



# ***Driver Hours***



**Chartwise UK**

FLEET MANAGEMENT SPECIALISTS



## ***HGV Drivers Hours Handbook***

**Version 2.3**



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# Contents

## INTRO

- Preface
- Author
- Company

## EU Drivers Hours

- Which rules apply to you?
- What is the 4.5 hour rule?
- How do breaks work?
- The Daily Drive Rule
- The Weekly Drive Rule
- The Fortnightly Drive Rule
- How is Daily Rest Calculated?
- Splitting Your Daily Rest
- Working Out Your Weekly Rest
- How Does Double Manning Affect Matters?
- Do The Rules Change For Ferry Journeys?
- Out of Scope Working
- Night Work Rules

## Working Examples

- Case Study 1
- Case Study 2

## Working Time Directive

- The working time directive for drivers
- The WTD - Working Time Directive
- The RTD - Road Transport Directive
- What is the weekly maximum?
- What is the maximum weekly average?
- What are the daily driving limits?
- What happens with sick days and holidays?
- Derogations of the Working Time Directive

# Contents

## Recording Data

- Tachograph recording devices
- What the symbols mean
- Digital downloading devices
- Analysing the tachograph data
- Record keeping requirements

## Responsibilities

- What exactly you are responsible for

## Graduated Fixed Penalties

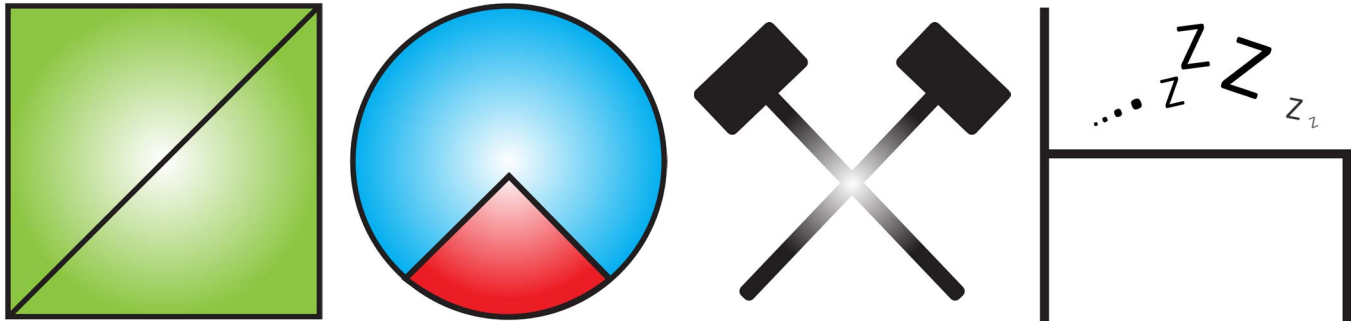
- Fixed penalties in plain English
- Maximum fines and convictions

## Thank You

## Disclaimer & Copyright

## Appendix

- Who are Chartwise?
- HGV Classification Chart
- Drivers Hours Break Time Examples



# Introduction

## Preface

This Drivers Hours Handbook has been prepared by Chris Allen on behalf of Chartwise (UK) Limited. The book is aimed at drivers and operators of both Goods and Passenger vehicles and has been designed to help the reader understand, through the use of real life examples, the Drivers Hours Rules and Working Time Directive. The use of tachographs are also touched on in this book, for more details on the operation of tachographs please download the Complete Tachograph Guide Book.

If at any point you have questions regarding the content of this book or need more information on the Drivers Hours Rules and Working Time Directive please feel free to get in touch with me either by email at [chris@chartwise-online.com](mailto:chris@chartwise-online.com) or by calling the office on (0191) 491 5032

## Author

Chris Allen has worked at Chartwise (UK) Limited as a specialist trainer since 2006 and holds a number of training related qualifications from the Institute of Leadership and Management. Chris also holds a number of transport related qualifications and is registered with the RTITB as a certified Commercial and Industrial Trainer.

Chris works with Drivers, Transport Managers and Business owners on a daily basis helping them to stay on the right side of the law when it comes to transport operations. On top of this Chris also manages the [Driver CPC Training](#) for Chartwise customers ensuring that each driver and operator gets the most out of this compulsory training.

## Company

Chartwise (UK) Limited have been servicing the transport industry in the UK and Europe for over 25 years. Specialising in Drivers Hours Rules and Tachograph law, Chartwise have been training drivers and operators in the use tachograph recording equipment for over two decades and offer full compliance packages to operators all over Europe.

Chartwise UK are also one of the last remaining [Tachograph Analysis](#) bureaux in Europe with skilled analysts and equipment capable of carrying out detailed forensic analysis on a traditional paper tachograph chart.

# EU Drivers Hours

## Which rules apply to you?

Before we get into the rules there are two things to understand.

- 1) A fixed week is calculated as Monday 00:00 - Sunday 24:00
- 2) The exact rules vary according to the type of vehicle and your duties so please refer to the flowchart on the back page of this book to see which rules apply to you.

## What is the 4.5 hour rule?

You cannot drive for longer than 4.5 hours without taking a break of at least 45 minutes. Taking this break causes a fresh 4.5 hour period of drive to begin.

*\*See the rules on breaks to ensure you do not break the 4.5 hour rule.*

## How do breaks work?

You may take the 45 minute break in 2 sections. The first section must be at least 15 minutes and the second section at least 30 minutes. You cannot have these breaks the other way around. If you take anything less than 45 minutes then you must take a second break of at least 30 minutes.

You must have at least 15 minutes of continuous break in order for it to count as a break. Anything less will not count as a qualifying break.

Driving 1.5 Hours	Break 15 Minutes	Driving 1.5 Hours	Break 30 Minutes	Driving 4.5 hours	Break 45 Minutes
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*\*Note, any break taken before drive begins will not be taken into account. i.e. You must begin driving before you qualify for having had a 15 minute break.*

## The Daily Drive Rule

You may drive up to 9 hours in a day. You can increase this 9 hours to 10 hours up to twice in a fixed week.

