

Tachograph Law

This guide is intended as a simple explanation of the EU tachograph hours legislation. It follows the current interpretation of the legislation by the British Authorities.

Fixed Week: A Fixed Week is defined as the period from 00:00hrs Monday to 23:59hrs Sunday

Daily Driving Limit: 9 hours per day; may be increased to 10 hours twice per fixed week. You may only drive for 6 periods before you must take a Weekly Rest.

Weekly Driving: A Maximum of 56 hours

Driving time: This is defined as the time spent behind the wheel be it on or off road. It includes time spent in traffic jams or other delays and time spent driving 'off road' on private premises (RDC's or Transport yards, quarries etc). It **does not include** time spent outside the vehicle loading & unloading or other such duties.

Daily Duty Time: There is no legal definition within the legislation of duty time, or the commonly used phrase of 'spreadover'. However, due to the requirements of Daily Rest periods, duty time (the time from starting the day's duty to starting a Daily Rest period) is limited to 13 hours or 15 hours if a reduced Daily Rest is taken.

Fortnightly Driving Limit: A maximum of 90 hours in any two week period. The previous week's driving time must always be taken into consideration when calculating your Fortnightly limit. e.g. if you have driven 48 hours this week then next week you can only drive 42 hours. Remember; after your first week's work you are **ALWAYS** in the second week of a Fortnight.

Daily Break: A Daily Break is defined as any period of time of at least 15 minutes in which time you must not do any other work, such as loading, maintenance etc. You must have 45 minutes Daily Break after a maximum of 4½ hours **driving time**. This can be taken as a single 45-minute break at the end of the Driving Period, or in 2 sections, the first which must be at least 15 minutes long, the second at least 30 minutes. Once you have completed a full break (in 1 or 2 segments) then a new 4.5 hour period of driving begins

Daily Rest: A minimum of 11 hours, which can be reduced to 9 hours no more than 3 times between weekly rests. Daily rest can be taken in two segments if required the first a **minimum** of 3 hours the second a minimum of 9 hours. The full rest must be completed within 24 hours from the end of your last rest period. This rule limits your working day to no more than 15 hours

Double Manned Driving: Or 'Multi-manning' is the situation where, during each period of driving between any two consecutive daily rest periods, or between a daily rest period and a weekly rest period, there are at least two drivers in the vehicle to do the driving.

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. This allows for a vehicle to depart from its operating centre and collect a second driver along the way, providing that this is done within one hour of the first driver starting work.

Vehicles manned by two or more drivers are governed by the same rules that apply to single-manned vehicles, apart from the daily rest requirements.

Where a vehicle is manned by two or more drivers, each driver must have a daily rest period of at least 9 consecutive hours within the 30-hour period that starts at the end of the last daily or weekly rest period.

Organising drivers' duties in such a fashion enables their duties to be spread over 21 hours.

Weekly Rest: A regular weekly rest period of 45 hours, or a reduced weekly rest period of 24 hours, must be started no later than the end of six consecutive 24 hour periods from the end of the last weekly rest period. You cannot take two consecutive **reduced** rest periods, one at least must be 45 hour long. Any reductions in a regular weekly rest period must be compensated for (paid back) by the end of the 3rd week following the reduced weekly rest. This compensation must be taken in one block **and added to another rest period of at least 9 hours.**

This means that if you take a reduced Weekly rest of 24 hours you have 21 hours owing, add on the 9 hour rest period and somewhere in the next 3 weeks you must take a 30 hour rest. If you choose to add it to your next regular Weekly Rest Period then $45+21 = 66$ hours

Interrupting Daily Rest: A Regular Daily Rest period of at least 11 hours may be interrupted no more than twice by other duties (i.e. driving on/off a ferry or train) of no more than one hour duration in total provided that the driver has access to a bunk or couchette whilst on the Ferry or train.

This allows you to load and/or unload during your daily rest period, no compensation is required but it must be part of a full 11 hours break.

Working Time Directive: Apart from Driving hours rules you must also comply with the working time directive rules. Those which affect you mostly are.

Weekly Working time: must not exceed an average of 48 hours per week during the reference period. A maximum of 60 hours duty per week is allowed

Duty time for this purpose is defined as time spent behind the wheel **and** other duties such as Loading/unloading or routine vehicle maintenance checks. It **does not** include Periods of Availability (POA's) where you have been told your services are not required for a set period of time and you are free to do as you are not performing any other work related duties.

Night work: Night work is limited to 10 hours in any 24 unless there is a collective or workforce agreement. Night time is defined as between 00-00 and 04-00 for goods vehicles & 00-00 and 05-00 for PSV's

Breaks You must take at least a 30 minute break after 6 hours of duty time (as opposed to driving time in tachograph) If you are working over nine hours then working time must be interrupted by breaks totalling at least 45 minutes

Breaks should be of at least 15 minutes

The reference period for calculating the 48 hour week is normally 17 weeks but this can be extended to 26 weeks if this is permitted under a collective agreement. There is no 'opt out' for people wishing to work longer than the average 48 hour week but breaks and POA's do not count as working time.