

Documents and information you can refer to in the toolbox talk – look at these before you begin!

- Drivers hours www.gov.uk/drivers-hours/overview
- GB Domestic rules www.gov.uk/drivers-hours/gb-domestic-rules
- Working time regulations www.hse.gov.uk/contact/faqs/workingtimedirective.htm
- Drivers’ hours and tachographs rules: goods vehicles (GV262) www.gov.uk/guidance/drivers-hours-goods-vehicles
- Drivers’ hours and tachographs rules: buses and coaches (PSV375) www.gov.uk/guidance/drivers-hours-passenger-vehicles
- European Union (EU) rules on drivers’ hours and working time Simplified guidance www.gov.uk/government/uploads/system/uploads/attachment_data/file/410321/Simplified_Guidance_-_EU_drivers_hours_working_time_rules.pdf

1. Aim of toolbox talk

The aim of this toolbox talk is to communicate this company’s policy of ensuring that all drivers (including sub-contracted and agency drivers) are aware of the need to manage both drivers’ hours and total working time for all (where applicable).

2. How this toolbox talk will help you

This toolbox talk will explain why the company has policies and procedures to manage drivers’ hours and total working time and how understanding them will help us to be safe and legally compliant. Familiarise yourself with the rules / regulations and exemptions applicable to your specific operation before giving this talk as some highlighted in this document may not be applicable to you..

The talk will end with some questions, so listen up!

3. Reason why

Our company goal is to ensure that drivers are sufficiently alert so that they drive in a safe manner, by complying with the Working Time Directive and Drivers’ hours Regulations (EC) 561/2006.

4. What is your legal responsibility?

You have a responsibility to manage your own drivers’ hours, keeping track of the working time directive and maintaining your own vehicle records. Not complying with the law will have a major impact on our business in terms of cost, reputation, quality of service and time.

Drivers of vehicles under 3.5 tonnes must abide by GB domestic drivers’ hours rules and the working time directive. Table 1.1 outlines the rules and exemptions from these rules. Please note these exemptions are not exhaustive and you are advised to check whether you are eligible before seeking exemption.

Table 1.1 - Drivers’ hours rules - GB Domestic Rules

<p>Driving</p> <p>You must not drive for more than 10 hours in a day</p> <ul style="list-style-type: none"> – On a public road – Off-road if not during duty time <p>Off-road driving counts as duty time if it’s for:</p> <ul style="list-style-type: none"> – Agriculture, quarrying, forestry, building work and civil engineering
<p>Daily duty limit</p> <ul style="list-style-type: none"> – You must not be on duty for more than 11 hours in any working day. – This limit doesn’t apply on any working day when you don’t drive
<p>Exemptions to the GB domestic rules</p> <p>The GB domestic rules don’t apply if you:</p> <ul style="list-style-type: none"> – Drive for less than 4 hours in any day – Drive off-road or on private roads during duty time – Drive a vehicle used by armed forces, police or fire brigade – Are dealing with an emergency, e.g. major disruption to public services or danger to life

Drivers of vehicles over 3.5 tonnes must abide by EU drivers’ hours rules and sector specific working time rules. Table 1.2 outlines the rules and exemptions from these rules. Please note these exemptions are not exhaustive and you are advised to check whether you are eligible before seeking exemption.

If you think your workload is unrealistic then tell your supervisor.

5. Record Keeping

Analogue tachograph charts, digital printouts and log books shall be kept for at least 12 months for drivers’ hour’s rules and for 24 months for Working Time Directive.

6. Recording Data

Drivers of vehicles not fitted with tachographs shall keep written records of their hours of work on a weekly record sheet.

Drivers of vehicles fitted with tachographs shall make sure that the tachograph is operating correctly so that activities are recorded accurately and fully.

When using an analogue tachograph and recording data you must:

- Verify, before using an instrument, that it is correctly calibrated via the attached plaques and ensure that the time displayed is set to the official time of the country in which the vehicle is registered
- Carry enough charts for the whole journey, including spare charts in case any become damaged or dirty
- Not use a chart to cover a period longer than 24 hours