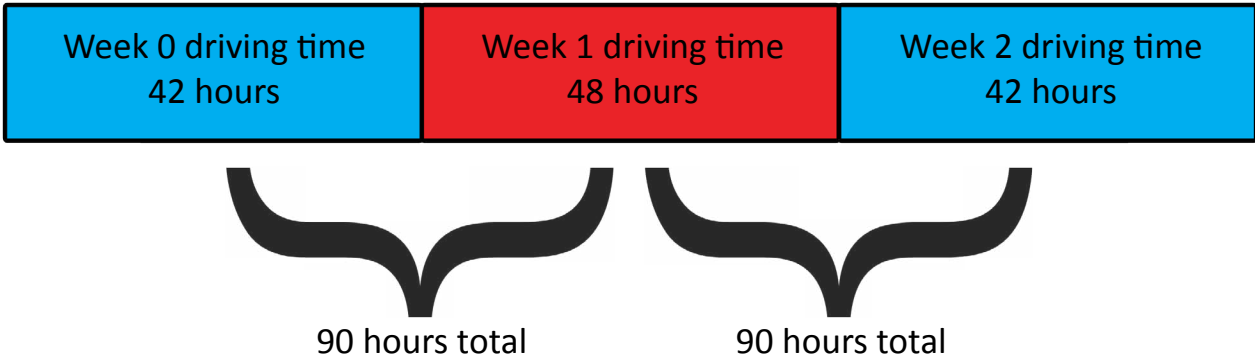


The Weekly Drive Rule

You can drive up to 56 hours in a fixed week. You can accumulate this drive over no more than 6 consecutive duties within a fixed week.

The Fortnightly Drive Rule

You can drive no more than 90 hours within 2 consecutive weeks. This is any 2 weeks together, and the rolling total must not exceed 90 hours.

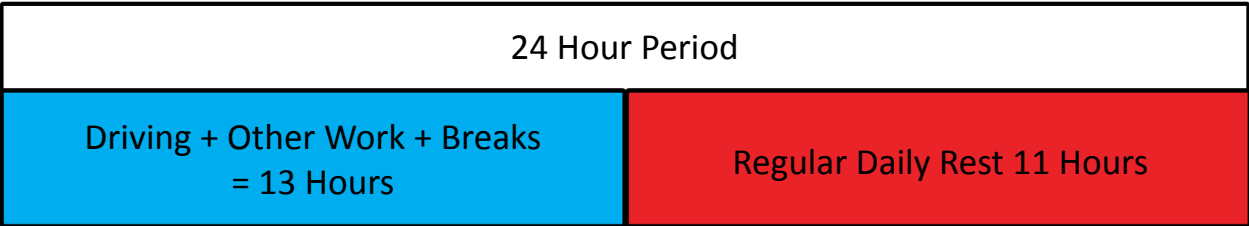


*\* I.e. After completing 2 weeks of work you do NOT begin a fresh 2 week period. You must include the last week in the current week’s calculation for your fortnightly totals.*

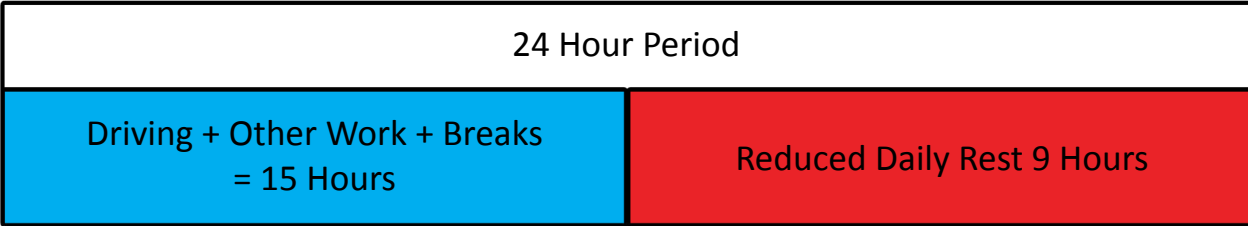
How is Daily Rest Calculated?

The standard daily rest requirement is 11 hours within a 24 hour period. This means the rest must begin no later than 13 hours after the duty has begun.

E.g. If you began at 6:00 am you must finish by 19:00 in order to have 11 hours daily rest. Even if you actually take off more than 11 hours, you cannot physically record 11 hours if you work more than 13 hours.



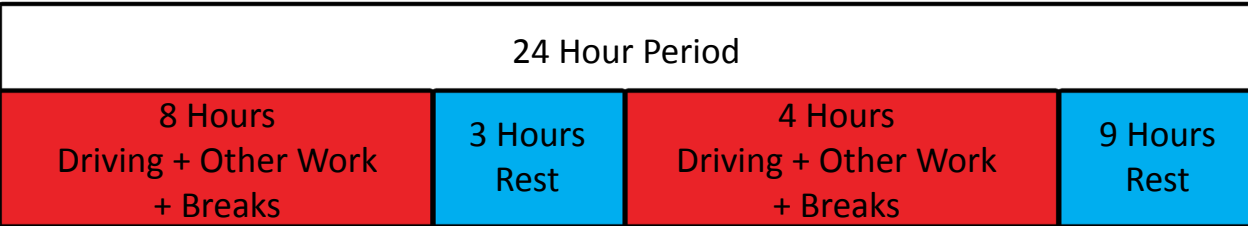
You can reduce your daily rest to no less than 9 hours within a 24 hour period up to 3 times in a fixed week. This means your duty cannot exceed 15 hours in total. There is no compensation required for this reduction.



*\* When reducing your rest period don’t forget to keep track of your weekly and fortnightly driving hours.*

Splitting Your Daily Rest

During your duty you may take a long period of continuous break, (at least 3 hours) which may be counted towards your daily rest for that day. If you do this, you must still take the minimum of 9 hours within the 24 hour period.



