



Working time directive and road transport

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The rules relating to the applicability, or not, of the *Working Time Directive* (93/104/EC) in the road transport sector are complex. Broadly speaking the relevant legislation to use in regard to people who work in the road transport industry will depend on whether someone is classed as a “mobile worker” (essentially someone who works to transport either goods or passengers), and the type of vehicle driven. This means that conditions such as the length of a working week and the length and frequency of rest breaks will vary depending on the relevant legislation.

For “mobile workers” who drive goods vehicles over 3.5 tonnes and those who drive passenger vehicles with more than nine seats (other than those used on regular services where the route does not exceed 50 kilometres), there are two significant pieces of EU legislation: Regulation EC/561/2006, commonly known as “EU Drivers’ Hours Rules; and Directive 2002/15/EC which is commonly known as the Road Transport Directive (RTD). The provisions sit alongside each other, unless they conflict, in which case the EU drivers’ rules take precedence. Self-employed drivers were excluded from this legislation, specifically until 23 March 2009. Following disagreement in Europe about what how to resolve this situation, they remain excluded for the time being. Non-mobile workers and those who drive vehicles not covered by Regulation EC/561/2006 are covered by the provisions of the *Working Time Directive* of 1993¹ as implemented in the UK by the *Working Time Regulations 1998*, (SI 1998/1833), as amended. This note explains the provisions of these rules further.

It should be noted that Working Time Directive provision is different Drivers Hours Rules, which this note does not cover. For more information about [Drivers’ Hours](#), see Library Standard Note, SN/BT/340, 13 August 2009. Government guidance about the Working Time Regulations and road transport is available from the [Business Link website](#).

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¹ 93/104/EC

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1 Background

The EC *Working Time Directive* of 1993,² implemented in the UK by the *Working Time Regulations 1998*,³ introduced new rights to four weeks' paid leave a year (now increased to 4.8 weeks)⁴ and limits on the length of the working day and working week. It was amended in 2003 by Directive 2003/88/EC.

However, both the Working Time Directive and the UK Regulations excluded certain sectors altogether from their scope. One of these was the road transport sector. In June 2000, the EU extended the 1993 Directive to cover the excluded sectors.⁵ Member States had until 1 August 2003 to extend their own legislation to cover the excluded sectors.⁶

The original Working Time Directive conferred on adult workers, except those in the excluded sectors, the right to:

- A daily rest period of 11 consecutive hours in any 24 hour period (Article 3)
- A rest break where the working day is longer than 6 hours (Article 4)
- A weekly rest period of 24 hours plus the 11 hours daily rest (Article 5). This can be averaged over 14 days (Article 16)
- A limit of 8 hours on night work (Article 8). This can be averaged over a reference period determined by the two sides of industry (Article 16).

² 93/104/EC

³ SI 1998/1833

⁴ By the *Working Time (amendment) Regulations 2007*, SI 2007/2079. A further increase to 5.6 weeks will take effect from 1 April 2009.

⁵ 2000/34/EC

⁶ Library standard note SN/BT/1377, [Working time directive: excluded sectors](#), 27 July 2009

- A limit of 48 hours on the working week (Article 6). This can be averaged over a reference period of up to four months (Article 16).
- Four weeks' paid holiday a year (Article 7)
- Free health assessments for night workers (Article 9)
- Derogations from many of the provisions are permitted, for example, where the worker's place of work and residence are distant from one another; where the worker's different places of work are distant from one another; where security and surveillance activities require a permanent presence; and where continuity of service or production are necessary (Article 17).

The *Working Time Regulations* conferred similar rights in Great Britain, although the Government initially took up options to limit statutory paid annual leave to three weeks until November 1999 (which has now increased to 4.8 weeks), and to allow individuals to opt out of the 48-hour limit on the working week (which remains, subject to a negotiating process in Europe).

The *Horizontal Amending Directive 2000/34/EC* (HAD) brought non-mobile workers in the road transport sector to bring them within the scope of many of the above rights.⁷

Directive 2002/15/EC on the organisation of the working time of persons performing mobile road transport activities gave "mobile workers"⁸ in the road transport sector specific working time criteria. It also sets out the rights to annual leave, health assessments for night workers and a limit on the length of the working week. It is commonly known as the Road Transport Directive (RTD). By virtue of Article 14 of the RTD, these arrangements for these workers take precedence over the *Working Time Directive*. It was brought into force in UK law by the *Road Transport (Working Time) Regulations 2005* (SI 2005/639) on 4 April 2005, which have been subsequently amended by the *Road Transport (Working Time) (Amendment) Regulations 2007* (SI 2007/853).

