

Department for
Transport

VOSA

Vehicle & Operator Services Agency

**Drivers' Hours and
Tachograph Rules for
Road Passenger Vehicles
in the UK and Europe**

Second Edition: Effective from December 2006

PSV 375 (second edition 12/2006)

Department for Transport

Vehicle and Operator
Services Agency

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There is a different booklet which explains the rules for goods vehicles (GV 262) which you can get from the Vehicle and Operator Services Agency – the addresses and telephone numbers are given in Annex E.



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Foreword to the second edition

A new EC Regulation on drivers' hours (Regulation (EC) 561/2006) was agreed in December 2005, the main requirements of which will come into force on 11 April 2007. The new Regulation clarifies weekly driving limits; requires more frequent and evenly spread breaks; increases daily rest requirements; and updates exemptions and national derogations.

Some elements, mainly relating to changes to the existing tachograph rules, came into force on 1 May 2006 (20 days after the Regulation was published in the *Official Journal of the European Union*). These include a change to the number of tachograph charts that drivers are required to carry with them for the purposes of roadside checks and the mandatory fitment of digital tachographs in any in-scope vehicles first put into service on or after 1 May 2006.

This second edition reflects these changes.

PART A

General Notes – please read these first

1 HOW SHOULD I USE THIS BOOKLET?

This booklet provides advice to drivers and operators of passenger vehicles whether used privately or commercially. It explains the rules for drivers' hours and the keeping of records, and replaces booklet PSV 375 dated 7/2005. The booklet reflects enforcement policy in Great Britain – drivers and operators who are involved in international operations are advised to check whether the other country or countries in which they operate produce equivalent guidance. We recommend that you contact the relevant embassy. This booklet is not intended as legal advice. If you wish to check on the legal position, you should refer to the main legislation in Section F and, if necessary, seek legal advice. Within the UK either UK domestic or EC rules may apply. For international journeys either the EC or AETR rules may apply. Which set of rules apply depends on the type of driving and the type of vehicle being used and, for international journeys, the countries to be visited. Refer to the following questions of this part of the guide to work out which rules might apply and then refer to the detailed advice.

2 DO I NEED TO SEEK LEGAL ADVICE?

As with any legislation, previous court judgements may assist interpretation on a particular point. Some important judgements are available, many in shortened form, in legal reference books which are held by the larger reference libraries. If in doubt seek legal advice.

3 WHO IS RESPONSIBLE FOR MAKING SURE THAT DRIVERS' HOURS AND TACHOGRAPH RULES ARE FOLLOWED?

It is the responsibility of both drivers and employers to ensure that they comply with the drivers' hours and tachograph rules. Enforcement is for the Licensing Authorities, through the Vehicle and Operator Services Agency (VOSA) and the Police. There is at the time of publication of this booklet a level 4 fine (currently up to £2,500) for breach of the drivers' hours rules and a level 5 fine (currently up to £5,000) for failing to install or use a tachograph. Deliberate falsification of tachograph records can result in 2 years imprisonment and/or fine. Convictions may be taken into account by Traffic Commissioners in deciding whether to grant or renew an operator's licence or PCV driver's licence. See question 55 for more information on these and other penalties.

4 WHICH DRIVERS' HOURS RULES DO I FOLLOW?

The following table shows that rules apply to certain vehicle types. (Some special cases are covered in the table at question 5.)

Type of Driving	Total No of seats including driver			
	Less than 10	10 to 13 [#]	14 to 17 [#]	18 or over
Private, non PSV and permit vehicles				
Police, fire and armed forces purposes	None	None	None	None
Public 'services' or 'utilities'	None	None [▲]	Domestic	Domestic
UK journeys – Business use (e.g. crew bus) and permit vehicles driven by employee drivers	None	Domestic	Domestic	EC
UK journeys – Private use and permit vehicles driven by volunteer drivers [°]	None	None	None	EC
International journeys (including private use) [°]	None	EC/AETR	EC/AETR	EC/AETR

PSV regular services (local/non-local services)

Route not exceeding 50km	Domestic	Domestic	Domestic	Domestic
National operation (route exceeding 50 km)	Domestic	Domestic	Domestic	EC*
International operation (route exceeding 50 km)	Domestic in UK [†]	EC/AETR	EC/AETR	EC/AETR

PSV non-regular services

National (e.g. excursions & tours, private hire)	Domestic	Domestic	Domestic	EC
International (e.g. shuttle or occasional services)	Domestic in UK [†]	EC/AETR	EC/AETR	EC/AETR

Footnotes

- [°] Only within the UK is private driving of minibuses (including permit vehicles driven by volunteer drivers) exempt from any rules. For vehicles with 18 or more seats (including driver) the EC rules apply in the UK (and to and from the Republic of Ireland) to private driving (including permit vehicles driven by volunteer drivers). On international journeys (other than to the Republic of Ireland) vehicles that can carry 10 or more people (including the driver) must obey the EC or AETR rules (Question 6 shows which will apply).
- [#] If this sized vehicle is used on the domestic leg of an international journey but does not leave the UK then the UK domestic rules apply to this part of the journey.
- [▲] Public 'services' or 'utilities' purpose vehicles with 10 to 13 seats (including the driver) must comply with the UK domestic rules when operated under a permit by employee drivers.
- ^{*} This is the only exception under the EC rules where the tachograph (although strongly recommended) does not have to be used if an extract from the duty roster and a copy of the service timetable is carried by the driver.
- [†] EC/AETR rules do not apply but the domestic rules of the UK and any other country passed through must be obeyed.

5 ARE THERE ANY SPECIAL EXEMPTIONS?

Yes, the table below indicates the rules which apply to certain **specialised** types of passenger vehicle or vehicle use.

Type of Driving	Total No of seats including driver			
	Less than 10	10 to 13	14 to 17	18 or over
Vehicles used for emergencies, rescue operations or medical purposes. Vehicles undergoing road tests for technical development, repair or maintenance and new or rebuilt vehicles not yet in service.	Domestic	Domestic	Domestic	Domestic
Vehicles operated exclusively on islands of less than 2,300 sq km, which are not linked to the mainland by bridge, ford or tunnel open to road traffic.	Domestic in UK	Domestic in UK (EC/AETR on international journeys)	Domestic in UK (EC/AETR on international journeys)	Domestic on island, EC or domestic on mainland (see table at question 4), EC/AETR on international journeys
Vehicles used for driving instruction in order to get a licence.	Domestic in UK	Domestic in UK	Domestic in UK	Domestic in UK
<p>NOTE: The fitment and use of a tachograph will be required under Commission Directive 2000/56, with effect from 30 September 2003, for certain vehicles first registered from that date which are used for a driving test (use of the equipment would only be necessary for the <u>duration of the test</u>). For further details please contact the Driving Standards Agency (DSA) office in your area.</p>				
Vehicles made before 1 January 1947 or preserved for their historic interest which were first made more than 25 years ago, do not carry more than 9 passengers (inc driver) and are used non-commercially (i.e. not for hire or reward) whilst travelling to and from museums, rallies or other places where the vehicles are to be displayed or to and from their place of maintenance or repair.	None	None	None	None
<p>NB: UK domestic rules apply only to commercial operation of vehicles first manufactured before 1 January 1947.</p>				

6 WHERE DO THE RULES INDICATED AT QUESTIONS 4 AND 5 APPLY?

With reference to the tables at questions 4 and 5

- UK domestic rules apply only in the UK (and only to commercial operations)
- EC rules apply to journeys (both private and commercial)
 - entirely within the UK; or
 - between the UK and other EC countries, namely:

Austria	Greece	Portugal
Belgium	Hungary	Romania (as of
Cyprus	Irish Republic	1 January 2007)
Czech Republic	Italy	Slovak Republic
Denmark	Latvia	Slovenia
Estonia	Lithuania	Spain
Finland	Luxembourg	Sweden
France	Malta	
German Federal Republic	The Netherlands Poland	

- AETR rules apply to the whole of any journey if any part of it passes through an AETR country, namely:

Albania	Croatia	Switzerland
Andorra	Kazakhstan	Turkey
Armenia (6 December 2006)	Liechtenstein	Turkmenistan
Azerbaijan	Macedonia	Ukraine
Belarus	Moldova	Uzbekistan
Bosnia & Herzegovina	Norway	Federal Republic of
Bulgaria (until 31 December 2006)	Romania (until 31 December 2006)	Yugoslavia
	Russia	

NB For journeys to other European countries not subject to either the EC or AETR rules such as Iceland the EC or AETR rules apply as described above in the Community but whilst travelling through the country concerned the domestic rules of that country must be observed. The Embassies of the countries to be visited will be able to assist in establishing the rules that might apply.

7 WORKING 'DAYS', 'WEEKS' AND A 'FORTNIGHT'?

Days

Under the UK domestic rules 'days' are any periods of 24 hours. Under EC/AETR rules 'days' are any periods of 24 hours beginning with the resumption of other work or driving after the last daily (or weekly) rest period. EC/AETR rules also use the concept of 'daily driving periods'; the time between two daily rests (or a daily rest and a weekly rest) to determine when a weekly rest is due.

Weeks

Under EC/AETR and UK domestic rules 'weeks' are periods between 00-00 hours on Monday and 24-00 hours on the following Sunday.

Fortnight

Under EC/AETR and UK domestic rules a 'fortnight' is any two-week period commencing 00-00 hours on Monday and ending on 24-00 hours on the Sunday, fourteen days later.

8 WHAT ARE THE RULES?

The rest of this guide gives details and one or two examples.

