

GUIDE TO HGV DRIVERS HOURS AND WORKING TIME

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GUIDE TO HGV DRIVERS HOURS AND WORKING TIME

1 Driving under the GB domestic drivers' hours rules

The GB domestic drivers' hours rules apply to most passenger carrying vehicles and goods vehicles.

Domestic driving limits

Driving is defined as being at the controls of a vehicle for the purpose of controlling its movement whether it is moving or stationary with the engine running, even for a short period of time.

Daily driving

In any working day the maximum amount of driving permitted is **10 hours**. The daily driving limit applies to driving on and off the public road. Off road driving for the purposes of agriculture, quarrying, forestry, building work or civil engineering counts as duty rather than driving time.

Day – the day is the 24 hour period beginning with the start of duty time/

Daily duty

In any working day the maximum amount of duty permitted is **11 hours**. A driver is exempt from the daily duty limit (11 hours) on any working day when they do not drive.

A driver who does not drive for more than 4 hours on each day of the week is exempt from the daily duty limit.

2 Working time regulations and GB domestic drivers' hours rules

If you are driving under the GB domestic drivers' hours rules (or are an occasional mobile worker) you are affected by four provisions under the 1998 working time regulations:

- Weekly working time, which must not exceed an average of 48 hours per week over the reference period
- An entitlement to 5.6 weeks paid annual leave
- Health checks for night workers
- An entitlement to adequate rest

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 long or short term.

Scottish Borders Council (SBC) deem reasonable for drivers operating under the GB domestic drivers' rules as:

Daily rest – a minimum 9 hours uninterrupted daily rest

Weekly rest - an uninterrupted weekly rest period of not less than 24 hours in each 7 day period or alternatively two 24 hour periods in any 14 day period.

The reference period for calculating the 48 hour average week is normally a rolling 17 week period. However, this reference period can be extended up to 26 weeks under a collective or workforce agreement.

3 Severe Weather: Drivers Hours Regulations

In addition, an emergency exemption is available for certain operations. This is available when deviation from the normal rules is needed to avoid:

- danger to life or health of people or animals
- serious interruption to the maintenance of public services (e.g. water, gas, electricity, drainage) or in the use of roads
- serious interruption in private or public transport
- serious damage to property

The use of this exemption is at the discretion of SBC and does not require authorisation from the Department for Transport.

When SBC takes the decision that an emergency exemption applies staff will be notified as soon as possible through their line management structure. Local Trade Union representatives will also be notified.

Drivers using this exemption should not be expected to drive while tired - employers remain responsible for the safety of their employees and other road users. Therefore, we would not normally expect drivers to drive for more than 11 hours in one day or have less than 9 hours of daily rest. In addition, we believe they should still ensure they take a 45 minute break after 4½ hours driving.

If exceeding the normally permitted limits, all drivers must indicate the reason on the back of their tachograph charts or printouts. This must be done, at the latest, on arrival at a safe and secure destination or rest area.

Further details on severe weather- drivers hour's regulations can be found at: <https://www.gov.uk/government/publications/severe-weather-drivers-hours-regulations/severe-weather-drivers-hours-regulations>