The RTD sits alongside Regulation EC/561/2006 (which replaced long-standing regulation EEC/3820/85) which came into force in April 2007 and is commonly known as "EU drivers' hours rules". This regulation takes precedence over the RTD if any provisions should conflict. The EU drivers' hours rules specify what types of vehicle both this regulation and the RTD applies to and it specifies criteria such as how many hours of continuous driving can be undertaken and how many hours can be driven in a day. It was brought into force in the UK by the *Drivers' Hours and Recording Equipment Regulations 2007* (SI 2007/1819). For more information about [Drivers' Hours](#), see Library Standard Note, SN/BT/340, 13 August 2009. Both pieces of legislation may be relevant for "mobile workers". The annex at the end of this note gives a table showing how the two pieces of legislation relate to each other and the duties that they set down.

Before Regulation EC/561/2006 came into force, Regulation EEC/3820/85 was the main provision on EU drivers' hours rule and it gave the definitions of the types of vehicles that both it and the RTD applied to. These definitions were referred to in the *Road Transport (Working Time) Regulations 2005* and so when this EU Regulation changed, the *Road Transport (Working Time) (Amendment) Regulations 2007*, were brought in to update the

⁷ Implemented by the *Working Time (Amendment) Regulations 2003* SI No. 1684

⁸ As defined in 2002/15/EC article 3 (d)

definitions to the correct piece of EU legislation. The Library [Driver's Hours](#), standard note give more information about what changed in the new regulation.⁹

Another change to the *Road Transport (Working Time) Regulations 2005* has been in relation to road tankers, to increase the maximum working time in a week, whilst attending to exceptional circumstances, by regulation 4 of the *Community Drivers' Hours and Working Time (Road Tankers) (Temporary Exception) Regulations 2006 SI No.17*.

Guidance from the Government's Business Link website explains that workers subject to the Road Transport Directive also benefit from the entitlement to paid annual leave and the right to health assessments for night workers under the Working Time Regulations.¹⁰

In February 2008 the Department for Transport published a Report on the review of the UK's implementation of the EU road transport working time Directive.¹¹ The report concluded that there were "no fundamental problems with the Regulations themselves" and recommended changes only to the guidance and enforcement of them.¹²

2 Coverage

2.1 *Directive 2002/15/EC (Road Transport Directive) and Regulation EC/561/2006 (EU drivers' hours rules)*

The RTD applies to "mobile workers employed by undertakings established in a Member State, participating in road-transport activities covered by Regulation EC/561/2006 or, failing that by the AETR Agreement".¹³ Article 2(1) of EC/561/2006 (the EU drivers' hours rules) sets out that it, and consequently the RTD applies to:

the carriage by road:

(a) of goods where the maximum permissible mass of the vehicle, including any trailer, or semi-trailer, exceeds 3.5 tonnes, or

(b) of passengers by vehicles which are constructed or permanently adapted for carrying more than nine persons including the driver, and are intended for that purpose.

2. [...] shall apply, irrespective of the country of registration of the vehicle, to carriage by road undertaken:

(a) exclusively within the Community; or

(b) between the Community, Switzerland and the countries party to the Agreement on the European Economic Area.

⁹ [Drivers' Hours](#), Library Standard Note, SN/BT/340,13 August 2009

¹⁰ Business Link website, [Drivers' Hours Rules: the basics](#) [on 18 September 2009]

¹¹ Department for Transport, [Report on the review of the UK's implementation of the EU road transport working time Directive](#), 19 February 2008

¹² Department for Transport, [Report on the review of the UK's implementation of the EU road transport working time Directive](#), 19 February 2008, p22

¹³ Article 2 (1). The AETR agreement is the European Agreement concerning the Work of Crews of Vehicles engaged in International Road Transport

3. The AETR¹⁴ shall apply, instead of this Regulation, to international road transport operations undertaken in part outside the areas mentioned in paragraph 2, to:

(a) vehicles registered in the Community or in countries which are contracting parties to the AETR, for the whole journey;

(b) vehicles registered in a third country which is not a contracting party to the AETR, only for the part of the journey on the territory of the Community or of countries which are contracting parties to the AETR.