EC rules	—————▶	Go to Part B (pages 10 to 26)
UK Domestic rules	—————▶	Go to Part C (pages 27 to 28)
'Mixed' Driving rules	—————▶	Go to Part D (pages 29 to 30)
AETR rules	—————▶	Go to Part E (pages 30 to 31)
Other rules and legislation	—————▶	Go to Part F (pages 31 to 34)

9 WHAT WORKING TIME RULES APPLY?

If you are employed as a driver and are subject to the UK domestic drivers' hours rules, you are affected by four provisions under the UK's Working Time Regulations 1998 (as amended). These are:

- a requirement to limit hours to no more than an average 48-hour week (although individuals are allowed to "opt out" of this requirement, if they want to)
- an entitlement to 4 weeks' paid annual leave
- health checks for night workers
- an entitlement for adequate rest.

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 52 weeks, if representatives from both sides of industry can agree to do so.

If you are an employed driver and are subject to EC drivers' hours rules, you will only be entitled to the annual leave and health check provisions. However, additional working time provisions will apply, under the Road Transport (Working Time) Regulations which were brought into force on 4 April 2005.

The following are the main provisions of UK's implementing regulations:

- Weekly "working time": must not exceed an average of 48 hours per week. A maximum working time of 60 hours can be performed in any single week providing the average 48-hour limit is not exceeded.
- Night Work: will be limited to 10 hours' working time in a 24-hour period, where any work is carried out during the night-time period (01.00-05.00hrs). The 10-hour limit may be exceeded if permitted under a collective or workforce agreement.
- Breaks
 - Mobile workers must not work more than 6 consecutive hours without taking a break
 - If your working hours total between 6 and 9 hours, working time should be interrupted by a break or breaks totalling at least 30 minutes
 - If your working hours total more than 9 hours, working time should be interrupted by a break or breaks totalling at least 45 minutes
 - Breaks should be of at least 15 minutes' duration
 - When driving is being carried out, the break provisions under EC drivers' hours rules (EC/3820/85) take precedence.
- Rest: Same as EC or AETR drivers' hours rules (EC/3820/85).
- Record keeping – records need to be kept for 2 years after the period in question.

The reference period for calculating the 48-hour week is normally 17 weeks, but it can be extended to 26 weeks if this is permitted under a collective or workforce agreement. There is no “opt-out” for individuals wishing to work longer than an average 48-hour week, but break periods and ‘periods of availability’ do not count as working time.

Examples of what might count as a period of availability are: accompanying a vehicle on a ferry crossing or for coach drivers on day trips, for example, it could include waiting whilst tourists spend time looking round each location (waiting time may only be classed as availability, if the duration of any such periods are known about in advance by the driver). For mobile workers driving in a team, a period of availability also includes time spent sitting next to the driver while the vehicle is in motion.

If you are a self-employed driver as defined in the Road Transport (Working Time) Directive, you will not be subject to the Working Time Regulations 1998 (as amended), nor will you be affected by the Road Transport (Working Time) Directive 2002/15EC until 23rd March 2009.

10 WHAT IF I NEED FURTHER INFORMATION?

You can get help on drivers’ hours rules from the Vehicle and Operator Services Agency. Addresses and telephone numbers are given in Annex D.

Details of drivers’ hours and record keeping requirements for goods vehicle drivers are given in booklet GV262 “Drivers’ Hours and Tachograph Rules for Goods Vehicles in the UK and Europe” – obtainable from the Area Offices of VOSA’s Area Offices.

For further details on working time rules contact the Department for Trade and Industry on 0207 215 5000 or access their website at the following address:
http://www.dti.gov.uk/er/work_time_regs/index.htm

Further details on working time rules for drivers subject to the EC drivers’ hours and tachograph rules can be found on the DfT website at: <http://www.dft.gov.uk/freight/rtd>

Your Trade Union or Trade Association may also be able to offer advice.

PART B

EC Drivers' Hours Rules

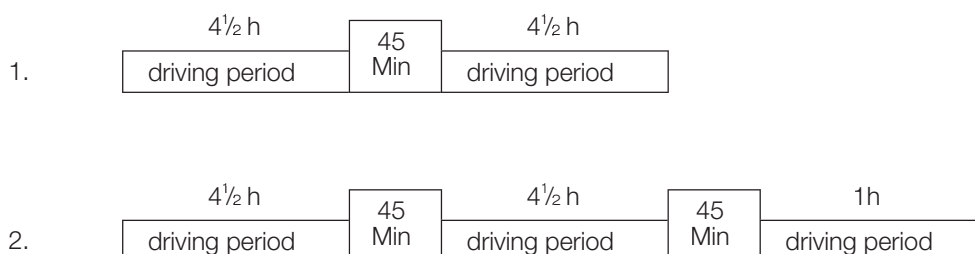
11 WHAT DO THE EC RULES COVER?

The EC rules cover such matters as:

- Daily and fortnightly driving limits (see questions 12–14)
- Breaks, daily and weekly rest (see questions 15–22)
- Emergencies (see question 23)
- The use of the tachograph (see questions 24–40A).

12 WHAT IS THE DAILY DRIVING LIMIT?

Nine hours (which can be increased to 10 hours twice a week) taken between two consecutive daily rest periods or between a daily rest period and a weekly rest period. Driving off the public road does not count as driving time (see question 35).

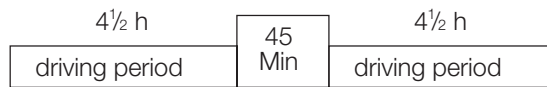


13 IS THERE A WEEKLY DRIVING LIMIT?

It is possible to drive up to 56 hours between weekly rest periods (or 58 hours if the 6 daily driving periods straddle two “weeks” as defined on page 7). There is, however, a fortnightly driving limit of 90 hours in any one fortnight. A weekly rest period must be taken after 6 daily driving periods, except on national or international non-regular services when it may be postponed and taken after 12 daily driving periods and attached to the second week’s rest period.

14 IS THERE A LIMIT TO CONTINUOUS DRIVING?

Yes, after 4½ hours of cumulative or continuous driving a driver must take a break of at least 45 minutes unless the driver begins a daily or weekly rest period.



Drivers engaged in the national carriage of passengers on a regular service in a relevant area (see list at Annex A) may observe a break of at least 30 minutes after 4 hours of driving provided it is not possible for them to observe, at any time during that period of driving, a break of at least 15 minutes.

15 HOW SHOULD BREAKS FROM DRIVING BE TAKEN?

During any break a driver must not drive or undertake other work. If a vehicle is manned by 2 drivers, one of them may take a break on the vehicle whilst the other drives.

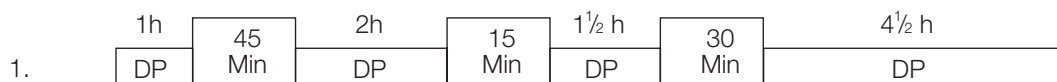
Periods of less than 15 minutes do not count towards the 45 minutes' break requirement, although the tachograph should be switched to the rest mode.

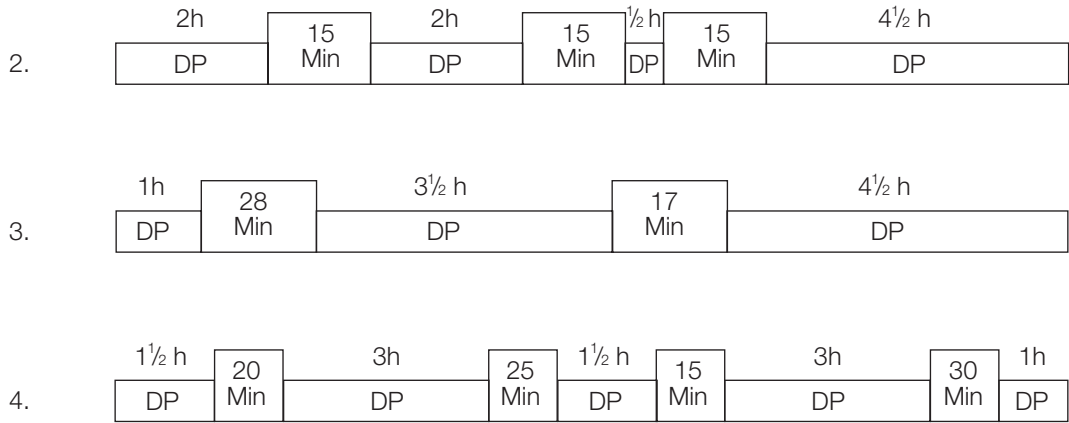
16 HOW CAN BREAKS BE DISTRIBUTED OVER A DAY?

The interpretation of EC Regulation 3820/85 on drivers' hours now has to take account of a Judgement of the European Court of Justice dated 15 December 1993. This Judgement stated:

'Article 7(1) and (2) of Council Regulation (EEC) No 3820/85 of 20 December 1985 on the harmonisation of certain social legislation relating to road transport is to be interpreted as prohibiting drivers to which it applies from driving continuously for more than four and a half hours. But where a driver has taken a 45 minute break either as a single break or as several breaks of at least 15 minutes during or at the end of a four and a half hour period, the calculation provided for in Article 7(1) of the Regulation should begin afresh, without taking into account the driving time and breaks previously completed by the driver.'