*\*When daily rest is taken in this way, it does not count as a reduced rest. Instead it qualifies as a standard daily rest which means you could actually have a 9 hour rest for each duty of the week, as long as you also take the 3 hours of rest enbloc during each of your shifts.*

*\*This can be useful for some drivers who know there will be a significant part of their duty where they will be waiting or cannot continue working for several hours.*

Working Out Your Weekly Rest

The standard weekly rest requirement is 45 hours, to be taken after no more than 6 consecutive duties. You may reduce this to a minimum of 24 hours. This must then be compensated for by the end of the third week following the reduced weekly rest. You may compensate before this time, and it must be compensated for in full on the end of another daily or weekly rest period. See below for a visual example of how this may work.

*\* Warning - You must not have 2 reduced weekly rests in a row, even if you have immediately compensated in between.*

	Week 1	Week 2	Week 3	Week 4
Weekly Rest	33 Hours	45 Hours	45 Hours	45 Hours + 12 Hours Compensation

*\* Week 1 has been reduced by 12 hours.*

*\* The second week must be at least 45 hours as you cannot have 2 consecutive reduced weekly rests.*

*\*In week 3, a full 45 hours has been taken, but could have been reduced without breaching the regulations.*

*\* Week 4. This is the third week following the reduction from week 1 and therefore the compensation for week 1 must be in full and all at once.*

*\*Note that the reduction in week 1 could have been compensated for by taking additional rest in either week 2 or week 3, but the compensation must be in 1 block on the end of an exsisting rest period.*

How Does Double Manning Affect matters?

When involving a second driver the period for calculating daily rest becomes a 30 hour period instead of a 24 hour period. This means that the total duty cannot exceed 21 hours.

In order to qualify for double manning, both drivers have to be present for the entire duty. The one exception to this is the first hour for which the first driver has the opportunity to prepare the vehicle or collect the second driver. Both drivers must commence their daily rest at the same time, which means the vehicle cannot be moving at this time.

It is possible for one driver to be on break while the other drives, unless the idle driver is doing any form of work such as navigation or paperwork.

*\* All of the rules for breaks are the same as in a single man operation.*

	Driver 1	Driver 2
	Daily Rest	Daily Rest
30 Hour Period	Other work 1 hour	Daily rest (not on vehicle) 1 hour
	Driving 4.5 Hours	Availability 4.5 hours
	Break + availability 4.5 hours	Driving 4.5 Hours
	Driving 4.5 Hours	Break + availability 4.5 hours
	Break + availability 4.5 hours	Driving 4.5 Hours
	Driving 1 hour	Break + availability 1 hour
	Break 1 hour	Driving 1 hour
	Daily Rest (9 Hours)	Daily Rest (9 Hours)

Many operators use double manning on long journeys to make sure the drivers return on the same day. Benefits include saving night expenses and having the vehicle available for the following day.

Do The Rules Change For Ferry Journeys?

When taking part in a Ferry Crossing you may ignore interruptions to your daily rest as long as you do not interrupt it more than twice (Once to get on the ferry and once to get off).

Also, these interruptions may not exceed more than 1 hour in total. If the interruptions are within these factors then they are counted towards the rest period and ignored entirely.

If you have interrupted your rest in this way, then you must take a regular daily rest period of at least 11 hours. You may not have a reduced daily rest.

In a situation where your interruptions exceed 1 hour in total you will be required to take your full daily rest as normal and all events prior to the rest will be included in your previous duty.

Rest 2 Hours	Driving/Other Work (embarkation) 30 minutes	Rest (on Ferry or Train) 7 hours	Driving/Other Work (disembarkation) 30 minutes	Rest 2 Hours
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Out of Scope Working

Out of scope driving is driving that takes place on roads which are not the public highway. Driving done out of scope does not count towards your driving time and instead counts as other work.

*\*However, if you drive for any amount of time on a public highway, then all driving done during that day will count as driving, even if it is off road.*

Tired Drivers are Dangerous Drivers!

Night Work Rules

Night work is defined as a duty that takes place entirely or partly between the hours of midnight and 4am for HGV drivers. For PSV drivers the hours differ slightly and are between 1am and 5am.

During a night work duty, you may not exceed 10 hours of total time within a 24 hour period. This time includes breaks and periods of availability.

*i.e. If you started at midnight and worked exactly 10 hours. You would not be able to start work again until at least 14 hours later without accumulating more hours within the 24 hour period.*

hours	00	01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20	21	22	23
Mon																								
Tues																								
Wed																								
Thurs																								

1. In this example, no more than 10 hours are worked in any 24 hour period.

hours	00	01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20	21	22	23
Mon																								
Tues																								
Wed																								
Thurs																								

2. This example shows the duties being staggered but there is still no more than 10 hours duty within any 24 hour period.

hours	00	01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20	21	22	23
Mon																								
Tues																								

3. The last example show too many hours occurring within the second day, despite a full daily rest being in between the two duties.

*\* You can opt out of this rule through a collective or workforce agreement.*

## Case Studies

### ALEXANDER

Alexander is a long distance HGV driver. At the beginning of each day Alexander knows he has to carry out his daily walk round checks, and must also record the time it takes to complete them on his tachograph chart. This is because a driver's daily checks count towards working time calculations.

Failure to record even 15 minutes every day builds up a lot of unrecorded hours over several months. This could potentially result in Alexander being issued with a level 5 fine. (Up to £5000!)

Sometimes Alexander is required to take the ferry at the end of the day in order to be at a destination on time the following day. To do this he plans his duties to end just before the ferry is due and then proceeds to take his daily rest. During his rest period, Alexander moves his vehicle onto the ferry and continues to rest while aboard. He then leaves the ferry while still taking his rest period. This is allowed as long as there are only 2 interruptions, and the total amount of interruption time isn't more than 1 hour.

Alexander knows that after he departs from the ferry he must park up as soon as possible and continue his rest period until he has accumulated 11 hours of rest in total.



