

## **NOTIFICATION**

### **TEMPORARY RELAXATION OF THE ENFORCEMENT OF DRIVERS' HOURS AND WORKING TIME RULES: CLOSURE OF FORTH ROAD BRIDGE IN SCOTLAND**

In response to requests from the Scottish Government, the Department for Transport has, pursuant to Article 14(2) of Regulation (EC) No 561/2006, agreed to a temporary and limited, exceptional relaxation of the enforcement of EU drivers' hours and working-time rules for the drivers involved in the distribution of freight and passenger services within scope of the Regulation whose journeys are delayed or extended due to the closure of the Forth Road Bridge in Scotland.

This temporary relaxation applies from 00:01 on Tuesday 8 December 2015 and ends at 23:59 on Wednesday 6 January 2016 (it will last for up to 30 days or until the bridge is re-opened during that period). This relaxation will apply to:

- goods vehicle drivers who would have used the Forth Road Bridge for the purpose of long distance movements involving journeys through and beyond Fife and the Lothians; and
- goods vehicle drivers and operators with bases either side of the Forth Road Bridge within the recognised diversion route of the A985, M876, M9 and M90.
- passenger service vehicle drivers on services delayed or extended due to the closure of the Forth Road Bridge, or on additional services introduced to provide emergency congestion relief

The Department reserves the right to withdraw the relaxation earlier if circumstances change.

The Department wishes to make clear that driver safety must not be compromised. Drivers should not be expected to drive whilst tired - employers remain responsible for the safety of their employees and other road users.

For the drivers to whom this relaxation applies, the European drivers' hours rules will be temporarily relaxed as follows:-

- Replacement of the EU daily driving limit of 9 hours with one of 11 hours;
- Replacing the weekly driving limit from 56 hours to 66 hours and the fortnightly driving limit from 90 hours to 110 hours
- Replacement of the maximum 60 hour working week with one of 66 hours (this extra time should be recorded, but not counted for the purposes of determining average working time).

The requirement to take a 45 minute break after 4½ hours driving will remain and will be rigorously enforced.

The requirement to take a minimum daily rest of 11 hours (which can be reduced to 9 hours three times a week) will remain and will also be rigorously enforced.

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

The drivers in question 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, of course, essential for enforcement purposes.

The temporary relaxation of the rules described above reflects the exceptional circumstances of the unprecedented sudden closure of the Forth Road Bridge. The Department wishes to emphasise that, as a general rule, we expect business to plan for and manage the risks of disruption to supply chains.

All enquiries regarding interpretation of these temporary arrangements should, in the first instance, be made to the Driver and Vehicle Standards Agency on 0300 1239000 or via email at [enquiries@vosa.gov.uk](mailto:enquiries@vosa.gov.uk)

We will keep these temporary arrangements under review.

**7 December 2015**