Therefore, as soon as a total 45-minute break (taken either in one break or in several breaks of at least 15 minutes each) has been completed, previous driving and breaks taken on that day should be ignored when considering subsequent driving and breaks in the day. In other words, the calculation of the four-and-a-half-hour driving period begins afresh. Despite this, the continuous driving limit of four and a half hours is unchanged as is the daily limit of nine hours (which can be increased to 10 hours twice a week). The following examples of permissible patterns of breaks take account of the judgement:





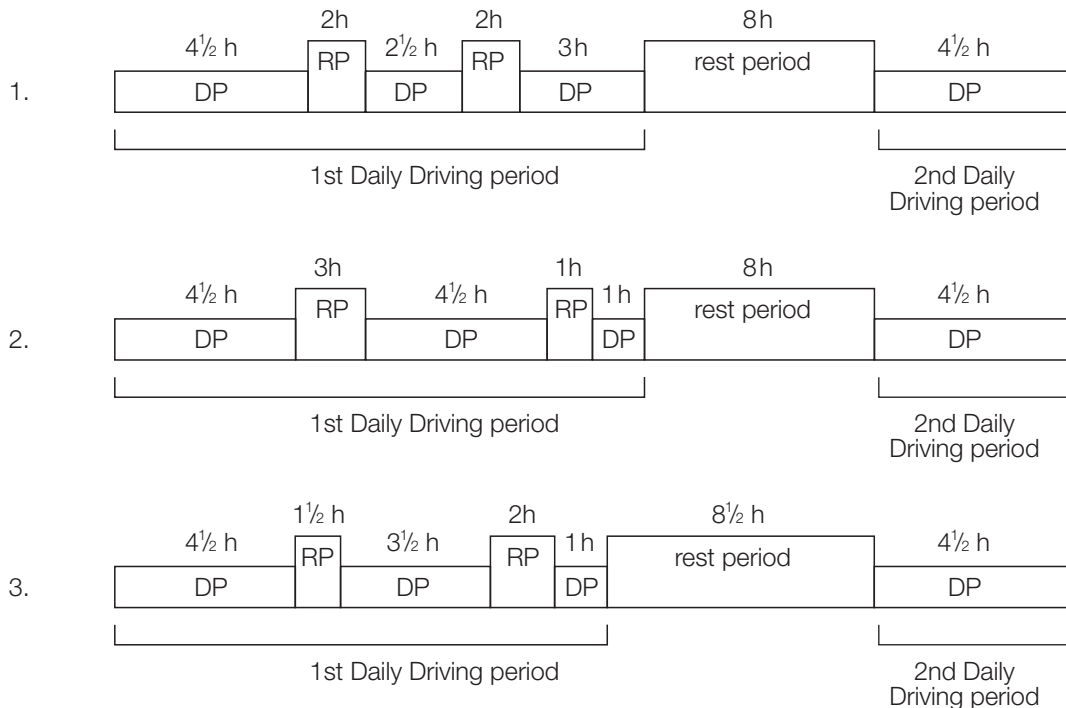
Example 4 can apply twice a week only – see question 12.

The greater flexibility allowed by the Judgement will, in certain circumstances, permit longer cumulative driving periods with less time spent in breaks. In the interest of road safety, it is the Department's view that regular breaks from driving should be taken wherever possible.

17 WHAT ARE THE RULES ON DAILY REST PERIODS?

In each period of 24 hours a driver must have a minimum daily rest of 11 consecutive hours. This may be reduced to 9 hours not more than 3 times a week, as long as the reduction is compensated by an equivalent rest before the end of the following week. (Question 21 explains the rules for catching up on reduced rest.)

Alternatively, 12 hours' daily rest may be spread over the 24 hour period, taken in two or three periods, the last of which must be at least 8 consecutive hours, and all of which must be at least one hour.



Where daily rest is split into periods and distributed throughout the day, these periods cannot be counted towards the 45 minutes of break that are required if the day includes more than four and a half hours of driving (see question 14).

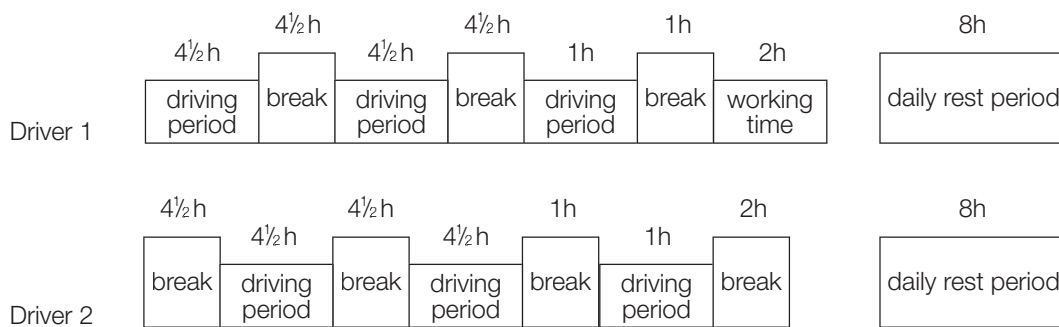
The daily rest period may be taken in a vehicle, as long as it is fitted with a bunk and is stationary.

18 ARE THE RULES ON REST DIFFERENT FOR VEHICLES MANNED BY TWO OR MORE DRIVERS?

The same rules apply to vehicles continuously manned by two or more drivers except that during each period of 30 hours each driver shall have a rest period of not less than 8 consecutive hours.

For this rule to apply, there must be more than one driver travelling with the vehicle at all times. If, for any reason, only one driver is left on board the vehicle then the single manning rules will apply.

In a multiple manned vehicle, the other drivers may take a break on the moving vehicle whilst one driver is driving but not a daily rest period. Eg:



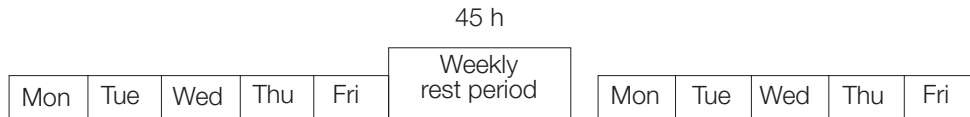
19 HOW LONG CAN A DRIVER BE ON DUTY?

There are no duty limits. However, the daily rest requirements limit the number of hours drivers can work as follows:

No of drivers	Minimum daily rest period (see question 17)	Spreadover
1 driver	(i) 11 consecutive hours which can be reduced to 9 hours 3 times a week with compensation before the end of the following week	13 hours' work (inc breaks) – or up to 15 hours 3 times a week
	(ii) 8 consecutive hours when taken as one of 2 or 3 separate periods (a minimum of 1 hour) totalling 12 hours of rest in any 24-hour period	12 hours' work (inc breaks)
2 or more drivers	8 consecutive hours in any 30-hour period	22 hours' work (inc breaks)

20 WHAT IS THE WEEKLY REST PERIOD AND WHEN SHOULD IT BE TAKEN?

When taking the weekly rest period, a daily rest period (as described in question 17) must normally be extended to at least 45 consecutive hours. The weekly rest period can be reduced to a minimum of 36 consecutive hours if taken either where the vehicle is normally based or where the driver is based. If it is taken elsewhere it can be reduced to a minimum of 24 consecutive hours. Each reduction must be made up by an equal period of rest attached to a weekly or daily rest period and taken in one continuous period before the end of the third week following the week in question.



When the weekly rest period must be taken

After six daily driving periods. However, the weekly rest period may be postponed until the end of the sixth day, if the total driving time over the six days does not exceed the maximum corresponding to six daily driving periods.

A weekly rest period which begins in one week and continues into the following week may be attached to either of these weeks.

Drivers on non-regular journeys (national and international)

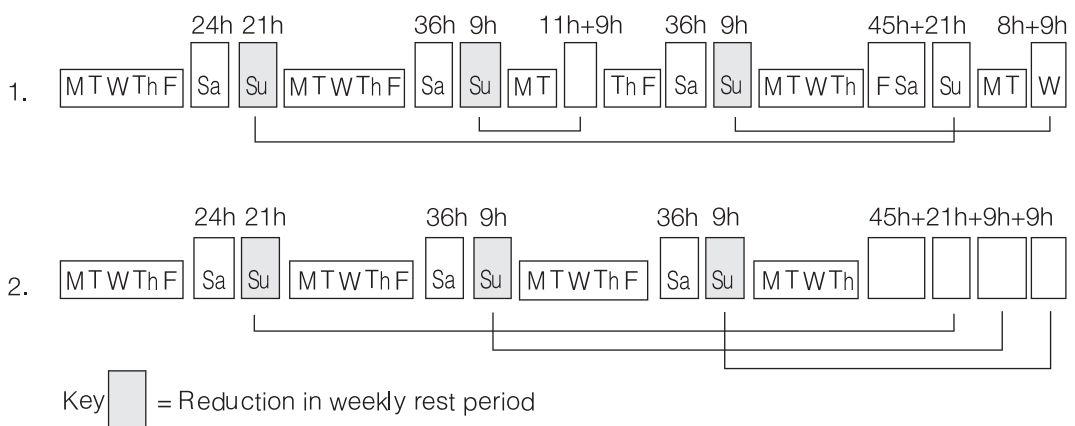
These may postpone their weekly rest period until the end of the 12th daily driving period or the end of the 12th day if the total driving time over the 12 days does not exceed the maximum corresponding to 12 daily driving periods. In doing so, drivers must then take two weekly rest periods consecutively and without any break between them.

21 WHAT ARE THE RULES FOR CATCHING UP ON REDUCED REST?

Any rest taken as compensation for the reduction of the daily and/or weekly rest periods must be attached to another rest of at least eight consecutive hours, and shall be granted, at the request of the person concerned, at the vehicle's parking place or the driver's base.

Rest taken as compensation for the reduction of a weekly rest period must be taken in one continuous block. For example, if you reduce a weekly rest from 45 hours to 40 hours, a block of five hours must be attached to another rest period.

Rest taken as compensation for the reduction of a daily rest period can be made up by any combination of rest periods each at least one hour in duration.



22 WHAT ARE THE RULES FOR TRANSPORT BY FERRYBOAT, OR TRAIN?

If a vehicle covers part of its journey by ferryboat or train, the following rules apply:

- The daily rest period may be interrupted, but only once and if it is, 2 hours must be added to the total rest time.
- If the rest is split up, 1 part must be taken on land, either before or after the journey; the other part can be taken on the boat or train.
- Any interruption in rest must be as short as possible and no more than 1 hour before or after embarkation/disembarkation, including any customs formalities.
- During both parts of the rest period, the driver(s) must have access to a bunk or couchette.
- Time spent on a ferryboat or train which is not treated as daily rest can be treated as a break.