## Case Studies

### JASON

Jason works as a local tipper and spends most of his time working as opposed to driving. This means he almost never drives enough hours to break the 4.5 hour rules. Instead he is much more likely to infringe on the 6 hour rule for the WTD.

e.g. 15 minutes - checks, 2 hours - loading, 1 hour - driving, 1 hour - unloading, 30 minutes - driving, 1 hour - unloading, 1 hour - driving. \*BREAK\*

In the above example, Jason has continued to work thinking he does not need a break until he reaches 4.5 hours of driving. However he has unknowingly worked more than 6 consecutive hours without taking any breaks at all.

Occasionally Jason is informed he will have to wait a certain length of time before the facility is able to unload his vehicle. When this occurs, Jason uses the POA (Period of Availability) mode on his digital tachograph, as POA does not go towards his Working Time calculations. Once the informed amount of time has elapsed, Jason is required to stop using POA until he has been re-informed of how long he will be waiting.

In order to use POA at all, the length of waiting time must be known in advance.





# Working Time Directive

## The working time directive for drivers

### The WTD - Working Time Directive

This is legislation that has been put in place to stop your employer forcing you to work excessive hours. The legislation helps make it clear where you are entitled to take a break, the legal limits for how long you can work and how much time you can take away from work. However this is essentially an agreement between you and your employer of which you can legally opt out of if you wish. However a professional driver must follow the RTD.

### The RTD - Road Transport Directive

When your job involves driving a vehicle over 3.5 tonnes, you apply the RTD instead of the WTD. **THE RULES AND LIMITATIONS FOR THE RTD ARE EXACTLY THE SAME AS THE WTD.** The one exception is that you cannot opt out of the legislation and it must be followed as strictly as the Drivers hours Law.

*\*WTD is the amount of hours worked and driven. It does not include periods of availability and breaks/rest.*

### What is the weekly maximum?

The total number of hours worked cannot exceed 60 hours within any fixed week.

### What is the maximum weekly average?

Over the WTD period, usually 17 or 26 weeks, you must average no more than 48 hours per week.

*i.e. Your hours should be monitored each week for 17 weeks. At which point you add them all together and divide the total by the amount of weeks within the period. This result must be no more than 48 hours.*

# Working Time Directive

## What are the daily driving limits?

You cannot work for more than 6 accumulative hours without a break. As defined by the Drivers hour's laws, a break must be at least 15 minutes in length in order to qualify as a break.

If you are to work between 6 - 9 hours, then you must accumulate 30 minutes of break before ending your duty. This can be taken all at once or in sections of at least 15 minutes. *(Note, the first 15 minutes must be taken before accumulating 6:01 of WTD)*

You can do this by taking 2 breaks of at least 15 minutes or a full 30 minute break after no more than 6 hours of work and drive combined.

If you continue to work up until you accumulate 9 hours of WTD then you must take a further 15 minutes of break.

You can take this additional break at any time throughout the day once your duty has begun, and it may also be included on the end of another break, but it must be taken before the end of the duty. *(Note, you cannot record break at the start or end of the duty)*

*\*Please note that your required 45 minute break to comply with driver's hour's law can be used as the same break to satisfy the WTD rules.*

## What happens with sick days and holidays?

For the purposes of calculating your WTD, any single days of holiday you take will be recorded as 8 hours of work. If you take 5 consecutive days of holiday, then a full week is recorded as being 48 hours, as long as you do not do any other work within that week. Any holidays which you take beyond your contracted entitlement (usually 20 days) will be recorded as rest days and do not add any hours for your WTD.

Sick days are calculated exactly the same as regular holidays and add 8 hours for a single day, or 48 hours for 5 consecutive days.

## Working Time Directive

Bank Holidays do not count towards your working time directive. This is of course void if you work at all during the bank holiday.

Yard/Office Work and Training - If you spend entire days of work in an office or in the yard. These hours will be counted towards your working time directive as normal. You would be expected to do this with a logbook or time sheets.

Also, if you attend any training which is mandatory, this will also count towards your WTD. This does not include training which you do as part of your personal lifestyle or in your free time.

*\* Some Drivers have completed their [Driver CPC Training](#) in their own time and therefore this has not counted towards their Working Time.*

### Derogations of the Working Time Directive

There are certain derogations in place which results in some drivers not being required to monitor their WTD. This is where an individual would not drive more than 10 times within a WTD period 26 weeks or less.

If a WTD period of more than 26 weeks is being used, then you can drive up to 15 times before having to monitor your WTD.

*\*However, this does not mean you are exempt from the daily WTD rules, and you must still take your breaks where required.*

## The Honeymoon Period for Working Time Directive is over!

## Recording Data

### Tachograph recording devices

There are two types of tachograph devices currently fitted to vehicles, analogue and digital.

Analogue Tachographs were fitted in all commercial vehicles over 3.5 tonnes manufactured before 2006 and recorded the driving data including distance, time, speed and drivers mode (ie. Drive, Rest, Other Work and Period of Availability). Analogue tachographs record the data on a wax coated disc called a tachograph.

There are many different types of analogue tachograph devices still on the roads today however these devices are no longer manufactured so if an analogue tachograph head fails it will need to be replaced with either a [reconditioned replacement](#) or a new [digital tachograph](#).



Digital Tachographs were brought into service in 2006 and have been fitted to all commercial vehicles over 3.5 tonnes ever since. To drive a vehicle with a digital tachograph fitted you will need a digital driver card. Digital tachographs record all the data that an analogue tachograph does and much more including all the driver and journey data for that vehicle for 12 months.

Digital Tachographs have a wide range of reports and manual entry options which drivers should use to ensure their records are correct. All drivers should be trained in the use and functions of digital tachographs.

# Recording Data

## What do all the symbols mean?

There are many different symbols which are shown on a digital tachograph display screen and print outs. To ensure you fully understand what the information means we have compiled a list of all the symbols you may see and what they represent.

