

TEMPORARY RELAXATION TO DRIVERS' HOURS RULES FOR ALL GOODS TRANSPORT OPERATIONS – UPDATE

Following the latest DFT guidance, published on 7th April 2020 the Department for Transport has confirmed, following a review, the extension to TEMPORARY and LIMITED relaxation of the enforcement of the Drivers' Hours Regulations to run to 21st April 2020, inclusive – **BUT there has been no decision yet about extending relaxations beyond this date.**

The relaxations remain in place for all sectors engaged in the carriage of goods by road - this DOES NOT APPLY to the passenger transport industry.

IT CONTINUES TO BE STRESSED THAT DRIVERS' HOURS REGULATIONS ARE ROAD-SAFETY RELATED – THEREFORE REMEMBER:

- THE TEMPORARY RELAXATIONS SHOULD ONLY BE USED WHERE ABSOLUTELY NECESSARY
- THEY ARE DESIGNED TO BE USED FOR SUPPORT IN THE VITAL TRANSPORTATION OF VITAL GOODS, INCLUDING THE SUPPLY CHAINS LINKED TO MEDICINES, HEALTH, FUEL, FOOD AND OTHER NECESSITIES
- IF DRIVERS OR OPERATORS CONSIDER THAT THEY ARE BEING ASKED TO USE THE RELAXATIONS WITHOUT CORRECT JUSTIFICATION CAN EMAIL supply-chain-engagement@dft.co.uk
- TO USE ANY RELAXATION THE DRIVER MUST PRODUCE A PRINT-OUT ON THE BACK OF A PRINT-OUT, TACHOGRAPH CHART OR ON THEIR RECORD SHEET – IF THEY FAIL TO DO SO THEN THEY CANNOT MAKE USE OF THE RELAXATION.

EU DRIVERS' HOURS REGULATIONS - WHAT DOES THE RELAXATION INCLUDE?

Drivers can:

- a) Replace the EU Daily Driving limit of 9 hours with one of 11 hours
IMPORTANT NOTE: THIS RELAXATION CANNOT BE USED IN CONJUNCTION WITH THE POSTPONEMENT OF A WEEKLY REST PERIOD AS DESCRIBED BY POINT (F)

- b) Reduce the Daily Rest requirement from 11 hours to 9 hours

FTTC Guidance – this has been confirmed to permit reductions of daily rest on any day, it is not limited to three times between weekly rest period. it is not stated but IS CONFIRMED that the application of no more than 3 reductions between two weekly rest periods is removed for this relaxation period.

Within the latest Guidance from the DfT it is now confirmed by the DfT that ferry crossing daily rests can also be reduced from 11 hours to 9 hours, within the 24 hours from when work began and that this rest can be interrupted twice. **THIS IS AN ADDITION TO THE PREVIOUS RELAXATION** and commences at 0001 hours on 8th April 2020 and will run until 2359 hours on 21st April 2020 as with the other relaxations.

- c) Increase the Weekly Driving limit from 56 hours to 60 hours applies to the fixed week 00:00hrs Monday to 23:59hrs Sunday.
- d) Increase the Two Weekly Driving limit from 90 hours to 96 hours, two weeks being the fixed week period from 00:00 hrs Monday to 23:59hrs two Sundays later

- e) Take the Driving Break of 45 minutes after 5½ hours driving rather than after 4 ½ hours driving
FTTC Guidance - IT IS CONFIRMED that the 45 minutes break may still be split into a first break of at least 15 minutes and a second break of at least 30 minutes break as is the case under normal.
- f) Postponement of the requirement to start a Weekly Rest period from after six-24-hour periods to after seven-24-hour periods.
IMPORTANT - THIS RELAXATION CANNOT BE USED IN CONJUNCTION WITH THE INCREASE OF DAILY DRIVING LIMITS AS DESCRIBED BY POINT (A)

REMEMBER THAT ALL TIMES!

- ROAD SAFETY SHOULD NOT BE JEOPARDISED
- THE SAFETY OF THE DRIVERS AND OTHER ROAD USERS MUST ALWAYS BE CONSIDERED
- THE RELAXATIONS ARE ONLY TO BE USED WHERE ABSOLUTELY NECESSARY
- RELAXATIONS ARE THERE TO SUPPORT THE SUPPLY CHAINS IN THE FIGHT AGAINST COVID-19

FTTC GUIDANCE – TWO WEEKLY REST CLARIFICATION

In order to still comply with the Regulation a driver must still take, in any two consecutive weeks, AT LEAST one regular and one reduced weekly rest OR, AT LEAST two regular weekly rest periods.

The requirement for a driver to take AT LEAST either two regular (45 hours) weekly rest periods or AT LEAST one regular (45 hours) and one reduced (24 hours) weekly rest period in any two consecutive fixed weeks remains. The delay of the Weekly Rest CANNOT be taken week after week otherwise the driver will fail to comply with this aspect of the Weekly Rest application.

FTTC GUIDANCE – WEEKLY/TWO WEEKLY DRIVING CLARIFICATION

The driver is still limited to 60 hours of driving so may for example, undertake 6 x 9-hour drives and 1 x 6-hour drive within week A. The driver only has 36 hours driving time remaining the following week, WEEK B, to stay within the 96-hour fortnightly limit. Within that 36 hours available, the driver may drive up to 11 hours in a 24-hour period as many times as they might want providing the 36-hours of driving is not exceeded within that second week. So, they might do whatever amount of driving they wish each day in this second week provided they don't exceed 11 hours driving in any 24-hour period or the 60/96 driving limits in the week/fortnight respectively.

THE GB "DOMESTIC" DRIVERS' HOURS RULES CAN BE TEMPORARILY RELAXED AS FOLLOWS:

- a) Replacement of the GB duty time limit of 11 hours with 12 hours.
- b) Replacement of the GB daily driving time limit of 10 hours with 11 hours.

Drivers can only take advantage of this temporary relaxation 5 days in any 7-day period and must take a rest period of 24 hours within the same 7-day period when taking advantage of this relaxation.

The drivers in question must note the reasons why they are exceeding the normal permitted limits on the back of their tachograph charts, digital printouts or record sheets as is usual practice in emergencies. This is essential for enforcement purposes.

HOW TO RECORD ON A PRINT-OUT

IT MAY SEEM OBVIOUS, BUT MANY DRIVERS FAIL TO RECORD ALL THE INFORMATION NECESSARY

FTTC GUIDANCE – IF ANY PART OF THE RELAXATIONS LISTED ABOVE ARE USED THE DRIVER MUST, IF USING A DIGITAL TACHOGRAPH:

- a. Take a print-out, at the latest on arrival at the suitable stopping place
- b. Enter on the back of the print-out:
 - i. Driver's name
 - ii. Driving Licence Number or driver's digital card number
 - iii. Date
 - iv. Signature
 - v. Details of which part of the relaxation have been applied; why and what work was being undertaken; from where to where
- c. It is recommended two print-outs are taken, one to be retained for the current day and 28 calendar days after which it **MUST** be returned to the Operator; the second print-out should be returned as soon as possible to the Operator in order that this can be attached to any Infringement Report

IF YOU HAVE ANY QUERIES PLEASE CALL FOSTER TACHOGRAPHS & TRANSPORT COMPLIANCE ON

01772-655155 OR EMAIL tom@fostertachographs.co.uk

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For all previous Guidance on COVID-19 please visit

<https://www.fostertachographs.co.uk/compliance-updates/>