23 WHAT ABOUT UNFORESEEN EVENTS AND EMERGENCIES?

Employers must schedule work in such a way that drivers are able to comply with the EC drivers' hours rules. However, provided road safety is not jeopardised, and to enable them to reach a suitable stopping place, a driver may depart from these rules to the extent necessary to ensure the safety of persons, the vehicle or of its load. The driver should note all the reasons for doing so on the back of their tachograph record sheet (if using an analogue tachograph) or on a printout or temporary sheet (if using a digital tachograph). Repeated, and regular, occurrences however might indicate to enforcement officers that employers were not in fact scheduling work to enable compliance with the applicable rules.

A judgement by the European Court of Justice dated 9 November 1995 provides a useful guide to how this provision should be interpreted. It can only apply in cases where it unexpectedly becomes impossible to comply with the drivers' hours rules during the course of a journey. So planned breaches of the drivers' hours rules are not allowed. This means that when an unforeseen event occurs, it would be for the driver to decide whether it was necessary to depart from the drivers' hours rules, taking account of the requirement of ensuring road safety in the process, and any instruction that may be given by an enforcement officer (for example, when under Police Escort).

24 WHEN DO I NEED A TACHOGRAPH AND WHAT TYPE OF TACHOGRAPH DO I NEED?

You will need a tachograph:

- for all vehicles under EC rules with 18 or more seats, including the driver's seat (except those on regular services – see question 25)
- for all vehicles with 10 or more seats, including the driver's seat, on international journeys.

When driving a vehicle that comes into scope of the EC drivers' hours rules, you must use a tachograph in order to make sure that a record is made of driving time, other work, breaks and rest periods.

There are two different types of tachograph:

- Analogue tachographs which have been in use for many years and make records on round paper record charts, and
- Digital tachographs which require the use of a driver smart card to enable the driver to record driving activity. The smart card is similar in appearance to a credit card and displays a photograph of the driver together with their signature. Very simply, the driver card will record and store data related to the activities of the driver and the vehicles that the driver has driven, whilst the digital tachograph vehicle unit (VU) will record vehicle activity and the drivers who have driven that vehicle. From the VU, information can be displayed visually, downloaded electronically, or printed using the printer. The types of data that can be accessed are dependent on different access rights, determined by which type of tachograph card is being used at the time.

Vehicles used in scope of the EC drivers' hours rules and first put into service (registered for use on the road) on or after 1st May 2006 must be equipped with a digital tachograph. Vehicles first brought into service before that date can use either an analogue or digital tachograph to record drivers' hours.

25 WHAT ARE THE RULES FOR REGULAR AND 'SPECIAL REGULAR' SERVICES?

('Regular and Special Regular Services' are defined in Annex A)

A regular service on a route of over 50km in length is subject to EC rules, but a tachograph is not needed, as long as:

- the employer draws up a service timetable and a duty roster for crew members; the roster must show the driver's name, the place where he is based, and the schedule laid down in advance for various periods of driving, other work and availability; the roster must include these details for the previous, current and following weeks; the roster must be signed by an authorised person; duty rosters must be kept available for inspection for a period of at least a year;
- 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.

A regular service on a route of up to 50km is free from the EC rules but will, in most cases, be subject to domestic rules (see Part C).

26 WHO CAN FIT, SEAL AND CALIBRATE TACHOGRAPHS?

All tachographs used for recording drivers' hours, whether analogue or digital, must be properly installed, calibrated and sealed. This task must be performed by either a vehicle manufacturer or an Approved Tachograph Calibration Centre, both of which must have been approved by VOSA to carry out such activities. VOSA (0870 6060440) can tell you where your nearest Approved Tachograph Centres are located.

Tachograph systems must be inspected when first installed, and at least every 2 years thereafter to ensure that they fully meet the installation and calibration requirements set out in European legislation, in order to accurately record driving time and other activities within the tolerances laid down by that legislation. Once checked and properly calibrated, tachographs must be sealed and an installation or inspection plaque fixed to, or near, the tachograph itself. UK Approved Tachograph Centres will also issue a certificate showing details of the inspection conducted.

Operators must ensure that these tachograph requirements are complied with before putting a new or used vehicle into service.

27 ARE TACHOGRAPHS AND SEALS CHECKED BY VOSA?

Yes, a check on the presence of a tachograph, calibration and the integrity of seals is part of the statutory annual test for vehicles requiring a tachograph. Roadside checks are also conducted by VOSA and the police.

28 HOW OFTEN SHOULD TACHOGRAPHS BE INSPECTED?

Inspection requirements are different for analogue and digital tachographs.

Analogue Tachographs

These must be inspected at an Approved Tachograph Centre every 2 years to ensure that the system is operating correctly. The two-yearly inspection can be calculated by checking the date shown on the installation plaque. A 2-yearly inspection does not necessarily require a full calibration of the recording equipment.

Additionally, a full inspection of the recording equipment is required 6 years after the date of original installation, and every 6 years after that. A 6-yearly inspection requires a full calibration of the recording equipment and replacement of the installation plaque.

An installation plaque will also be issued where a repair to a vehicle is made that involves recalibration and re-sealing – in such cases the above periods apply from that date.

Digital Tachographs

These must be fully inspected at an Approved Tachograph Centre at least every 2 years or:

- after any repair of the equipment; or

- after any alteration of the “characteristic coefficient” of the vehicle or the effective circumference of the tyres; or
- if the tachograph equipment UTC time is wrong by more than 20 minutes; or
- whenever the VRN is changed.

29 WHAT SHOULD I DO IF THE TACHOGRAPH ISN'T USED MUCH, IF AT ALL?

When a tachograph is not used very often you should make sure, before the vehicle is again used in scope of EC drivers' hours rules, that the tachograph:

- has been issued with a valid installation plaque,
- has been satisfactorily inspected within the last 2 years with an appropriate, valid plaque,
- is properly sealed, and
- is in good working order.

A tachograph fitted to a vehicle which is never used under the EC rules must, if it is acting as the sole speedometer on the vehicle, still have an installation inspection, be issued with an installation plaque and be properly sealed. Provided the seals remain intact, and the vehicle is not subsequently used for an operation falling within the scope of the EC rules, it is not necessary to have the tachograph inspected or re-calibrated again.

30 WHAT SHOULD I DO ABOUT FAULTY TACHOGRAPHS OR BROKEN SEALS?

If the tachograph becomes defective, seals are broken or there is any doubt about the recording equipment's ability to make accurate recordings, the tachograph should be inspected, calibrated and, where necessary, repaired by an Approved Tachograph Centre as soon as possible. If the vehicle cannot return to its base within a week of failure of the tachograph, or of the discovery of its defective operation, the repair must be carried out en route.

Approved Tachograph Centres in the UK may only undertake minor repairs to analogue tachographs and so offer a service-exchange scheme to provide repaired and replacement analogue tachographs. The exchange of analogue tachographs is sourced either from the tachograph manufacturers or through the Authorised Calibration Repair Scheme approved by the Department for Transport. A full list of the UK authorised repairers is available on request from DfT or VOSA.

Arrangements differ elsewhere across the European Union and some Member States also approve tachograph workshops to carry out major repair work. UK vehicle operators must take care to ensure, when outside the UK, that repairs conducted to tachographs on their vehicles are conducted only by persons or workshops properly approved to do so.

Because of the security aspects surrounding **digital** tachographs, only minor or cosmetic repairs are possible. Approved workshops in the UK may be able to offer help in this respect, and at the very least they are required to be able to attempt to download data from any digital tachograph that needs repair. In cases where data cannot be accessed and downloaded by a workshop, they shall issue a 'Certificate of Undownloadability'.

With respect of recording driver activities when the recording equipment is unserviceable or malfunctioning, drivers may continue to use the vehicle, but must ensure that they make a temporary record which contains data enabling the driver to be identified (driver's card number and/or name and/or driving licence number) including the driver's signature, all information for the various periods of time which can no longer be recorded or printed out correctly by the recording equipment.

NB. Whilst this is the position under the EC rules, it is not advisable to start or continue an international journey with a defective tachograph (even if manual records are kept). This is because many countries will not permit entry to such vehicles since their own domestic laws require a proper working system.

UK legislation also provides that a person will not be liable to be convicted if they can prove to the Court that the vehicle was on its way to a place where the recording equipment could be repaired or that it was not immediately practicable for the equipment to be repaired and the driver was keeping a manual record or, where a seal is broken, the breaking of the seal was unavoidable and could not be immediately repaired and all other aspects of the EC rules were being complied with.

Situations relating to faulty driver cards are covered in Question 32(B).

31 WHO IS RESPONSIBLE FOR THE ISSUE OF RECORD CHARTS AND PAPER FOR PRINTOUTS?

Where a driver uses a vehicle fitted with an analogue tachograph the employer must supply the driver with record charts of an approved type which can be used in the tachograph installed in the vehicle. Enough must be provided to allow for the whole journey planned as well as sufficient spare charts to allow for unforeseen circumstances, damaged charts etc. For guidance 1 for every 24-hour period plus 33-50% spares should be considered.

Where drivers are required to use vehicles fitted with a digital tachograph the employer should ensure that each driver has a valid driver card and sufficient type-approved printer paper suitable for use with the type of digital tachograph installed in the vehicle. Employers should ensure that sufficient spare print-roll paper is available to enable drivers or enforcement officers to print paper records if required. It should be borne in mind that some operations involving frequent stops are likely to generate significantly longer printouts.

Drivers must also remember they also have a responsibility to provide charts and ensure that printouts can be made on request in the event of an inspection – they too should ensure they have sufficient charts or spare print paper to meet likely needs.

For private driving, the owner/driver must make sure that enough charts are carried, or sufficient paper for printouts if using a digital tachograph, for any journey subject to EC tachograph rules.

31A WHO IS RESPONSIBLE FOR ENSURING THAT DRIVERS USE DRIVER CARDS WHEN DRIVING A VEHICLE EQUIPPED WITH A DIGITAL TACHOGRAPH?