### Operational Modes

- Operational
- Company
- Controller
- Workshop / Test station / Inspection / Calibration

### Cards

- Driver card
- Company card
- Control card
- Workshop card

### Qualifiers

- Weekly
- Two weekly
- 24h Daily
- From or To

### Driving

- Crew
- Driving time for one week
- Driving time for two weeks

### Combinations

- Overspeed
- Start time
- End time

### Driver Activities

- Available
- Drive
- Rest / Break
- Work
- Valid interruption
- Unknown

### Equipment

- Card slot driver 1
- Card slot driver 2
- Card
- No Card
- Clock
- Display
- External storage/downloading
- Power supply
- Printer / Print-out
- Sensor
- VU
- Entry

### Miscellaneous

- Event
- Fault
- Location
- Security
- Speed
- Time
- Operational note, working time warning
- Total / Summary
- Beginning of shift
- End of shift
- Manual Entry
- Out of scope work
- Ferry crossing

# Recording Data

### Faults

- Card fault (driver slot 1)
- Card fault (driver slot 2)
- Printer fault
- Internal fault
- Display fault
- Downloading fault
- Sensor fault

### Events

- Insertion of a non valid card
- Card conflict
- Time overlap (driver card)
- Driving without a valid card
- Card insertion while driving
- Time adjustment (by workshop)
- Power supply interruption
- Sensor interruption
- Security breach

### Operator Warnings

- Incorrect entry
- Printout not possible
- Printer has no paper
- Card is defective
- Wrong card
- Card ejection not possible
- Please enter something
- Printer drawer open
- Printout delayed
- Procedure delayed
- Equipment fault
- Recording is inconsistent

### Print-Outs

- 24h Daily driver activities from driver card printout
- 24h Daily driver activities from VU printout
- Events and faults from driver card printout
- Events and faults from VU printout
- Technical data printout
- Overspeed printout
- Speed profiles
- Rpm profiles

### Manual Entries

- Enter start of new shift
- Enter end of shift
- Enter "location" at start of shift
- Enter "location" at end of shift



# Recording Data

## Digital downloading devices

All digital tachograph vehicle units MUST be downloaded at least every 56 Days and all digital driver cards MUST be downloaded at least every 28 Days.

There are a number of digital tachograph downloading devices on the market and it doesn't matter which one you choose as long as you get both the vehicle unit and the driver card downloaded on time.

Here are two of the most popular systems:

**The Digidown** – This is a great cost effective solution for the owner driver and small operator. The Digidown is capable of downloading the raw data of both the vehicle data and the card data onto a memory card. You can then save these raw files and send them for analysis.



**The Depot Downloading** – Ideal for a transport office this package includes the Digidown, a driver card reader which can be placed in the transport office and software which allows simple visualisation of driver card data. This means the transport manager can see at a glance the activity of each driver. For operators with multiple sites, multiple depot downloading systems will be required.

***The key is to be proactive, not reactive!***

# Recording Data

## Analysing the tachograph data

You are required to check your tachographs or digital tachograph data for infringements and take action on your findings. You have a few options to do this. Firstly you can review this data yourself by reading your tachograph chart or looking at the visualised digital data if you have the correct software. If this is not possible or too time consuming then you can outsource tachograph analysis to an external supplier. Some of the key benefits of outsourcing your tachograph analysis are:

- 1) The Data is analysed and converted into an easy to understand report
- 2) The reports are independent and verified
- 3) All reports are reviewed to give a true reflection of questionable scenarios. e.g. If a driver forgets to set his tachograph to ferry mode, our analysts would notice this and leave a note to explain the infringement.
- 4) The cost of compliance starts from only £1.50 per driver per week

## Record keeping requirements

As with all other records regarding your vehicles and operator compliance, tachograph data must be kept for a specific time period. If you are using the tachograph data as your working time directive record then you must keep at least 2 years worth of data. If you are recording the working time directive in another way then you only need to keep one year of tachograph data.

In the next section we will take a look at the various responsibilities of both the driver and the operator.



## Responsibilities

## What exactly are you responsible for?

Drivers and operators each have their own responsibilities when it comes to managing drivers hours, keeping track of the working time directive and maintaining vehicle records. The table below shows exactly what both are responsible for.

Duty	Driver	Operator
<b>Tachograph Records</b>  <p style="color: red; text-align: center;"><b>*COMPANIES ARE EXPECTED TO HAVE IN PLACE A PROACTIVE SYSTEM TO PREVENT THEIR DRIVERS BREACHING THE LAW.</b></p>	<ul style="list-style-type: none"> <li>- Must keep 28 days of history when driving. (This includes charts, digicard, sick notes, holiday sheets etc.)</li> <li>- All tachograph charts must be handed in no more than 42 days after use.</li> <li>- Charts need to be protected and available at all times.</li> <li>- Carry drivers card at all times, even if in an analogue vehicle.</li> <li>- Digicards must be downloaded at least every 28 days.</li> </ul>	<ul style="list-style-type: none"> <li>- Check charts and digi data for breaches and infringements.</li> <li>- Ensure drivers are disciplined/trained when mistakes are made.</li> <li>- Ensure that drivers download their cards every 28 days.</li> <li>- Download heads every 56 days.</li> <li>- Store charts and data safely and securely but accessible.</li> <li>- Must keep 1 year of history, 2 years if used for WTD purposes.</li> </ul>
<b>WTD</b>  <p style="color: red; text-align: center;"><b>*DRIVERS CANNOT OPT OUT OF THE WTD.</b></p>	<ul style="list-style-type: none"> <li>- All duties beyond the vehicle must be recorded, including defect checks.</li> <li>- Drivers must comply with break requirements for the daily WTD rules.</li> <li>- All hours worked for another employer must be reported to the operator.</li> </ul>	<ul style="list-style-type: none"> <li>- All driver's working time should be monitored to ensure they stay within the weekly limits and within the maximum average.</li> <li>- All WTD information must be kept for a minimum of 2 years.</li> </ul>