The provisions of the AETR should be aligned with those of this Regulation, so that the main provisions in this Regulation apply, through the AETR, to such vehicles for any part of the journey made within the Community.¹⁵

The RTD and the EU drivers' hours rules do not apply to:

(a) vehicles used for the carriage of passengers on regular services where the route covered by the service in question does not exceed 50 kilometres;

(b) vehicles with a maximum authorised speed not exceeding 40 kilometres per hour;

(c) vehicles owned or hired without a driver by the armed services, civil defence services, fire services, and forces responsible for maintaining public order when the carriage is undertaken as a consequence of the tasks assigned to these services and is under their control;

(d) vehicles, including vehicles used in the non-commercial transport of humanitarian aid, used in emergencies or rescue operations;

(e) specialised vehicles used for medical purposes;

(f) specialised breakdown vehicles operating within a 100 km radius of their base;

(g) vehicles undergoing road tests for technical development, repair or maintenance purposes, and new or rebuilt vehicles which have not yet been put into service;

(h) vehicles or combinations of vehicles with a maximum permissible mass not exceeding 7,5 tonnes used for the non-commercial carriage of goods;

(i) commercial vehicles, which have a historic status according to the legislation of the Member State in which they are being driven and which are used for the non-commercial carriage of passengers or goods.¹⁶

A "mobile worker" is defined by Article (3) (d) of the RTD as:

'mobile worker' shall mean any worker forming part of the travelling staff, including trainees and apprentices, who is in the service of an undertaking which operates transport services for passengers or goods by road for hire or reward or on its own account;¹⁷

Further guidance about the RTD is available from the [Department for Transport website](#).¹⁸

¹⁴ Article 2 (1). The AETR agreement is the European Agreement concerning the Work of Crews of Vehicles engaged in International Road Transport

¹⁵ EC/561/2006 Article 2(1)

¹⁶ EC/561/2006 Article 3

¹⁷ 2002/15/EC, Article 3(d)

¹⁸ Department for Transport, [Road Transport \(Working Time\) Guidance](#), 17 April 2007

2.2 Working Time Regulations 1998

Accordingly, not all drivers are covered by the EU drivers' hours rules; for example those driving people carriers, couriers, taxis, and white vans. For them, the provisions of the *Working Time Directive 1993* will apply, as implemented in the UK by the *Working Time Regulations 1998* (as amended). The relevant provisions here are explained further in a guide by the Vehicle & Operator Services Agency:

If you drive a vehicle subject to the GB domestic drivers' hours rules or are an occasional mobile worker, you are affected by four provisions under the 1998 Regulations.

These are:

- weekly working time, which must not exceed an average of 48 hours per week over the reference
- period (although individuals can 'opt out' of this requirement if they want to);
- to 'an entitlement to 4.8 weeks' paid annual leave (increased to 5.6 weeks from 1 April 2009);
- health checks for night workers; and
- an entitlement to adequate rest.

The reference period for calculating the 48-hour average week is normally a rolling 17-week period.

However, this reference period can be extended up to 52 weeks, if this is permitted under a collective or workforce agreement.

The 1998 Regulations do not apply to self-employed drivers. Please note that this definition is different to the one used under the 2005 Regulations.

VOSA enforces the working time limits and the requirement for health checks for night workers under the 1998 Regulations for drivers operating under the GB domestic drivers' hours rules (and occasional mobile workers). If you have any questions about matters relating to rest or annual leave, call the Acas national helpline on 08457 47 47 47.¹⁹

Further details about the Working Time Regulations can be found on the Government's [Business Link website](#).²⁰

2.3 Self employed drivers

The EU drivers' hours rules cover self-employed drivers as well as employed drivers. The regulation is principally concerned with road safety. However, the *Working Time Directive* and *Working Time Regulations* only apply to employed workers as they are principally concerned with ensuring that employers grant their workers sufficient time off to guarantee their personal health and safety.