Both the driver and the employer are responsible for ensuring that the rules relating to the use of driver cards are obeyed. Employers should ensure that drivers who will be using vehicles equipped with digital tachographs have applied for, and received, a driver card. They should also take reasonable steps to ensure that their drivers are aware of, and comply with, the rules relating to the use of driver cards (see question 32A).

It is an offence for anyone to drive a vehicle equipped with a digital tachograph when in-scope of EC drivers' hours rules if they have not been issued with a driver smart card. When a driver card is due to expire, drivers will need to apply for a replacement no later than 15 working days before the old card is due to expire.

32 HOW SHOULD THE RECORD CHARTS FOR ANALOGUE TACHOGRAPHS BE USED?

Dirty or damaged charts must not be used. If a chart with recordings on is damaged, a spare chart must be used instead and attached to the damaged chart, when recording on the second chart has been completed.

Each driver must enter the following information on the record chart:

- his or her surname and first name (in that order) (before departing);
- the date and place where use of the chart begins (before departing) and ends (after arrival);
- the registration number of vehicles driven during the use of the chart (which should be entered before departing on a new vehicle);
- the odometer reading at the start of the first journey and at the end of the last journey shown on the chart. (If there is a change of vehicle during the working day, not only the registration number of the new vehicle but also the readings at the time of the change should be given); and
- the time of any change of vehicle.

32A HOW SHOULD DRIVER CARDS BE USED WITH DIGITAL TACHOGRAPHS?

Drivers should take reasonable steps to protect their cards from dirt and damage. A driver may use only their own personalised driver smart card to record driving and the other activities which they undertake. The card must be used whenever they use a vehicle fitted with a digital tachograph and should not normally be removed from the tachograph during the working day whilst the vehicle remains under their care and control or whilst they are acting as a second driver.

Drivers must ensure that their driver smart cards are placed in the correct slot – slot 1 when acting as driver, slot 2 when co-driver on a double-manned journey.

32B WHAT IF MY DRIVERS CARD IS LOST, STOLEN, MALFUNCTIONS OR IS DAMAGED?

When a driver smart card is lost, stolen, damaged or malfunctions the driver must apply for a new card within 7 days.

The digital tachograph vehicle unit will normally detect and indicate if the driver card cannot be read or if the digital tachograph cannot write data to the card. Damaged or malfunctioning cards which have been issued by DVLA will be replaced free of charge, provided that the faulty card is returned with the appropriate application form completed. Forms are available from DVLA by calling 0870 8501074 or from DVLA local offices.

If a card is lost or stolen the driver will need to formally declare the loss or theft to the authorities of the Member State in which the theft occurred. In the UK, when a replacement card is ordered by phone, this can be completed as a single process. Phone orders to DVLA can be made subject to credit card payment of the replacement fee (£19.00).

Replacement driver cards must be collected in person, irrespective of whether such applications were made by phone or by post. Replacement cards can be collected from either a DVLA local office or any VOSA Goods Vehicle Test Station. A declaration will need to be made and signed by the driver at the time of collection and the driver will be required to present proof of identity.

If the driver card is lost, stolen, or is malfunctioning a driver may continue to drive a vehicle equipped with a digital tachograph for a maximum period of 15 days (or longer if necessary to complete a journey back to base). For the duration of this period, when the driver card cannot record data, the driver must produce a printed record of their activities using the digital tachograph as follows:





- (a) At the start of each journey the driver will print out the details of the vehicle being used and note on the printout:
 - (i) Details that enable the driver to be identified
 - name,
 - driver card or driver's licence number,
 - signature;
 - (ii) Details of activity undertaken before the journey started
 - all periods of other work,
 - periods of availability,
 - breaks and daily rest periods taken since the last record was made.
- (b) At the end of the journey the driver will:
 - (i) Print out the information relating to periods of time recorded by the recording equipment,
 - (ii) Record any periods of other work, availability and rest undertaken since the printout that was made at the start of the journey where these have not been recorded by the tachograph, and
 - (iii) Note on that document details that enable the driver to be identified
 - name,
 - driver card or driver's licence number,
 - signature.

The driver must begin using the replacement driver smart card as soon as they receive it.

33 HOW ARE ALL THE HOURS OF DRIVING, WORK AND REST RECORDED?

Analogue Tachographs

Recordings start as soon as the chart is placed in an analogue tachograph. Drivers must ensure that the tachograph is working properly all the time they are in charge of the vehicle. They must ensure that the time recorded on the chart is the official time of the vehicle's country of registration, and they must operate the 'mode' switch so that the following times can be recorded separately and clearly on the chart:

- driving symbol  (this is automatically recorded on some tachographs)
- other work symbol 
- availability symbol 
- break or rest symbol 

Digital Tachographs

Digital tachographs contain their own internal memory which records vehicle movements even when no card is inserted into the tachograph. It is a very serious breach of the EC drivers' hours rules to drive without a card unless, exceptionally, the relevant driver card is lost, stolen, damaged or malfunctioning.

When driving a vehicle equipped with a digital tachograph, drivers should:

- ensure that their card is inserted into the correct slot (1=driver, 2=co-driver), and that it is ready for use, before moving the vehicle,
- record the country in which they begin and end their daily work period
- ensure all duties conducted since the driver smart card was last removed from a tachograph are manually entered onto the card record using the manual entry facility on the tachograph,
- ensure that the tachograph is working properly, and
- ensure that through the working period the mode switch is used correctly to record other work, periods of availability and rest/breaks (see 'Analogue Tachographs' above).

Note in particular that digital tachographs will default to recording 'other work' when the vehicle stops and drivers must use the mode switch correctly to ensure that rest and break periods are recorded correctly.

If, for any reason, the tachograph does not make an accurate record of your activities (e.g. you inadvertently make and confirm an incorrect manual entry in a digital tachograph) we strongly recommend that you make and sign a printout for the relevant period, with a note giving details of the error and the reason for it, at the time the error is made.

34 HOW SHOULD OTHER WORK, AVAILABILITY AND REST BE RECORDED WHEN AWAY FROM THE VEHICLE?

A driver smart card or an analogue tachograph chart completed by a driver should not be left in a tachograph if it is likely that another driver may have access to the vehicle or could drive it with the smart card or chart still inserted.

When using a vehicle equipped with an analogue tachograph the driver *must* make a manual entry on the chart if they:

- are working away from the vehicle and cannot leave a chart in the tachograph, or
- have left a chart in but changed their work mode whilst away from the vehicle.

When using a vehicle fitted with a digital tachograph the driver smart card should remain in the tachograph, with the mode switch set to the appropriate activity, whilst the vehicle remains in the care of the driver. However, as it is not possible to correct the digital record retrospectively, if a driver is likely to change work or rest modes when away from the vehicle, the driver is advised to remove their driver card when they leave the vehicle.

If the driver has to remove their driver card during the working day a manual entry must be made when the driver next uses the vehicle or another vehicle equipped with a digital tachograph. This allows the driver to account for all periods of time during their daily work periods which could not be recorded directly onto the driver card by virtue of the card not being in the recording equipment when these activities were undertaken. In other words, drivers must still account for the period(s) of time – within their working day – between the last card withdrawal and the current card insertion.

If, during the daily work period, the driver changes to a vehicle that has an analogue tachograph, then the periods of work during this time period will need to be recorded on a chart.

Please note that digital tachographs calculate entries based on UTC time which corresponds to GMT time. This will not necessarily be the same as the displayed time, which may be altered in half-hour steps to reflect local time or adjusted to show summer time (daylight saving time).

35 WHAT ABOUT OUT OF SCOPE DRIVING?

On an analogue tachograph this may be recorded by marking on the chart – 'Off Road or Other Work/Duty (time)': e.g. OW 11.15–12.15.

If using a digital tachograph, out of scope work can be recorded by setting the mode switch to 'out of scope'.

36 HOW SHOULD TIME SPENT TRAVELLING FROM HOME TO A PICK UP POINT, OTHER THAN THE DRIVER'S OPERATING BASE, BE RECORDED?

A Judgement of the European Court of Justice dated 18 January 2001 decreed that such journeys should be recorded as other work. In the Department's view the same principle would apply to the time spent travelling from a drop off point to home.

37 WHERE SHOULD MANUAL ENTRIES BE MADE?

When using a vehicle equipped with an analogue tachograph, the sheets or charts normally provide a space to make manual entries. This is usually on the reverse side, but they can be made anywhere on the chart provided they are clear and do not obliterate other recordings.

When using a vehicle equipped with a digital tachograph, the manual entry facility is activated once the driver card is re-inserted and will automatically prompt the driver about whether they wish to make additional entries of their activities which were not previously recorded on the card by virtue of the card not being in the vehicle unit at the time such activities were carried out. See the relevant manufacturer's manual for details about how to use this facility.

38 WHAT HAPPENS ABOUT DAYS ON WHICH A DRIVER DOES NOT DRIVE?

Analogue Tachographs

The period of time unaccounted for between the last day's record and the first day's record should normally be regarded (unless there is evidence to the contrary) as a rest period, when the driver is freely able to dispose of his time. He is not expected to account for this period, unless VOSA have reason to believe that he was working. Nevertheless, it is recommended that letters of attestation from the employer are provided for drivers travelling through relevant countries to cover any rest periods, holidays etc during the preceding 28 days.

Digital Tachographs

The driver smart cards used with digital tachographs will normally record 28 days of typical driver activity. Where the driver works solely on vehicles equipped with digital tachographs there is no need to specifically record days on which a driver does not drive (though drivers should use the manual entry facility to record relevant periods of other work or availability). Nevertheless, as is the case with analogue tachographs, it is recommended that letters of attestation from the employer are provided for drivers travelling through relevant countries to cover any rest periods, holidays etc during the preceding 28 days.