## Responsibilities

<p><b>Defects</b></p> <p><b>*DEFECT CHECKS ARE AN IMPORTANT PART OF A DRIVERS DAY AND FAILING TO COMPLETE COULD BE DETRIMENTAL TO THE COMPANY'S OPERATION.</b></p>	<ul style="list-style-type: none"> <li>- Driver must complete the vehicle checks themselves and keep a record.</li> <li>- Defect records that are NIL reports must be kept until another defect is made or until the next day.</li> <li>- Records that report defects must be kept in the vehicle for 15 days.</li> <li>- All defects should be reported to a person with authority before any action is taken</li> <li>- All defects should be repaired by a competent person to suit the defect.</li> </ul>	<ul style="list-style-type: none"> <li>- Defect reports must be kept for 15 months. (It is not a legal requirement to keep NIL defect, but does prove the checks were carried out.)</li> <li>- Must check on all repaired defects and record by signing the original report as well as ensuring the repairer did the same.</li> <li>- Ensure that drivers are reporting their defects correctly and provide training if necessary.</li> <li>- Ensure drivers do not take vehicles with a major defect onto the public highway.</li> </ul>
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***Remember, regardless of your position,  
compliance is ultimately a joint  
responsibility for everyone involved and  
failing to comply with the regulations could  
result in consequences far more serious than  
fines and endorsements!***

# Graduated Fixed Penalties

## Fixed penalties in plain English

Graduated fixed penalties were introduced in April 2009 in order to bring operators in line with the current EU legislation. These penalties are designed so that the punishment becomes more severe, the more compliance is breached.

Component	Defect or Offence	Fine	Endorsement & Points
Tyres	Unsuitable load or speed rating	£60	YES 3 Points
	Mixing types or sizes	£60	YES 3 Points
	Tread below 1mm	£120	YES 3 Points
	Tyre under inflated	£60	YES 3 Points
	Tyre has lump, bump or tear	£60	YES 3 Points
	Tyre with break or cut	£60	YES 3 Points
	Tyre with ply or cord exposed	£60	YES 3 Points
Road Wheels & Axles	Road wheel missing / condition / security	£60	NO
Axles, Stub Axles and Wheel Bearings	Running gear component defective	£60	NO
	Running gear defective effecting control	£60	YES 3 Points
Steering Mechanism	Component defective	£60	YES 3 Points
Steering Control	Defective	£60	YES 3 Points
Driving Controls	Defective	£60	NO
Braking System And Components	Defective	£60	YES 3 Points
Breaking Performance	Service brake defective	£60	YES 3 Points
	Secondary brake defective	£60	YES 3 Points
	Parking brake defective	£60	YES 3 Points
	Service brake pedal	£60	YES 3 Points
Exhaust	Defective system	£30	NO
	Excessive emissions	£30	NO
Fuel Tank	Insecure	£60	NO
	Leakage	£30	NO
	Fuel cap missing / defective	£30	NO
Leaks	Fuel or oil onto road	£30	NO
Engine or transmission	Insecure mountings	£60	NO
Speed Limiter	Not fitted	£120	NO
	Defective or not working	£120	NO
Chassis and suspension	Unsafe condition	£60	NO
	Suspension defective	£60	NO
Rear Under-run	Damaged or insecure	£60	NO
Side Guards & Wings and Arches	Damaged or insecure	£60	NO
	Missing holed insecure	£30	NO
	No spray suspension	£60	NO
Trailer Landing Legs	Leg pad wheel or handle insecure	£60	NO

# Graduated Fixed Penalties

Component	Defect or Offence	Fine	Endorsement & Points
Vehicle / Trailer Coupling	Defective	£60	NO
Cab Security	Mounting or tilt retention defective	£60	NO
	Wind deflectors insecure	£60	NO
Body	Insecure damaged or defective	£60	NO
	Protruding or likely to cause danger	£60	NO
Cab Seat and Step	Damaged missing or insecure	£60	NO
	Defective adjustment	£30	NO
Rear Markings / Reflectors	Defective or detachment imminent	£60	NO
	Obligatory lamp reflector or markings not fitted	£30	NO
Lamps	Front / rear / fog or reversing missing, defective or detachment imminent	£60	NO
	Obligatory rear / fog / reversing or headlamp defective or obscured	£30	NO
	Stop lamps obscured or defective	£30	NO
	Obligatory lamp / reflector / rear markings or device not fitted or obscured	£30	NO
	Headlamp aim defective	£30	NO
Indicators / Hazard Warning	Indicator lamps defective or obscured	£30	NO
Electrical	Safety risk	£60	NO
Washers and Wipers	No washers or wipers when required	£30	NO
Horn & Mirrors	Insecure	£60	NO
	Missing or defective	£30	NO
View to the Road Ahead	View impaired or excessively tinted	£30	NO
	Glass seriously damaged	£60	NO
Vehicle unattended	Failing to stop engine or apply parking brake	£30	NO
Vehicle Above 3M High	Hight indicator present but not correct or not present	£30	NO
Registration Number	Plate not affixed or obscured	£30	NO
Drivers Hours	Exceeding 4 hrs 30 min without sufficient break:		
	Over 15 mins up to 1 hr	£60	NO
	Over 1 hr up to 2 hrs	£120	NO
	Over 2 hrs	£200	NO
	Insufficient rest in 24 hours:		
	Over 15 mins up to 1 hr	£60	NO
	Over 1 hour up to 2 hours	£120	NO
	Over 2 hours	£200	NO
	Fail to take required weekly rest:		
	Over 1 hr up to 2 hrs	£60	NO
	Over 2 hrs up to 3 hrs	£120	NO
	Over 3 hrs	£200	NO
	Exceeding 10 hrs driving:		
	Over 15 mins up to 1 hr	£60	NO
	Over 1 hr up to 2 hrs	£120	NO
	Over 2 hrs	£200	NO