¹⁹ Vehicle and Operator Services Agency (VOSA), [Rules on Drivers' Hours and Tachographs](#): Passenger-carrying vehicles in the UK and Europe, November 2007, p44

²⁰ Business Link website, [Drivers' Hours Rules: the basics](#) [on 18 September 2009]

Article 2(1) of the RTD exempts self-employed drivers from its provisions until 23 March 2009.²¹ The RTD defines a self-employed driver as:

anyone whose main occupation is to transport passengers or goods by road for hire or reward within the meaning of Community legislation under cover of a Community licence or any other professional authorisation to carry out the aforementioned transport, who is entitled to work for himself and who is not tied to an employer by an employment contract or by any other type of working hierarchical relationship, who is free to organise the relevant working activities, whose income depends directly on the profits made and who has the freedom to, individually or through a cooperation between self-employed drivers, have commercial relations with several customers.²²

The RTD required the Commission to present a report to the European Parliament and Council by 23 March 2007 examining the impact of the exclusion of self-employed drivers and recommending either that they should be included (subject to special provisions for those who do not engage in road transport activities in other Member States) or that they should continue to be excluded.

The Commission reported on 23 May 2007 and concluded that a further impact assessment was required.²³ It also said that “inclusion might impose greater emotional stress and financial difficulty for the self-employed, be difficult to enforce and therefore ineffective”. It suggested however, that there should be more “rigorous interpretation and implementation of the definition of “self-employed drivers” contained in the Directive so that the working time rules apply to the “false self-employed.””²⁴

This impact assessment has now been carried out. The DfT reports that it concluded that full coverage of all self-employed mobile workers would be unenforceable.²⁵ The assessment also concluded that the optimal approach to deal with the “false” self-employed, would be by revising the definition of a mobile worker so that there was no potential for ambiguity or enforcement loopholes.

In October 2008 the Commission proposed an amending Directive which would remove self-employed drivers from the scope of the RTD, whilst strengthening provisions for enforcement against false self-employed drivers.²⁶ The proposed amending Directive redefined a “mobile worker”, and removed the references to the Directive applying from 23 March 2009 to self-employed mobile workers. The Department for Transport consulted on the proposed amending Directive in January 2009.²⁷

Although a general approach on the amending Directive was agreed at Transport Council in March 2009, the amending Directive was rejected by the Employment & Social Affairs

²¹ 2002/15/EC, Article 2(1)

²² 2002/15/EC Article 3 (e)

²³ Report from the Commission to the Council and the European Parliament on the consequences of the exclusion of self employed drivers from the scope of the Directive 2002/15/EC of the European Parliament and of the Council of 11 March 2002 on the organisation of the working time of persons performing mobile road transport activities. [COM/2007/0266 final](#) [on 18 March 2008]

²⁴ COM/2007/0266 final

²⁵ Department for Transport, [European Proposals to amend the Working Time Directive for Mobile Workers - Consultation Document](#), 9 January 2009

²⁶ European Commission, [Proposal for a Directive of the European Parliament and of the Council amending Directive 2002/15/EC on the organisation of the working time of persons performing mobile road transport activities](#), COM(2008) 650 final, 15 October 2008

²⁷ Department for Transport, [European proposals to amend the Working Time Directive for mobile workers](#), January 2009

Committee²⁸ and subsequently the European Parliament Plenary in May 2009. A European Parliament press release explains the reasoning behind the rejection:

The European Commission proposal contradicts Parliament's demands for the full inclusion of self-employed drivers within the scope of the Directive after the transitional period by 23 March 2009 as laid down in directive 2002/15/EC. It also contradicts the recent motion for a resolution of October 2008 by the European Parliament which reaffirmed the demand for the full inclusion of self-employed drivers - the report by Alejandro CERCAS (PES, ES) on the implementation of social legislation relating to road transport - which also calls on Member States to implement the Directive as soon as possible in the interests of road safety and the health and safety of drivers", states the text adopted.²⁹

The amending Directive has been referred back to the Employment and Social Affairs Committee and will be considered again in Committee in late September 2009 and in Plenary in October 2009.³⁰

3 Maximum weekly working time

The EU drivers' hours rules impose a limit of 90 hours' driving in any one fortnight.

Article 4 of the RTD imposes an absolute limit of 60 hours on working time in any week and an average limit of 48 hours over any four-month period.³¹

The RTD defines "working time" very broadly to include many activities other than driving:

(a) "working time" shall mean

1. in the case of mobile workers: the time from the beginning to the end of work, during which the mobile worker is at his workstation, at the disposal of the employer and exercising his functions or activities, that is to say:

- the time devoted to all road transport activities. These activities are in particular, the following:

(i) driving;

(ii) loading and unloading;

(iii) assisting passengers boarding and disembarking from the vehicle;

(iv) cleaning and technical maintenance;

(v) all other work intended to ensure the safety of the vehicle, its cargo and passengers or to fulfil the legal or regulatory obligations directly linked to the specific transport operation under way, including monitoring of loading and unloading, administrative formalities with police, customs, immigration officers etc.

