

5. Tachograph Rules and Regulations

**BUDGET CONTRACT
DISTRIBUTION LTD**

**FULLFLOOD ROAD
HAVANT
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Charts and records

Drivers are responsible for operating the tachograph correctly in order to record their activities accurately and fully. Specifically, drivers must:

Common rules, Operation of the mode switch or button

Drivers must ensure that the mode switch on an analogue tachograph or the mode button on a digital tachograph is correctly set to record their activities. Driving symbol This is automatically recorded on most tachographs. Other work Covers all activities defined as work other than driving in scope of the EU/AETR rules. Includes any work for the same or another employer, within or outside the transport sector. Availability Covers periods of waiting time, the duration of which is known about in advance.

Examples of what might count as a period of availability (POA) are accompanying a vehicle on a ferry crossing or waiting while other workers load/unload your vehicle. For mobile workers driving in a team, a POA would also include time spent sitting next to the driver while the vehicle is in motion (unless taking a break or performing other work, i.e. navigation).

Break or rest Covers breaks in work and daily or weekly rest periods. Drivers may not carry out any driving or any other work.

Break periods are to be used exclusively for recuperation. During a rest period a driver must be able to dispose freely of his time. If for any reason the tachograph does not make an accurate record of activities (e.g. if the driver inadvertently makes an incorrect manual entry in a digital tachograph, or fails to correctly operate the mode button or switch), it is strongly recommended that the driver makes a manual tachograph record to this effect. For digital equipment, the driver should make and sign a printout for the relevant period with a note giving details of the error and reason at the time the error is made.

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1.4 Breaks and driving limits





Breaks

After a driving period of no more than 4.5 hours, a driver must immediately take a break of at least 45 minutes unless they take a rest period. A break taken in this way must not be interrupted. For example:






A break A break is any period during which a driver may not carry out any driving or any other work and which is used exclusively for recuperation. A break may be taken in a moving vehicle, provided no other work is undertaken.

Alternatively, a full 45 minute break can be replaced by one break of at least 15 minutes followed by another break of at least 30 minutes. These breaks must be distributed over the 4.5 hour period. Breaks of less than 15 minutes will not contribute towards a qualifying break, but neither will they be counted as duty or driving time. The EU rules will only allow a split-break pattern that shows the second period of break being at least 30 minutes, such as in the following examples:

			
2 hrs	15 mins	2.5 hrs	30 mins

			
2 hrs	34 mins	2.5 hrs	30 mins

The following split-break pattern is illegal because the second break is less than 30 minutes.



				
2 hrs	30 mins	2.5 hrs	15 mins	






A driver 'wipes the slate clean' if they take a 45 minute break (or qualifying breaks totalling 45 minutes before or at the end of a 4.5 hour driving period. This means that the next 4.5 hour driving period begins with the completion of that qualifying break, and in assessing break requirements for the new 4.5 hour period, no reference is to be made to driving time accumulated before this point. For example:

					
1.5 hrs	15 mins	1.5 hrs	30 mins	4.5 hours	45 mins






Daily driving limit






The maximum daily driving time is 9 hours; for example:

		
4.5 hrs	45 mins	4.5 hrs

				
2 hrs	45 mins	4.5 hrs	45 mins	2.5 hrs

The maximum daily driving time can be increased to 10 hours twice in a fixed week; for example:

				
4.5 hrs	45 mins	4.5 hrs	45 mins	1 hr

				
2 hrs	45 mins	4.5 hrs	45 mins	3.5 hrs

Daily driving time Daily driving time is either:

- the total accumulated driving time between the end of one daily rest period and the beginning of the following daily rest period
- the total accumulated driving time between a daily rest period and a weekly rest period (or vice versa)

Note: All off road driving between rest periods will also count towards the daily driving limit where there is also driving on the public highway between those same rest periods. Where there is no driving on the public highway between rest periods then any off road driving is considered to be ‘other work’.

Weekly driving limit

The maximum weekly driving limit is 56 hours, which applies to a fixed week.

A fixed week A fixed week starts at 00.00 on Monday and ends at 24.00 on the following Sunday. The following diagram shows an example of how this might be achieved:



Total weekly hours = (4 x 9) + (2 x 10) = 56.

Two-weekly driving limit

The maximum driving time over any two-weekly period is 90 hours; for example:



The following is an example of how a driver’s duties might be organised in compliance with the rules on weekly and two-weekly driving limits:

			Weekly	Two weeks	Between weekly rests
Mon	Driving 9 hours	Daily rest	Total 56 hours driving during fixed week 1	Total 90 hours driving during fixed weeks 1 and 2	
Tue	Driving 9 hours	Daily rest			
Wed	Driving 9 hours	Daily rest			
Thu	Weekly rest (reduced)				
Fri	Driving 10 hours	Daily rest	Total 34 hours driving during fixed week 2		Total 58 hours driving between weekly rests
Sat	Driving 10 hours	Daily rest			
Sun	Driving 9 hours	Daily rest			
Mon	Driving 9 hours	Daily rest			
Tues	Driving 10 hours	Daily rest			
Wed	Driving 10 hours	Daily rest			
Thu	Weekly rest				
Fri	Weekly rest				
Sat	Compensation				
Sun	Driving 5 hours	Daily rest			