# Graduated Fixed Penalties

Component	Defect or Offence	Fine	Endorsement & Points
Records	Exceeding 56 hrs weekly driving:		
	Over 1 hr up to 2 hrs	£60	NO
	Over 2 hrs up to 3 hrs	£120	NO
	Over 3 hrs	£200	NO
	Exceeding 90 hours in two weeks:		
	Over 1 hr up to 3 hrs	£60	NO
	Over 3 hrs up to 4 hrs	£120	NO
	Over 4 hours	£200	NO
	Failing to produce, and permit inspection, of driver card at roadside	£200	NO
	Failing to keep records prior to previous weekly rest period	£160	NO
	Failing to use tachograph record sheet or driver card	£200	NO
	Incorrect use of mode switch	£30	NO
	Unauthorised withdrawal of card / tachograph	£120	NO
	Use of dirty defaced or damaged charts	£30	NO
	Failure to print out details recorded at end of journey - where a driver card is damaged, malfunctions, or is not in the possession of the driver	£120	NO
	Failing to ensure printing can be carried out on request or insufficient paper being carried	£60	NO
	Using, or attempting to use, someone else's driver card	£200	NO
	Using defective / expired driver card	£60	NO
	Using wrong slot in tachograph	£120	NO
	Tachograph not sealed	£30	NO
	Tachograph not fitted	£200	NO
Over Loading Gross, Axle or Train Weights	In all cases over 5%	£60	NO
	Over 10% up to 15%	£120	NO
	Over 15% up to 30%	£200	NO
Obstruction of Examiner	Refusal to comply with	£200	NO
	Fail to comply with direction to stop	£30	NO

## Maximum fines and convictions

Failure to observe driving, break and rest times - Max fine of up to £2500.

Failure to keep records under the GB domestic rules - Max fine of up to £2500.

Failure to use a tachograph - Max fine up to £5000.

Failure to hand over records to an enforcement officer - Max fine up to £5000.

*\*Paying these fines does not simply make any breaches within the law go away. In some cases drivers may receive points on their licence, face the courts and even the companies operating licence could be at risk.*

In almost every circumstance, follow up investigations and standard vehicle checks would continue up to several months after the initial infringements occurred.

# Thank You

I hope you have enjoyed reading this book and all the rules are now fully clear to you. If you have any questions regarding the content of this book or would like to discuss an example from your own personal experience please get in touch with me either by emailing your questions to [chris@chartwise-online.com](mailto:chris@chartwise-online.com) or calling (0191) 4915032 and asking for Chris.

If we can help you with any of our other services listed below then please get in touch.

- [Operator Compliance Solutions](#)
- [Forensic Tachograph Analysis](#)
- [Driver Hours Training](#)
- [Tachograph Training](#)
- [Driver CPC Training](#)
- [Transport Training Products](#)
- [Transport Products](#)
- [GPS Tracking & Navigation Systems](#)

## Disclaimer & Copyright

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Chartwise (UK) Limited and I, are not solicitors and therefore any legal advice given in this book should be considered a guide only. The rules discussed in this book were correct at the time of writing and are subject to change both by the Department for Transport (DFT) and the European Union (EU).

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Users of this “Drivers Hours Handbook” are advised to use their own judgment when making decisions and all information, products and services provided should be independently verified by your own qualified professionals.



## Who Are Chartwise

**Chartwise UK** has been delivering tachograph and training services to the transport industry for over 25 Years. Established in 1985 by **Mike Clithero** the company began offering tachograph analysis services to local haulage companies in the North East of England.

In 1991 Chartwise moved to the current premises on one of the largest trading estates in Europe, Team Valley Trading Estate in Gateshead, Tyne and Wear. Due to the customer service, skilled staff and high levels of industry knowledge Chartwise has gone from strength to strength offering driver and operator training as well as a variety of industry related supplies and spare parts.

Chartwise has a reputation for extensive knowledge, excellent service and competitive pricing that is second to none in the industry and regularly receive requests for training and services from HM Courts, job centres and various governing bodies in the transport industry.

Looking into 2013 the Driver CPC courses are booking up fast, see the latest dates available at [www.chartwise-online.com](http://www.chartwise-online.com)

On top of the Driver CPC Training, we have recently launched a fleet tracking solution so 2013 is expected to be another exciting year. See [www.trak-team.co.uk](http://www.trak-team.co.uk) for further details.

**Chartwise UK is your road to compliance**

# Driver Break Time Examples

1

1. ½ hour other work + 4½ hour driving triggers a 45 minute break under EU drivers hours rules. Another 4½ hours driving triggers another 45 minute break under EU drivers' hours rules. No break taken under the road transport Regulations (RTR).

**Daily break time = 90 minutes**

½ hour other work    4 ½ hours driving     4 ½ hours driving     1 hour other work

3

3. Three hours driving +2 hours other work +1 hour driving will trigger a break (30 minutes in this case) under working time rules. Another ½ of driving = 4½ driving, requiring another 30 minute break under EU drivers hours rules. No further breaks are required.

**Daily break time = 45 minutes**

3 hours driving    2 Hours other work    1 hour drive     ½ hour drive     3 hours driving

2

2. 4 hours other work +2 hours driving triggers a minimum break of 15 minutes under working time regulations. If the drivers working hours total between 6 and 9 hours a further break of 15 minutes is required. After no more than 9 hours working time another 15 minutes break is required.

**Total breaks = 45 minutes**

Note! 2nd break under working time regulation can be of 15 minutes in duration

4 hours other work    2 hours driving     3 hours other work     1 hour other work

4

4. Three hours driving +2 hours availability +3 hours other work triggers a break requirement under working time regulations. Another 1½ hours driving triggers the second break under EU drivers' hours rules of 30 minutes. No further breaks are required.

**Daily break = 45 minutes**

3 hours driving    2 Hours PoA    3 Hours other work     1½ hours drive     2 hours driving

(If all conditions are met, then a driver could take his mandatory break during the PoA.)