Table 1.2 - Drivers' hours rules - Regulation (EC) 561/2006	Working time rules - Directive 2002/15/EC
<p>Driving</p> <ul style="list-style-type: none"> – 9 hour daily driving limit (can be increased to 10 hours twice a week) – Maximum 56 hour weekly driving limit – Maximum 90 hour fortnightly driving limit 	<p>Driving</p> <ul style="list-style-type: none"> – Working time must not exceed average of 48 hours a week – Maximum working time of 60 hours in one week (provided average not exceeded) – Maximum working time of 10 hours if night work performed
<p>Breaks</p> <ul style="list-style-type: none"> – 45 minutes break after 4.5 hours driving – A break can be split into two periods, the first being at least 15 minutes and the second at least 30 minutes (which must be completed after 4.5 hours driving) 	<p>Breaks</p> <ul style="list-style-type: none"> – Cannot work for more than 6 hours without a break. A break should be at least 15 minutes long – 30 minute break if working between 6 and 9 hours in total – 45 minute break if working more than 9 hours in total
<p>Rest</p> <ul style="list-style-type: none"> – 11 hour daily rest; which can be reduced to 9 hours no more than three times a week (or split into 3 hours + 9 hours as often as desired) – 45 hours weekly rest, which can be reduced to 24 hours, provided at least one full rest is taken in any fortnight. There should be no more than six consecutive 24 hour periods between weekly rests 	<p>Rest</p> <ul style="list-style-type: none"> – Same rest requirements as EU drivers' hours rules
<p>Exemptions</p> <p>Complete exemption from all rules governing EU drivers' hours applies to the following:</p> <ul style="list-style-type: none"> – Vehicles not capable of exceeding 40 km/h – Vehicles owned / hired without a driver by the Armed, civil defence and fire services when the carriage is undertaken as a consequence of the tasks assigned to these services and is under their control – Vehicles undergoing road tests for technical development, repair or maintenance and new / rebuilt vehicles not yet put into service – Vehicles used in the non-commercial transport of humanitarian aid, used in emergencies or rescue operations – Specialist vehicles used for medical purposes – Specialised breakdown vehicles 	

- Return used charts to your manager within the 42 days
 - Not remove the chart from the instrument before the end of their duty period unless authorised to do so
 - Be able to produce at the roadside if stopped by the police
- As a driver you must follow a number of procedures in order to stay compliant with tachograph regulations. If you are using a digital tachograph you:
- MUST have your own driver card
 - If you do not have a card, you are not permitted to drive
 - If there is a fault with your card, a manual record must be kept

- In addition you should:
- Make sure you insert your driver card into the correct slot
 - Carry enough supplies of type-approved print roll on board the vehicle
 - Make sure your tachograph is in good working order
 - Ensure that your card is kept safely to avoid any damage to it
 - Be able to produce the relevant records at the roadside

7. Penalties for infringement of drivers' hours rules in Great Britain

The regulations governing the drivers' hours are among the most important affecting you.

The maximum fines as contained within Part VI of the Transport Act 1968 (as amended), are as follows:

- **Failure to observe driving time, break or rest period rules:** fine of up to £2,500 (Level 4)
- **Failure to make or keep records under the GB domestic rules:** fine of up to £2,500 (Level 4)
- **Failure to install a tachograph:** fine of up to £5,000 (Level 5)
- **Failure to use a tachograph:** fine of up to £5,000 (Level 5)
- **Failure to hand over records relating to recording equipment as requested by an enforcement officer:** fine of up to £5,000
- **False entry or alteration of a record with the intent to deceive:** on summary conviction fine of £5,000 on indictment two years imprisonment
- **Altering or forging the seal on a tachograph with the intent to deceive:** on summary conviction fine of £5,000, on indictment two years imprisonment
- **Failure to take all reasonable steps to ensure contractually agreed transport time schedules respect the EU rules:** fine of up to £2,500 (Level 4)

8. Incentive

By complying with the drivers' hour's regulations and working time directive you will:

- Improve our road safety record
- Reduce the likelihood of receiving fines and/or prosecution
- Reduce the likelihood of accidents and their associated cost, time and reputation loss
- Help to ensure you are operating within the framework of the law
- Help to run a safe and legal operation

9. Questions to ask to ensure that the talk has been understood

1. What is your legal responsibility as a driver with regards to drivers' hours?
2. What is the maximum daily duty limit under GB domestic rules?
3. What is the daily driving limit under EU drivers' hours rules?
4. Under EU drivers' hours rules when should you take a break and can this break be split?
5. What must you do to ensure data is recorded correctly?

6. Do you need to record your hours if your vehicle isn't fitted with a tachograph?
7. What things do you need to do to remain compliant with tachograph regulations?
8. What are the benefits of complying with the drivers' hours regulations and working time directive?

10. Final summary

To sum up, we need you to act professionally whilst on company business and ensure that you are complying with drivers' hours and working time regulations at all times. You must make sure that you are taking your breaks when you should be and are recording your hours accurately. This will help to reduce infringements and the possibility of receiving a fine or a penalty for non-compliance.

Thank you for your time – and now I would like your feedback.