the reduction shall be compensated by an equivalent period of rest taken en bloc before the end of the third week following the week in question.</p>
Multi-manning	<p>8 hours rest in 30 hours for each driver, with the need for all crew members to be present with the vehicle at all times within that period.</p>	<p>Within 30 hours of the end of a daily or weekly rest period, a driver engaged in multi-manning must have taken a new daily rest period of at least 9 hours.</p> <p>For the first hour of multi-manning the presence of another driver or drivers is optional, but for the remainder of the period it is compulsory.</p>
Ferry Crossings	<p>Where a driver accompanies a vehicle which is transported by ferry boat or train, daily rest may be interrupted once, provided part of the rest is taken on land, the interruption is no longer than 1 hour (including customs formalities), the driver has access to a bunk or couchette during both portions of rest, and the rest period is increased by 2 hours.</p>	<p>Where a driver accompanies a vehicle which is transported by ferry or train,</p> <p>and takes a regular (not less than 11 hour) daily rest period, that period may be interrupted not more than twice by other activities not exceeding one hour in total.</p> <p>During that regular daily rest period the driver shall have access to a bunk or couchette.</p>
Non-Regular National & International carriage of Passengers - Weekly Rest concession	<p>In the case of National and International carriage of passengers, other than on regular services, the driver may postpone weekly rest until the at most the end of the twelfth day when two consecutive weekly rest periods must be taken.</p>	<p>Concession will no longer apply</p>
Carriage of Passengers on National Regular Services	<p>The minimum break at not less than 30 minutes after a driving period not exceeding four hours. Such exceptions may be granted only in cases where breaks in driving of over 30 minutes could hamper the flow of urban traffic and where it is not possible for drivers to take a 15-minute break within four-and-a-half hours of driving prior to a 30-minute break.</p>	<p>Concession will no longer apply</p>
Duty Rosters and Service Timetables	<p>A regular service in a route over 50km in length is subject to EC Rules, but a tachograph is not required as long as;</p>	<p>This concession will no longer apply</p>

	<ul style="list-style-type: none"> • The employer draws up a service timetable and duty roster for crew members. • The driver takes an extract from the duty roster and a copy of the service timetable with him. • Where requested to do so by the driver, the employer must give him an extract of the duty roster. 	
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Those vehicles which were not required to be fitted with tachographs, but will be as of 11 April 2007. will have until 31 December 2007 to ensure vehicles are fitted. A vehicle first registered before 1 May 2006 may be fitted with either an analogue or a digital tachograph. A vehicle first registered on or after 1 May 2006 must only be fitted with a digital tachograph. In the meantime, between 11 April 2007 and the date a tachograph is fitted, drivers must, in the case of passenger vehicles, keep an extract of the duty roster and service timetable, whereas the drivers of goods vehicles will need to keep manual records.

The following table shows current exemptions in the left hand column, comparing them to those which will come into force on 11 April 2007 in the right hand column.

Current Exemptions	New Exemptions
Vehicles used for the carriage of goods where the maximum permissible weight of the vehicle, including any trailer or semi-trailer, does not exceed 3.5 tonnes.	Although this exemption has been removed, the Regulation applies its scope to vehicles over 3.5 tonnes only.
Vehicles used for the carriage of Passengers with no more than 9 seats, including the driver's seat.	Although this exemption has been removed, the Regulation only applies its scope to vehicles with more than 9 seats. (including the driver's seat)
Vehicles used for the carriage of Passengers on regular services with a route that does not exceed 50kms	No change
Vehicles not capable of exceeding 30Kmh.	Vehicles not capable of exceeding 40Kmh.
Vehicles used by or under the control of the armed services, civil defence, fire services, and forces responsible for maintaining order.	Vehicles owned or hired without a driver by the armed services, civil defence services, fire services, and forces responsible for maintaining public order when the carriage is undertaken as a consequence of the tasks assigned to these services and is under their control
Vehicles used in emergencies or rescue operations.	Vehicles, including vehicles used in the non-commercial transport of humanitarian aid, used in emergencies or rescue operations;
Specialised vehicles used for medical purposes.	No change
Specialised breakdown vehicles.	Specialised breakdown vehicles operating within a 100Km radius of their base.
Vehicles undergoing road tests for technical development, repair or maintenance purposes, and new or rebuilt vehicles which have not yet been put into service.	No change

Vehicles used for the non-commercial carriage of goods and personal use.	Vehicles or combination of vehicles with a maximum permissible mass not exceeding 7.5 tonnes used for the non-commercial carriage of goods.
Vehicles used in connection with sewerage, flood protection, water, gas and electricity maintenance services, highway maintenance and control, household refuse collection and disposal, telegraph and telephone services, radio and television broadcasting, and the detection of radio or television transmitters or receivers;	This has been changed to a national derogation
Vehicles Transporting Circus and Funfair equipment	This has been changed to a national derogation
Vehicles used for milk collection from farms and the return to farms of milk containers or milk products intended for animal feed	This has been changed to a national derogation
New exemption	Commercial vehicles, which have historic status according to the legislation of the member state in which they're driven and which are used for the non-commercial carriage of goods for personal use DfT are currently consulting on what constitutes a historic vehicle.

The following table shows current derogation exemptions in the left hand column, comparing them to those which will come into force on 11 April 2007 in the right hand column.