Mixed Tachographs

Drivers should carry chart records for all driving and work activities recorded using analogue tachograph equipped vehicles. They must also carry their driver smart card at all times when working if they have been issued with one irrespective of whether the vehicle being driven is equipped with a digital or an analogue tachograph. When travelling abroad letters of attestation should be carried as described above.

39 WHICH RECORDS SHOULD BE KEPT BY THE DRIVERS AND THE EMPLOYER?

Where drivers use analogue tachographs, they must carry their driver card if they hold one, and all record charts (not photocopies) for the current week and the previous fifteen calendar days. Where chart records have been made they must be carried when driving, irrespective of whether the vehicle being used is equipped with a digital or analogue tachograph. The DfT is in the process of amending the legislative requirement for drivers to return completed charts to their employers within 21 days, as this is no longer compatible with the record carrying requirements for roadside inspections. Whilst this is being finalised drivers should return their charts to their employers within 30 days.

Employers:

- should ensure drivers hand in their record sheets within 30 days;
- must keep all charts for at least one year after their use;
- must make regular checks to see that the EC drivers' hours and tachograph rules are being obeyed; if they are not steps should be taken to make sure the breach does not happen again; and
- must be able to produce 1 year's record charts for the enforcement authorities.

Employers and drivers are required to hand over record charts to enforcement authorities when so requested.

Where drivers have been issued with a driver smart card they must have this available for inspection, along with any printouts that they have made during the current week and the previous fifteen calendar days, at all times when carrying out driving duties including times when they are using a vehicle equipped with an analogue tachograph. If drivers do not have their driver card available during a roadside inspection, they will be committing an offence and they may be required to produce it at an address given by the officer at a later date so that it can be inspected at that time.

Enforcement authorities can inspect driver cards on request and both drivers and their employers must allow enforcement authorities to access and copy any data stored on either tachograph cards or digital tachograph vehicle units, or data previously downloaded from either. Enforcers may also make printouts of the data stored on driver cards and digital tachographs and may require drivers to sign these printouts to confirm that they are a true and complete record of the driver's activities during the relevant period (or to make manual corrections if the driver believes the record is incorrect). Printouts must be handed over to enforcement officers on request.

The EC rules require the UK to set maximum periods for operators to download data from both digital tachographs and driver smart cards. The Department for Transport will be consulting with industry on the minimum period within which data must be downloaded.

Employers are required to monitor and manage drivers' hours to ensure compliance with the law and they are advised to have suitable procedures for data downloading, analysis and storage of data in place before they use digital tachographs. Doing so will allow them to meet their obligations under the Operator Licensing rules.

Employers should keep relevant and associated documentation (e.g. printouts, undownloadability certificates or other documentation issued by Approved Tachograph Centres, temporary sheets etc) for at least one year.

40 WHAT SHOULD A DRIVER DO IF RECORD CHARTS OR PRINTOUTS ARE KEPT BY ENFORCEMENT OFFICERS?

If an enforcement officer retains a record chart, the driver should ask the officer to endorse the replacement chart, which must be put into the tachograph before continuing the journey, with the officer's name, telephone number and the number of charts retained. Alternatively, a receipt will be given. Drivers must always carry more charts than they are likely to use.

Where drivers are using digital tachographs and, exceptionally, have made printouts when driving without a card, and an enforcement officer retains one or more of those printouts, the same principles apply. Drivers should make additional printouts covering the same period as the confiscated printouts, sign them and add appropriate details where possible. As with retained charts, ask the officer to endorse the replacement printout or printouts or to provide a receipt.

40A WHAT OTHER POWERS DO ENFORCEMENT OFFICERS IN GREAT BRITAIN HAVE IN RELATION TO THE ENFORCEMENT OF THE DRIVERS' HOURS RULES?

Enforcement officers have wide-ranging powers to inspect, copy, remove and retain records which might reveal breaches of the drivers' hours rules including the power to ask for records to be produced at a specified address. They also have wide-ranging powers to inspect tachograph equipment and devices which might be used to interfere with the functioning of tachograph equipment, including a power to send a vehicle to a place where it can be thoroughly inspected if they have reason to believe that an interference device is in use or that the tachograph has been subject to interference. They can remove tachographs and suspect devices for the purposes of inspection and keep them as evidence where appropriate. Enforcers may make printouts of the data stored on driver cards and digital tachographs and may require drivers to sign those printouts to confirm that they are a true and complete record of the driver's activities during the relevant period (or to make manual corrections if the record is incorrect).

Obstructing an officer who is exercising his lawful powers of inspection is an offence, as is refusing to comply with a relevant legal requirement (e.g. failing to produce a driver card and/or to permit its inspection). The maximum penalty for obstructing an officer or failing to provide records is a level 5 fine (currently up to £5,000).

PART C

UK Domestic Drivers' Hours Rules

41 WHAT ARE THE UK DOMESTIC RULES?

The UK domestic rules apply to certain journeys within Great Britain which are not subject to EC rules.

42 WHAT ARE THE DRIVING LIMITS?

- Daily driving

10 hours on any working day – (including any driving done under EC or AETR rules).

- Cumulative or continuous driving

5½ hours – after this, a break of at least 30 minutes must be taken in which the driver is able to obtain rest and refreshment;

or within any period of 8½ hours in the working day, total breaks amounting to at least 45 minutes are taken so that the driver does not drive for more than seven and three quarter hours. The driver must in addition have a break of at least 30 minutes to obtain rest or refreshment at the end of this period unless it is the end of the working day.

- Length of working day (spreadover)

No more than 16 hours between the times of starting and finishing work (including work other than driving and off-duty periods during the working day).

- Daily rest periods

10 hours continuously must be taken between 2 working days. This can be reduced to 8½ hours up to 3 times a week.

- Fortnightly rest periods

In any 2 weeks in a row (Monday to Sunday) there must be at least 1 period of 24 hours off.

43 ARE THERE ANY EXEMPTIONS FROM UK DOMESTIC RULES?

Yes, the following apply to drivers who would otherwise be subject to the UK domestic (not EC) rules.

If you do not drive for more than 4 hours a day in any week, you are free from any UK domestic rules, for that week.

If you drive more than 4 hours for up to 2 days in any week you are still free from the rules. But on each of these 2 days:

- All working duties must start and finish within a 24 hour period
- You must have 10 hours of rest in a row, immediately before your first duty and immediately after the last duty
- You must obey the rules on driving times and length of working day.

If any working day overlaps into a week in which you are not exempt from the rules, then on that day you must obey the limits on driving time and length of working day.

During any time you spend dealing with an emergency (see Annex A for details) you will be free from the rules on driving time and rest.

See questions 4 & 5.

44 WHAT RECORDS SHOULD I KEEP?

Under the UK domestic rules, there are no rules for record keeping for drivers of passenger vehicles. But, if under the UK domestic rules you drive both passenger and goods vehicles, you should keep written records of hours of duty and driving of goods vehicles.

45 DO THE RULES AFFECT OTHER CREW MEMBERS?

No, there are no rules concerning conductors or drivers' mates.

PART D

Mixed EC and UK Domestic Driving

46 WHAT HAPPENS IN CASES OF 'MIXED' DRIVING UNDER EC AND UK DOMESTIC RULES?

Many drivers spend some of their time driving under one set of rules, and some under another set, perhaps even on the same day.

If you work partly under EC rules and partly under UK domestic rules, the following points must be considered:

- the time spent driving under EC rules cannot count as an off-duty period under UK domestic rules;
- driving and other duty under the UK domestic rules (including non-driving work in another employment) count as attendance at work but not as a break or rest period under the EC rules;
- driving under EC rules counts towards the driving and duty limits under the UK domestic rules; and
- any EC driving in a week means that the driver must take a daily rest period on those days when he/she actually drives under EC rules, and a weekly rest period.

47 SO WHAT DRIVING LIMITS DO I OBEY?

The UK domestic limits (i.e. 10 hours' driving) must always be obeyed. But at any time when you are actually driving under the EC rules, you must obey all the rules on EC driving limits.

48 AND WHAT WORKING TIMES?

The UK domestic limits (i.e. no more than 11 hours on duty) must always be obeyed. But when working under EC rules you must also obey all the rules on breaks, daily rest (only on those days when actually driving) and weekly rest.

49 WHAT ARE THE RULES ON REST PERIODS AND BREAKS?

Again a driver must always obey the EC rules on rest periods and breaks.

50 HOW ABOUT 'MIXED' DRIVING UNDER AETR AND UK DOMESTIC RULES?

The same points also apply to a driver if he/she drives partly under AETR rules and partly under UK domestic rules.

51 HOW SHOULD I RECORD UK DOMESTIC DRIVING UNDER EC RULES?

If you are driving partly under UK domestic rules and partly under EC rules you should make a manual entry on the tachograph chart (if using an analogue tachograph) showing periods of domestic driving as other work e.g. OW 09.15 –10.20 or using the manual entry facility (if using a digital tachograph) showing periods of domestic driving as other work.

If you are using a tachograph when driving under UK domestic rules, the mode switch should be left on "other work" whilst driving the vehicle, and a manual entry made on the reverse of the chart (if using an analogue tachograph). If using a digital tachograph, the driving time should be recorded as "out of scope".

You can find further help in **Annex B**.

PART E

AETR Rules (International journeys to certain non-EC countries)

52 WHAT COMES UNDER AETR RULES?

Journeys to, or through, the countries listed below are subject to AETR rules.

AETR rules will apply to the whole journey including any EC countries passed through.

Albania	Croatia	Russia
Andorra	Kazakhstan	Switzerland
Armenia (6 December 2006)	Liechtenstein	Turkey
Azerbaijan	Macedonia	Turkmenistan
Belarus	Moldova	Ukraine
Bosnia & Herzegovina	Norway	Uzbekistan
Bulgaria (EU from 1 January 2007)	Romania (EU from 1 January 2007)	Federal Republic of Yugoslavia

When driving through a non-EC country not subject to the AETR agreement (such as Iceland), the drivers' hours rules of that country must be obeyed (see question 4).