Break under  
EU drivers'  
hours



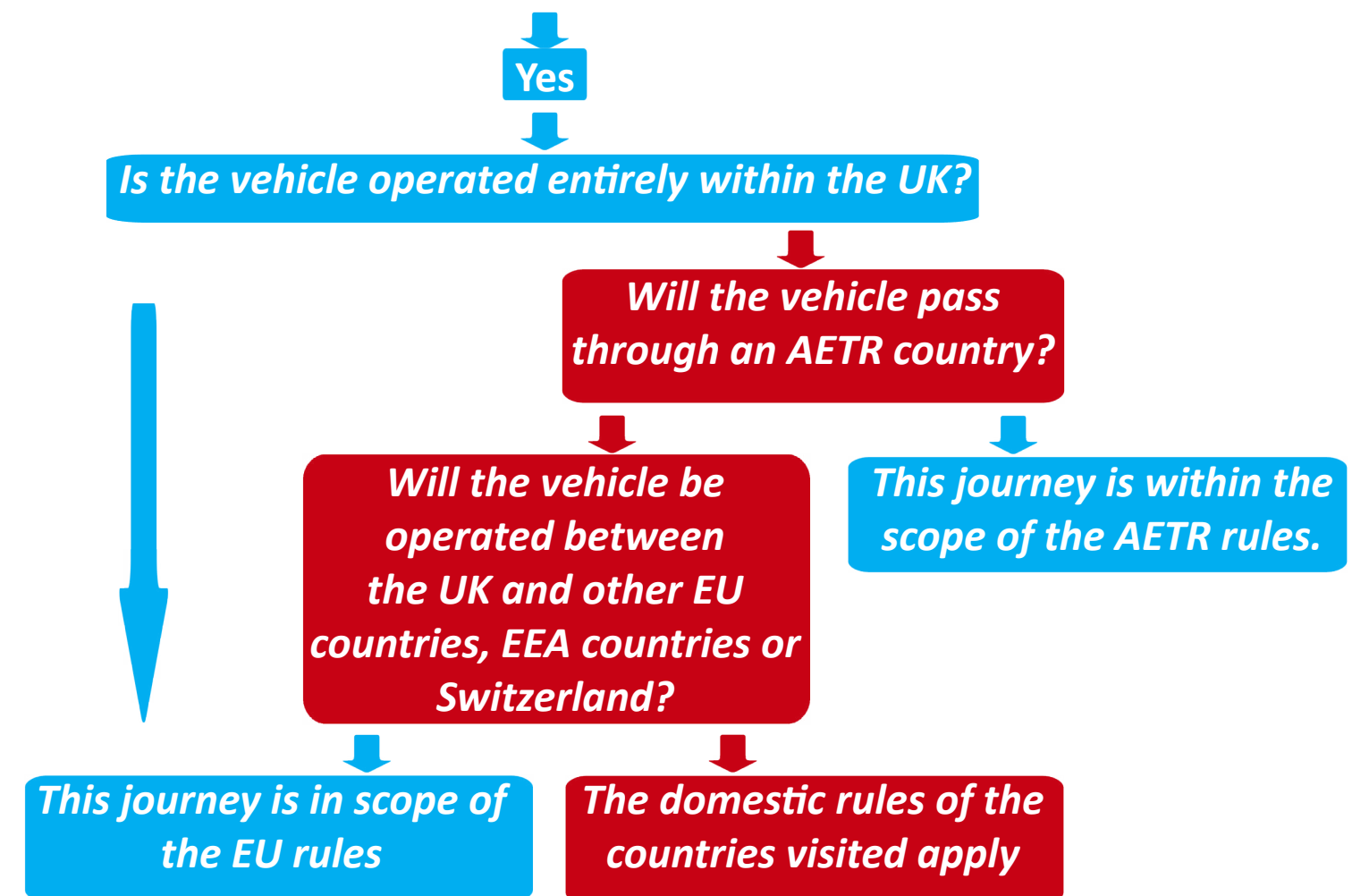
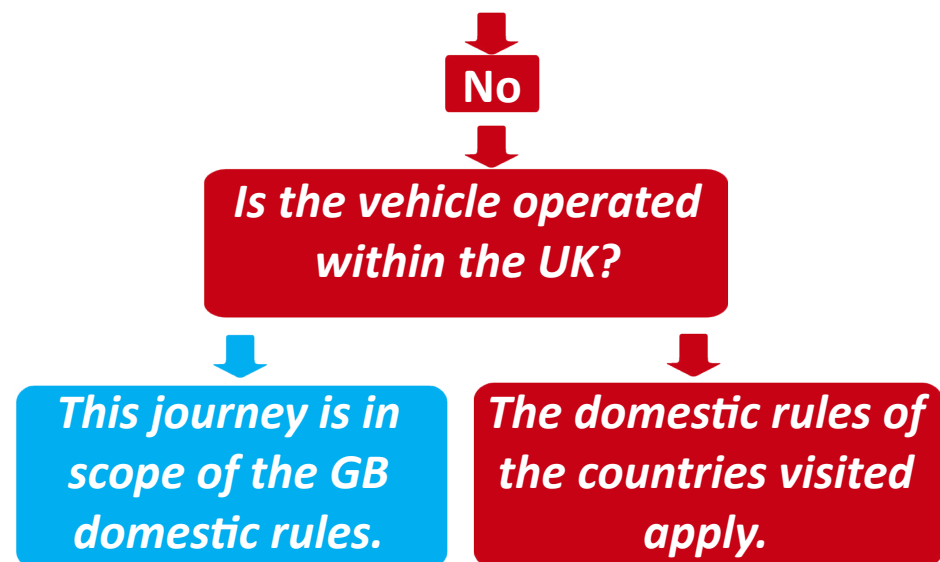
Break Under  
Working Time  
Regulations

**Note! PoA does not count as duty.**

# HGV Classification Chart

***Does the maximum permissible weight of the vehicle/vehicle combination\* exceed 3.5 tonnes?***

*\*For vehicle and trailer combinations, this means the maximum gross weight of the vehicle and trailer added together, or the towing vehicles maximum train weight, whichever is the smaller.*





# ***Driver Hours***



**Chartwise UK**

FLEET MANAGEMENT SPECIALISTS



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