Current Derogation Exemptions	New Derogation Exemptions
Vehicles used for carrying passengers, which by virtue of their construction and equipment are suitable for carrying not more than 17 persons, including the driver, and are intended for that purpose	Vehicles with between 10 and 17 seats used exclusively for the non-commercial carriage of passengers
<p>Vehicles used by public authorities to provide public services which are not in competition with national road hauliers.</p> <ol style="list-style-type: none"> 1. A health body, ambulances or vehicles used to carry staff, patients. Medical supplies or equipment 2. Local authority for social services for old people (and certain welfare provisions) 3. The coastguard and lighthouse authorities 4. Harbour authorities for the improvement, maintenance or management within the limits of the harbour 5. Airport authorities within the perimeter of the airport 6. British Railways board, Transport for London a passenger transport executive or local authority for railway maintenance purposes 7. British Waterways board for the purpose of maintaining navigable waterways 	<p>Vehicles owned or hired without a driver by public authorities to which do not compete with private transport undertakings. DfT are currently consulting on these Public Authorities and will be updating the list in due course.</p>

Vehicles used by agricultural, horticultural, forestry or fishery undertakings for carrying goods within a 50 kilometre radius the place where the vehicle is normally based, including local administrative areas, the centres of which are situated within that radius.	Vehicles used or hired, without a driver, by agricultural, horticultural, forestry, farming or fishery undertakings for carrying goods as part of their own entrepreneurial activity within a radius of up to 100 km from the base of the undertaking
Tractors used exclusively for agricultural and forestry work.	Agricultural tractors and forestry tractors used for agricultural or forestry activities, within a radius of up to 100 km from the base of the undertaking which owns, hires or leases the vehicle
Vehicles being used to carry animal waste or carcasses which are not intended for human consumption	No change
Vehicles which are used to carry live animals between a farm and a local market or from a market to a local slaughterhouse	Vehicles which are used to carry live animals between a farm and a local market and vice versa or from a market to a local slaughterhouse within a radius of up to 50km.
Vehicles used as shops at local markets or for door-to-door selling, or used for mobile banking, exchange or saving transactions, for worship, for the lending of books, records or cassettes, or cultural events or exhibitions, and specially fitted for such uses.	Specially fitted mobile project vehicles, the primary purpose of which is use as an educational facility when stationary.
Vehicles carrying material or equipment for the drivers use in the course of his work within a 50Km radius of the place where the vehicle is normally based provided that driving the vehicle does not constitute the drivers main activity etc. NOTE: the reference to 7.5t did not appear in 3820/85 but was adopted as a rule in the UK.	Vehicles or combination of vehicles with a maximum permissible mass not exceeding 7.5 tonnes used by; <ul style="list-style-type: none"> • universal service providers as defined in Art 2(13) of 97/67 on common laws for the development of the internal market of community postal services and the improvement of quality service to deliver items as part of the universal service • or for carrying materials, equipment or machinery for the drivers use in the course of his work. <p>Within a 50Km radius of the base of the undertaking and on condition that driving the vehicles does not constitute the driver's main activity</p>
Vehicles operating exclusively on islands not exceeding 2 300 square kilometres in area which are not linked to the rest of the national territory by a bridge, ford or tunnel open for use by motor vehicles	Derogation is unchanged.
Vehicles used for the carriage of goods and propelled by means of gas produced on the vehicle or of electricity or equipped with a governor in so far as such vehicles are regarded, under the legislation of the Member State of registration, as equivalent to vehicles propelled by a petrol or diesel engine, the maximum permitted weight of which, including the weight of trailers or semi-trailers, does not exceed 3.5	vehicles used for the carriage of goods within a 50 km radius from the base of the undertaking and propelled by means of natural or liquefied gas or electricity, the maximum permissible mass of which, including the mass of a trailer or semi-trailer, does not exceed 7,5 tonnes

Vehicles used for driving instruction and examination with a view to obtaining a driving licence	vehicles used for driving instruction and examination with a view to obtaining a driving licence or a certificate of professional competence, provided that they are not being used for the commercial carriage of goods or passengers
<p>The Regulations permit, after authorisation from the European Commission, Member States to exempt transport operations carried out in exceptional circumstances. In the UK this covers;</p> <ul style="list-style-type: none"> • vehicles which are being used by the National Lifeboat Institution • vehicles which were manufactured before 1 January 1947 • vehicles which are propelled by steam • passenger carrying vintage vehicles being driven in specific circumstances 	<p>The new regulations also permit exemptions in exceptional circumstances after authorisation from the European Commission.</p> <p>DfT are consulting with the Commission and full details will be published in due course.</p>
<p>Vehicles used in connection with the sewage, flood protection, water, gas and electricity services, highway maintenance and control, refuse collection and disposal, telegraph and telephone services, carriage of postal articles, radio and television broadcasting and the detection of radio or television transmitters or receivers.</p> <p>(Was an exemption in 3820/85 and is now a National derogation)</p>	<p>vehicles used in connection with sewerage, flood protection, water, gas and electricity maintenance services, road maintenance and control, door-to-door household refuse collection and disposal, telegraph and telephone services, radio and television broadcasting, and the detection of radio or television transmitters or receivers</p> <p>Note: carriage of postal articles has been deleted</p>
Vehicles transporting circus and fun-fair equipment (Was an exemption in 3820/85 and is now a National derogation)	Specialised vehicles transporting circus and funfair equipment.
<p>Vehicles used for milk collection from farms and the return to farms of milk containers or milk products intended for animal feed</p> <p>(Was an exemption in 3820/85 and is now a National derogation)</p>	vehicles used for milk collection from farms and the return to farms of milk containers or milk products intended for animal feed
No specific exemption currently exists	<p>Vehicles used exclusively on roads inside hub facilities such as ports, into ports, and railway terminals. vehicles used exclusively on roads inside hub facilities such as ports, interports and railway terminals</p> <p>DfT are currently consulting on this derogation.</p>
	The derogation for specialised vehicles transporting money and/or valuables will not be adopted.