AETR rules were aligned with EC Regulations in April 1992.

PART F

Other Rules and Legislation

53 WHAT ARE THE MINIMUM AGES FOR DRIVERS?

The minimum age for a driver of a passenger vehicle with 10 or more seats is 21 for journeys:

- under EC rules; and
- AETR rules.

But it is reduced to 18 when the vehicle does not exceed 7.5 tonnes permissible maximum gross weight or if the driver is the registered employee of a registered employer of the 'Young Drivers Scheme'; or to 17 when the driver is a full or part time member of the armed forces and the vehicle is used for naval, military or airforce purposes.

Journey under EC or AETR rules have a minimum age of 18 for drivers' mates.

54 WHAT ARE THE PENALTIES?

There is a level 4 fine (currently up to £2,500) for breach of the drivers' hours rules, and a level 5 fine (currently up to £5,000) for failing to install or use a tachograph in accordance with the rules. Deliberate falsification of tachograph records can result in up to 2 years' imprisonment and/or a fine. This applies to both the driver and to anyone whose orders the driver was following. Falsification includes destruction or suppression of records and omitting relevant information from the record (e.g. failing to use a tachograph sheet or driver card for the whole of a day or concealing relevant records from an enforcement officer). Permitting falsification of records (e.g. where an employer has not ordered the falsification of records but has not taken reasonable steps to prevent it either) can lead to a level 5 fine (currently up to £5,000). Producing, supplying or installing products which interfere with the functioning of a tachograph or records produced by a tachograph is also an offence in its own right, which can lead to a level 5 fine (currently up to £5,000), as can providing information which would assist other people in producing such devices.

55 ARE THERE EXCEPTIONS TO THE RULES?

In the case of hours offences, the law protects from conviction:

- drivers who, because of unforeseen difficulties, were unavoidably delayed in finishing a journey and breached the rules; and
- employers, if any driver was involved in other driving jobs which they could not have known about.

In the case of records offences, the law protects an employer from conviction if they can prove that they took all reasonable steps to make sure that the driver kept proper records.

Failing to comply with a lawful request by an enforcement officer (e.g. refusing to allow the inspection of a driver card or failing to provide records which a person is required to keep), or obstructing an officer who is exercising their lawful powers, can also lead to a level 5 fine (currently up to £5,000).

56 WHAT IS THE MAIN RELEVANT LEGISLATION?

Copies of the relevant legislation can be obtained from:

UK Legislation

The Office of Public Sector Information

www.opsi.gov.uk

The Stationery Office

www.TSOshop.co.uk

EU Legislation

Eur-lex – The Portal for European Union law

europa.eu.int

1. EC rules

EC regulation 3820/85 on drivers' hours.

EC regulation 3821/85 on tachographs.

EC regulation 3314/90 on tachographs.

EC regulation 3688/92 on tachographs.

EC regulation 2479/95 on tachographs.

EC Directive 2000/56 on driving licences.

EC regulation 561/2006 on drivers' hours and tachographs.

EC regulation 2135/98 and EC regulation 1360/2002 (as amended).

The Community Drivers' Hours and Recording Equipment (Exemptions and Supplementary Provisions) Regulations 1986 (SI 1986/1456).

The Community Drivers' Hours and Recording Equipment Regulations 1986 (SI 1986/1457).

*The Drivers' Hours (Harmonisation with Community Rules) Regulations 1986 (SI 1986/1458).

The Community Drivers' Hours and Recording Equipment (Exemptions and Supplementary Provisions) (Amendment) Regulations 1987 (SI 1987/805).

The Passenger and Goods Vehicles (Recording Equipment) Regulations 1989 (SI 1989/2121).

The Passenger and Goods Vehicles (Recording Equipment) Regulations 1996 (SI 1996/941).

The Community Drivers' Hours and Recording Equipment (Amendment) Regulations 1998 (SI 1998/2006) as amended by National Health Service Reform SI 2002/2469.

The Passenger and Goods Vehicles (Recording Equipment) (Tachograph Card Fees) Regulations 2005 (SI 2005/1140).

The Passenger and Goods Vehicles (Recording Equipment) Regulations 2005 (SI 2005/1904).

The Passenger and Goods Vehicles (Recording Equipment) (Tachograph Card) Regulations 2006 (SI 2006/1937).

The Passenger and Goods Vehicles (Recording Equipment) (Fitting Date) Regulations 2006 (SI 2006 No 1117).

*Applicable to both EC and domestic rules.

2. AETR rules

European Agreement concerning the work of crews on vehicles engaged in International Road Transport (AETR) (Cmnd 7401) (as amended by Cmnd 9037).

3. Domestic rules

Transport Act 1968 (Part VI as amended).

The Drivers' Hours (Goods Vehicles) (Modifications) Order 1970 (SI 1970/257).

The Drivers' Hours (Passenger and Goods Vehicles) (Modifications) Order 1971 (SI 1971/818).

The Drivers' Hours (Goods Vehicles) (Modifications) Order 1986 (SI 1986/1459).

The Drivers' Hours (Goods Vehicles) (Exemptions) Regulations 1986 (SI 1986/1492).

The Drivers' Hours (Goods Vehicles) (Keeping of Records) Regulations 1987 (SI 1987/1421).

ANNEX A

Some terms used in this booklet

CREW MEMBER

For the purpose of EC and AETR rules this includes:

‘Driver’ any person who drives the vehicle, even for a short time, or who travels on the vehicle to be available to drive if needed.

‘Driver’s mate’ any person with a driver of a vehicle who helps in certain manoeuvres or takes a part in the transport operations but is not actually a driver.

‘Conductor’ anyone who travels with a driver on a vehicle and whose duty it is to issue and check tickets.

DAILY REST PERIOD

Under the EC and AETR rules this is any period of at least 8 hours in a row during which the crew member can do what he/she likes and is free to move about as he/she pleases.

There is no specific definition of ‘Daily Rest’ in the UK domestic rules where the minimum period of daily rest is 8½ hours.

DRIVING

This is being at the driving controls of a vehicle for the purpose of controlling its movement, whether it is moving or stationary with the engine running.

DUTY

In the case of an employee/driver this means being on duty, whether driving or otherwise, for anyone who employs him or her as a driver. For an owner/driver this means driving a vehicle connected with their business, or doing any other work connected with the vehicle or its load or passengers. Under the EC/AETR rules duty amounts to ‘other periods of work’ (perhaps work for another employer not concerned with driving) or other periods of availability ‘to one’s employer’.

EMERGENCY

This means an event which causes, or is likely to cause, danger to life or health or serious interruption in the maintenance of public services (water, gas, electricity, drainage, telecommunications or postal services) or in the use of roads or in private or public transport, or serious damage to property such as to need immediate preventative action.

INTERNATIONAL JOURNEY

Means a journey to or from another State, including the part of the journey within the UK.

REGULAR SERVICE (WHICH INCLUDES SPECIAL REGULAR SERVICES)

Means a service which provides for the carriage of passengers at specified intervals along a specified route, passengers being taken up and set down at predetermined stopping points. It does not have to be a service for the general public.

It may be a service provided exclusively for a particular category of passengers (e.g. it may be children to or from school or workers to and from work). A service may be varied according to the needs of those concerned and still remain a regular service.

PUBLIC 'SERVICES' OR 'UTILITIES' PURPOSES

Vehicles owned or controlled by any of the services or utilities listed below are exempt from the EC rules under Article 4.6 but subject to domestic rules:

Civil defence	Highway authorities
Sewerage services	Telephone and telegraph services
Flood protection services	Broadcasting services
Water services	Postal authorities
Gas and electricity services	

The following are also exempt from the EC rules under Article 13(1)(b) but subject to UK domestic rules:

- Vehicles used by health authorities and NHS Trusts for an ambulance service and to carry staff, patients, medical supplies or equipment (this includes vehicles used by Strategic Health Authorities, Special Health Authorities, NHS Trusts or Primary Care Trusts)
- Vehicles used by local authorities for services for the elderly or handicapped people.

A full list of those exempted from the EC rules is given in The Community Drivers' Hours and Recording Equipment (Exemptions and Supplementary Provisions) Regulations 1986 (SI 1986/1456) and The Community Drivers' Hours and Recording Equipment (Amendment) Regulations 1998 (1998/2006), as amended by NHS Reform SI 2002/2469.

RELEVANT AREA (SEE QUESTION 14)

Means any of the following areas:

- i) the London Borough of Camden
- ii) the Royal Borough of Kensington and Chelsea
- iii) the London Borough of Islington
- iv) the City of Westminster
- v) in the City of Birmingham, an area comprising Digbeth Coach Station, Rea Street, Bradford Street, Barford Street, Cheapside and Birchall Street
- vi) in the City of Bristol, an area comprising Marlborough Street Coach Station, Marlborough Street, Maudlin Street, Lower Maudlin Street, Earl Street and Whitson Street
- vii) in the City of Leeds, an area comprising Wellington Street Coach Station, Wellington Street, York Place, Queen Street, Little Queen Street and King Street
- viii) in the City of Leicester, an area comprising St Margaret's Bus Station, Abbey Street, Gravel Street, Church Gate, Mansfield Street, Sandacre Street, New Road, Burleys Way and St Margaret's Way
- ix) in the City of Oxford, an area comprising Oxpens Coach Park, Oxpens Road, Thames Street and Holybush Hill.

ANNEX B

Some sample questions answered

'I drive for a total of 8 hours under EC rules; on the same day, can I take out a bus under UK domestic rules?'

'Yes, as long as you don't drive more than 10 hours in total during the day, or go over the working limit of 16 hours, and as long as you take the rest periods needed under the UK domestic rules, and have taken the breaks required under the EC rules whilst driving under them.'

'I drive 4 hours under the UK domestic rules; how many hours can I now drive under the EC rules?'

