



# DRIVERS HOURS

## Manager's Fact Sheet

### Why is this important?

- Managing the duty and rest periods of drivers ensures road safety, and the reduction of road incidents due to fatigued drivers.
- The recording of a driver's duty hours is a legal requirement, and one that is frequently overlooked by companies using in scope vehicles under 3500kgs GVW.
- Drivers and Employers are responsible for the recording and management of both duty and rest hours.
- Regulations covering drivers' hours can be complex as they change depending on the size and weight of vehicle, and if a trailer is being towed.
  - GB Domestic rules – for vehicles under 3500 kgs GVW
  - EU Drivers Hours Regulations - for a 3500kgs vehicle towing a trailer with a MAM over 3500kgs - (these regulations apply for a working week, even if a trailer is only towed for 1 day)
  - Working Time Regulations
- DVSA will provide enforcement of these regulations.
- Drivers' Hours offences with vehicles under 3500kgs GVW, can impact a company's Operators Licence.
- If a driver is stopped by DVSA and found to have not taken sufficient rest or exceeded their working time, the vehicle may be stopped from continuing its journey.
- Drivers' hours offences carry penalties for both employee and employer, with the highest infringements possibly resulting in the loss of a driver's licence.
- Together with the relative penalties and fines DVSA can impose on both driver and company, a loss of vehicle can cause disruption to a company/customer service.
- Drivers and companies must be able to keep on file for at least 2 years, records for duty hours and rest periods, and be able to produce them on request.



# DRIVERS HOURS

## Manager's Fact Sheet

### What are the legal requirements?

- Drivers and Employers have an obligation to record the duty and rest period of all drivers.
- Penalties can impact both driver and company, with fines ranging between £100 to £1500, dependant on severity.
- Any incident may involve the review of drivers' hours/rest records and result in more severe penalties and offences, such as Dangerous or Careless Driving. Both carry both fines and penalties including driving bans.
- The DVSA can look back 28 days at a driver's records.
- Reviewing a driver's records are key, with non-compliant drivers receiving coaching or in the case of repeat offenders, the companies HR procedures should be used to ensure compliance.
- Where employees have other work, for example- evening bar work, taxi driving etc, remember the regulations include all work, including work the driver/employee may do for others, which you maybe not aware of. This should be included in any policy the company has, that those who drive on business report other employment.
- EU Drivers Hours Regulations must be recorded on a Drivers Digital Tachograph card, and activity downloaded for analysis. All duty and rest periods need to be reviewed and records kept for 2 years.
- A Drivers Digital Tachograph card is issued to the individual and cannot be used by another driver.

### What is best practice?

- Employment contracts should inform employees which regulations they will work under.
- Managers should be familiar with which regulations their employees are working under.
- Employees who may need to work within both GB Domestic & EU Drivers Hours should be identified and the relevant checks made on their digital tachograph card.
- Processes should be in place to monitor drivers' hours and rest time, with any non-compliance being highlighted and actioned.
- Companies must consider relevant regulations when scheduling duty, rest, and workload for employees.
- Should a driver need a Digital Tachograph card, many companies will pay for this, allowing a driver to reclaim via expenses the fee.



# DRIVERS HOURS

## Manager's Fact Sheet

### Where can I find further information?

[www.gov.uk/drivers-hours/gb-domestic-rules](http://www.gov.uk/drivers-hours/gb-domestic-rules)

[www.gov.uk/drivers-hours/eu-rules](http://www.gov.uk/drivers-hours/eu-rules)

[www.gov.uk/maximum-weekly-working-hours](http://www.gov.uk/maximum-weekly-working-hours)

[www.gov.uk/browse/driving/penalty-points-fines-bans](http://www.gov.uk/browse/driving/penalty-points-fines-bans)

[www.drivingforbetterbusiness.com/resources/search-results/?search=drivers+hours](http://www.drivingforbetterbusiness.com/resources/search-results/?search=drivers+hours)