

Temporary relaxation of the enforcement of the EU drivers' hours rules: international and Great Britain to Northern Ireland carriage of goods

In response to the exceptional pressures on the freight industry the Department for Transport has introduced a temporary relaxation of the enforcement of the EU drivers' hours rules in England, Scotland and Wales for drivers involved in the international carriage of goods by road and between Great Britain and Northern Ireland.

This relaxation reflects the exceptional circumstances stemming from and envisaged in relation to the COVID-19 outbreak, including the new strain, and the end of the EU transition period. There have been closures and restrictions of international routes to outbound accompanied UK freight. There has been and there are risks of congestion in and around ports, affecting international supply chains.

Timing of the relaxation

The relaxation of the rules applies from: **00:01 Wednesday 23 December 2020** until **23:59 on Friday 22 January 2021**

The current situation is being kept under review and the Department reserves the right to withdraw or amend the relaxation if circumstances change.

Scope of the relaxation

Anyone driving under the EU drivers' hours rules involved in the international carriage of goods by road or the carriage of goods between Great Britain and Northern Ireland. It should be used when there are significant unanticipated or substantial delays, related to border crossings.

This relaxation does not apply to drivers in scope of the GB domestic drivers' hours rules and so not subject to tachograph controls.

It is important to remember that the relaxation should only be used where necessary, otherwise the normal drivers' hours rules are to be followed.

Details of the relaxation

The EU drivers' hours rules can be temporarily relaxed as follows:

- a) Replacement of the EU daily driving limit of 9 hours with one of 11 hours;

b) Reduction of the daily rest requirements from 11 to 9 hours; together with a relaxation on the use of the ferry/train derogation to allow its use when on a reduced daily rest of 9 hours (instead of when on a regular rest period of 11 hours);

c) Lifting the weekly (56 hours) and fortnightly driving limits (90 hours) to 60 and 96 hours respectively;

d) Postponement of the requirement to start a weekly rest period after six-24 hours periods, for after seven 24 hours period; although two regular weekly rest periods or a regular and a reduced weekly rest period will still be required within a fortnight;

Drivers' must not use relaxation 'a' and 'd' at the same time. This is to ensure drivers can get adequate rest.

e) In addition, drivers of lorries within the "Operation Brock" queue or other queues in the Kent Traffic Management system can relax the break requirements to take two or three breaks of at least 15 minutes, which together are at least 45 minutes (within a 4.5 hours period).

Interaction with other relaxations

There are currently two other active relaxations for certain journeys and sectors.

A driver should not be using more than one relaxation at the same time as another. This is to protect driver welfare.

The relaxation granted for the delivery of food and essential items to retailers which began on 10 December 2020 will end on Sunday 30 December.

The relaxation granted for the general haulage of food and essential items which began on 23 December 2020 will end on Friday 22 January 2021.

Using the relaxation

Driver safety must not be compromised. Drivers should not be expected to drive while tired – employers remain responsible for the health and safety of their employees and other road users.

The practical implementation of the temporary relaxation should be through agreement between employers and employees and driver representatives.

When driving under the EU drivers' hours rules, drivers must note on the back of their tachograph charts or printouts the reasons why they are exceeding the normally permitted limits. This is usual practice in emergencies and is essential for enforcement purposes.

This temporary relaxation of the rules reflects the exceptional circumstances associated with international and Great Britain-Northern Ireland road transport.

The DfT encourages operators facing high work demands or work absences to take urgent measures to secure drivers who have limited or no current work.

As a general rule, we expect business to plan for and manage the risks of disruption to supply chains.

22 December 2020
Department for Transport
United Kingdom