'Up to 6 hours in the same day, making a total of 10 hours (the UK domestic driving limit); these 6 hours are then subject to the EC fortnightly driving limit, rest periods and breaks.'

'I drive 6 hours under the UK domestic rules, 2 hours under EC rules, then 2 more hours under UK domestic rules; which rules apply?'

'The total driving limit is still 10 hours; you must follow the separate rules for each part of driving so that the UK domestic rules apply to the first part, in the second part the EC rules apply (so you must satisfy the EC daily and fortnightly rules on driving time), on the third shift you are back to the UK domestic rules and must keep to the working day limit under the UK domestic rules.'

Note: Duty periods under one set of rules cannot count as rest periods or breaks under the other. Driving under the EC rules counts towards the daily driving limit under the UK domestic rules, but driving under the UK domestic rules counts as other work under the EC rules, not driving.

'If I drive under the UK domestic rules for some of the time on a goods vehicle and some of the time on a passenger vehicle, am I under goods or PSV rules?'

'In any working day or week, if you spend most of your time driving passenger vehicles, then the appropriate rules for passenger vehicles apply to you for that day or week.'

'What is meant by route not exceeding 50km?'

'This means that the length of the route along which the vehicle travels must not be longer than 50km, this does not include backtracking over the same route. A change of driver along the route does not make any difference.'

'On an international journey, how long can a driver be on duty:

- **with 1 driver on the coach**
- **with 2 drivers?'**

'This is explained in question 19.'

'If I drive under the EC rules on just one or two days a week, will the daily and weekly rest requirements under these rules apply for the whole of that week?'

'If during any week you spend some of your time driving under EC rules, you will be required to take a weekly rest period for that week. Daily rest periods will only need to be taken on those days in which you actually drive under the EC rules.'

ANNEX C

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 4½ 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 4½ hours. 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 takes 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.

	Current Rules	New Rules from 11 April 2007
Weekly rest	<p>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> <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>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 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> <p>Where a driver takes weekly 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>
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, 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, 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> <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. 	<p>This concession will no longer apply.</p>

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 50km.	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
<p>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.</p>	<p>Vehicles with between 10 and 17 seats used exclusively for the non-commercial carriage of passengers.</p>
<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 which do not compete with private transport undertakings.</p> <p>DfT are currently consulting on these Public Authorities and will be updating the list in due course.</p>
<p>Vehicles used by agricultural, horticultural, forestry or fishery undertakings for carrying goods within a 50 kilometre radius of the place where the vehicle is normally based, including local administrative areas, the centres of which are situated within that radius.</p>	<p>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.</p>
<p>Tractors used exclusively for agricultural and forestry work.</p>	<p>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.</p>
<p>Vehicles being used to carry animal waste or carcasses which are not intended for human consumption.</p>	<p>No change.</p>
<p>Vehicles which are used to carry live animals between a farm and a local market or from a market to a local slaughterhouse.</p>	<p>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.</p>
<p>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.</p>	<p>Specially fitted mobile project vehicles, the primary purpose of which is use as an educational facility when stationary.</p>

Current Derogation Exemptions	New Derogation Exemptions
<p>Vehicles carrying material or equipment for the driver's 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 driver's main activity etc.</p> <p>NOTE: the reference to 7.5t did not appear in 3820/85 but was adopted as a rule in the UK.</p>	<p>Vehicles or combination of vehicles with a maximum permissible mass not exceeding 7.5 tonnes used by:</p> <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 driver's 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>
<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.</p>	<p>Derogation is unchanged.</p>
<p>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.</p>	<p>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.</p>
<p>Vehicles used for driving instruction and examination with a view to obtaining a driving licence.</p>	<p>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>
<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>
<p>Vehicles transporting circus and fun-fair equipment. (Was an exemption in 3820/85 and is now a National derogation)</p>	<p>Specialised vehicles transporting circus and funfair equipment.</p>

Current Derogation Exemptions	New Derogation Exemptions
<p>Vehicles used for milk collection from farms and the return to farms of milk containers or milk products intended for animal feed. (Was an exemption in 3820/85 and is now a National derogation)</p> <p>No specific exemption currently exists.</p>	<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>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> <p>The derogation for specialised vehicles transporting money and/or valuables will not be adopted.</p>

ANNEX D

Vehicle and Operator Services Agency (VOSA)

For queries on general enforcement issues i.e. drivers' hours, use of tachographs etc, please contact the appropriate area office below. Where possible please email your query: the addresses for each office are the same except for the Area Number – i.e. for Area 01 the email address is Area01mail@vosa.gov.uk, for Area 02 it is Area02mail@vosa.gov.uk etc.

Area 01

NORTHERN SCOTLAND

VOSA
The Goods Vehicle Testing Station
Longman Industrial Estate
Seafield Road
Inverness IV1 1RG
Tel: 01463 235505 Fax: 01463 715229

Area 02

WEST & SOUTH WEST SCOTLAND

VOSA
The Goods Vehicle Testing Station
Crosshill Road
Bishopbriggs
Glasgow G64 2QA
Tel: 0141 772 3405 Fax: 0141 762 3623

Area 03

SOUTH EAST SCOTLAND

VOSA
The Goods Vehicle Testing Station
Grange Road
Houston Industrial Estate
Livingston
West Lothian EH54 5DD
Tel: 01506 445200 Fax: 01506 445201

Area 04

CUMBRIA & LANCS

VOSA
The Goods Vehicle Testing Station
Brunthill Road
Kingstown Industrial Estate
Carlisle
Cumbria CA3 0EH
Tel: 01228 531751 Fax: 01228 592720

Area 05

GREATER MANCHESTER & DERBYSHIRE

VOSA
The Goods Vehicle Testing Station
Broadway Business Park
Broadgate
Chadderton
Oldham
Lancashire OL9 9XA
Tel: 0161 947 1050 Fax: 0161 681 5766

Area 06

LIVERPOOL

VOSA
The Goods Vehicle Testing Station
Stopgate Lane, Simonswood
Kirkby
Liverpool L33 4YA
Tel: 0151 546 6854 Fax: 0151 547 5142

Area 07

STAFFS & SHROPSHIRE

VOSA
The Goods Vehicle Testing Station
Station Road, Cold Meece
Stone
Staffs ST15 0QP
Tel: 01785 760152 Fax: 01785 761352

Area 08

BIRMINGHAM

VOSA
The Goods Vehicle Testing Station
Granby Avenue
Garretts Green Industrial Estate
Birmingham B33 0SS
Tel: 0121 783 6665 Fax: 0121 603 4400

Area 09

SOUTH WALES

VOSA
The Goods Vehicle Testing Station
School Road
Miskin
Pontyclun
Mid Glamorgan CF7 8YR
Tel: 01443 224771 Fax: 01443 237873

Area 10

BRISTOL & GLOUCESTER

VOSA
The Goods Vehicle Testing Station
Ashton Vale Road
Ashton Gate
Bristol BS2 3JE
Tel: 0117 966 2855 Fax: 0117 963 7600

Area 11

EXETER

VOSA
The Goods Vehicle Testing Station
Grace Road
Marsh Barton Trading Estate
Exeter
Devon EX2 8PH
Tel: 01392 279564 Fax: 01392 493628

Area 12

WESSEX

VOSA
The Goods Vehicle Testing Station
Hillson Road, Bottings Industrial Estate
Botley
Southampton S030 2DY
Tel: 01489 790540 Fax: 01489 795757

Area 13

SOUTHERN CENTRAL

VOSA
The Goods Vehicle Testing Station
Redhouse Road
Croydon
Surrey CR0 3AQ
Tel: 0208 665 5715 Fax: 0208 665 0214

Area 14

SOUTH EAST

VOSA
The Goods Vehicle Testing Station
Ambley Road
Gillingham
Kent ME8 0SJ
Tel: 01634 372722 Fax: 01634 389485

Area 15

METROPOLITAN

VOSA
The Goods Vehicle Testing Station
Willow Tree Lane
Yeading, Hayes
Middlesex UB4 9BS
Tel: 0208 842 3230 Fax: 0208 845 8133

Area 16

HERTS AND ESSEX

VOSA
The Goods Vehicle Testing Station
Tank Hill Road
Purfleet
Essex RM16 1SX
Tel: 01708 868229 Fax: 01708 868146

Area 17

NORWICH

VOSA
The Goods Vehicle Testing Station
Jupiter Road
Hellesden
Norwich NR6 6SS
Tel: 01603 408172 Fax: 01603 482573

Area 18

EAST MIDLANDS

VOSA
The Goods Vehicle Testing Station
40 Cannock Street
Barkby Thorpe Road
Leicester LE4 7HT
Tel: 0116 2766381 Fax: 0116 246 0674

Area 19

LINCS & CAMBS

VOSA
The Goods Vehicle Testing Station
Saville Road
Westwood
Peterborough PE3 6TL
Tel: 01733 263423 Fax: 01733 262273

Area 20

NOTTINGHAM & SOUTH YORKSHIRE

VOSA
The Goods Vehicle Testing Station
Orgreave Way
Sheffield S13 9LT
Tel: 0114 269 2334 Fax: 0114 254 8242

Area 21

HUMBERSIDE

VOSA
The Goods Vehicle Testing Station
Estate Road 1
South Humberside Industrial Estate
Pyewipe
Grimsby
South Humberside DN31 2TB
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VEHICLE AND OPERATOR SERVICES AGENCY INTELLIGENCE UNIT

Should you wish to report suspected breaches of the rules on:

- UK and European drivers' hours
- Operation of goods and/or public service vehicles
- Roadworthiness of goods and/or public service vehicles

you should pass details to the VOSA Intelligence Unit so that they can investigate and take appropriate action. The phone number is 0870 6060 440 or you can send details by e-mail via the VOSA website – www.vosa.gov.uk

All information will be treated confidentially and, if you would prefer, you can remain anonymous.

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