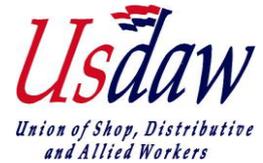




Guide to Driver's hours and breaks



Rules on drivers' hours apply to most workers who drive for a living. The rules that apply to a supermarket home delivery driver or a small van driver are different from those that apply to a lorry driver who has to have a tachograph in the cab. In addition to rules on drivers' hours, there are also laws on working time for drivers. The working time laws control working hours for drivers – both driving time and time spent on other work.

The European Union (EU) drivers' hours' rules apply to drivers of most large goods vehicles (LGVs) where the maximum permissible weight of the vehicle, including any trailer or semi-trailer, exceeds 3.5 tonnes. Drivers of LGVs normally have to have a tachograph in the cab. The (EU) drivers' hours' rules set limits for daily, weekly and fortnightly driving and specify minimum breaks for drivers during the working day, and daily and weekly rest periods. These drivers are also covered by working time regulations that were introduced in 2005.

The Great Britain (GB) domestic rules were introduced under the Transport Act 1968. They apply to most goods vehicles that are exempt from the EU rules, i.e. vans of 3.5 tonnes or less. Drivers who work under the GB domestic rules are also covered by an amendment to the 1998 Working Time Regulations introduced in 2003.

The fact that drivers of LGVs over 3.5 tonnes have to use a tachograph makes it easier to monitor their driving hours. On the other hand there is very little enforcement of the driving and working hours for workers covered by the GB domestic drivers' rules.

Drivers' hours rules are regulated by the [Driver and Vehicle Standards Agency \(DVSA\)](#). DVSA produces a comprehensive guidance document that explains the different rules for different groups of drivers and also explains the rules on tachographs for those drivers who have to use them.

The tables below are derived from the DVSA guide 'Rules on Drivers Hours and Tachographs Goods vehicles in the UK and Europe' (Revised 2007). Copies of the full guide can be downloaded free of charge from the DVSA website -

<https://www.gov.uk/government/publications/rules-on-drivers-hours-and-tachographs-goods-vehicles-in-gb>

British Domestic Rules on Drivers' Hours

If you drive a vehicle subject to the GB domestic drivers' hours rules or you are an occasional mobile worker you are affected by four provisions under the working time regulations. These are:

- weekly working time, which must not exceed an average of 48 hours per week over the reference period (although individuals can 'opt out' of this requirement if they want to);
- an entitlement to 5.6 weeks' paid annual leave
- health checks for night workers; and
- an entitlement to adequate rest.

Maximum daily driving	10 hours in any 24hr driving period (start of duty time)
Maximum daily duty	11 hours (exempt on day when not driving)
Continuous duty	no specified limit
Daily spread over	no specified limit
Weekly duty	As per WTR (48hrs max though can opt out)
Breaks during day	no specified requirement but must have 'adequate rest' <i>'Adequate rest' means that workers should have regular rest periods. These rest periods should be sufficiently long and continuous to ensure that workers do not harm themselves, fellow workers or others and that they do not damage their health in the short or long term.</i>
Daily rest	no specified requirement
Weekly rest	no specified requirement

European Union Rules on Drivers' Hours

European Union rules are contained in Regulation (EC) 561/2006 that came into effect in the UK on in April 2007. The EU rules cover all vehicles over the 3.5 tonnes maximum permissible weight. In summary, the rules specify the following limits:

Maximum daily driving 9 hours
 10 hours on 2 days in week

Maximum weekly driving 56 hours

Maximum fortnightly driving 90 hours

Maximum driving before a break 4½ hours

Breaks from driving A break of no less than 45 minutes must be taken after no more than 4.5 hours of driving. The break can be divided into two periods – the first at least 15 minutes long and the second at least 30 minutes – taken over the 4.5 hours.

Daily rest Minimum of 11 hours, which can be reduced to a minimum of 9 hours no more than three times between weekly rests. May be taken in two periods, the first at least 3 hours long and the second at least 9 hours long. The rest must be completed within 24 hours of the end of the last daily or weekly rest period.

Weekly rest A regular weekly rest of at least 45 hours, or a reduced weekly rest of at least, 24 hours, must be started no later than the end of six consecutive 24-hour periods from the end of the last weekly rest. In any two consecutive weeks, a driver must have at least two weekly rests – one of which must be at least 45 hours long. A weekly rest that falls in two weeks may be counted in either week but not in both. Any reductions must be compensated in one block by an equivalent rest added to another rest period of at least 9 hours before the end of the third week, following the week in question.

Rest on ferries/trains A regular daily rest period (of at least 11 hours) may be interrupted no more than twice by other activities of not more than 1 hour's duration in total, provided that the driver is accompanying a vehicle that is travelling by ferry or train and provided that the driver has access to a bunk or couchette.

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