²⁸ [Opinion](#) of the Committee on Transport and Tourism for the Committee on Employment and Social Affairs, on the proposal for a directive of the European Parliament and of the Council amending Directive 2002/15/EC on the organisation of the working time of persons performing mobile road transport activities, 17 February 2009

²⁹ European Parliament Press Release, [Working time for road transport workers rejected by MEPs](#), 5 May 2009

³⁰ Department for Transport, *Explanatory Memorandum on European Community Document COM (2009) 415 Final*, 12572/09, 24 August 2009

³¹ The averaging period can be extended to up to six months by agreement between the social partners – see section on "Derogations", below

- the times during which he cannot dispose freely of his time and is required to be at his workstation, ready to take up normal work, with certain tasks associated with being on duty, in particular during periods awaiting loading or unloading where their foreseeable duration is not known in advance, that is to say either before departure or just before the actual start of the period in question, or under the general conditions negotiated between the social partners and/or under the terms of the legislation of the Member States.³²

Break and rest times and certain “periods of availability” are excluded from the definition of “working time”. These periods of availability are:

- periods other than those relating to break times and rest times during which the mobile worker is not required to remain at his workstation, but must be available to answer any calls to start or resume driving or to carry out other work. In particular such periods of availability shall include periods during which the mobile worker is accompanying a vehicle being transported by ferryboat or by train as well as periods of waiting at frontiers and those due to traffic prohibitions.

These periods and their foreseeable duration shall be known in advance by the mobile worker, that is to say either before departure or just before the actual start of the period in question, or under the general conditions negotiated between the social partners and/or under the terms of the legislation of the Member States;

- for mobile workers driving in a team, the time spent sitting next to the driver or on the couchette while the vehicle is in motion.³³

“Workstation” is defined as:

- the location of the main place of business of the undertaking for which the person performing mobile road-transport activities carries out duties, together with its various subsidiary places of business, regardless of whether they are located in the same place as its head office or main place of business,
- the vehicle which the person performing mobile road-transport activities uses when he carries out duties and
- any other place in which activities connected with transportation are carried out.³⁴

In contrast, the *Working Time Regulations 1998* provide for:

- a limit of an average of 48 hours a week which a worker can be required to work (though workers can choose to work more if they want to).
- a limit of an average of 8 hours work in 24 which nightworkers can be required to work.³⁵

4 Breaks and rest periods

Article 5 (1) of the RTD provides that mobile workers should “in no circumstances” work for more than six consecutive hours without a break. The break should be at least 30 minutes if working hours total between six and nine hours and at least 45 minutes if working hours total more than nine hours. These breaks can be subdivided into periods of at least 15 minutes

³² 2002/15/EC Article 3 (a)

³³ 2002/15/EC Article 3 (b)

³⁴ 2002/15/EC Article 3 (c)

³⁵ Business Link website, [Hours, rest breaks and the working week](#) [on 18 September 2009]

each. The EU drivers' hours rules contain more specific rules on breaks from driving (eg a break of at least 45 minutes after four and a half hours' driving).

The EU drivers' hours rules contain provisions on rest times (eg a daily rest period of at least 11 consecutive hours in each 24 hour period). Article 6 of the RTD ensures that these rest periods apply to apprentices and trainees.

For those workers subject to the *Working Time Regulations*, the legislation gives:

- a right to 11 hours rest a day.
- a right to a day off each week.
- a right to an in-work rest break if the working day is longer than 6 hours.³⁶

5 Night work

The EU drivers' hours rules do not specifically deal with night work. The RTD limits night working to 10 hours. It provides that if drivers work for a period of at least four hours between 00.00 hours and 07.00 hours (the precise period to be laid down by national law), their daily working time must not exceed ten hours. Article 3 defines "night time" and "night work":

(g) "night time" shall mean a period of at least four hours, as defined by national law, between 00.00 hours and 07.00 hours;

(h) "night work" shall mean any work performed during night time

Article 7 (1) of the RTD requires Member States to ensure that:

- if night work is performed, the daily working time does not exceed ten hours in each twenty-four-hour period,
- compensation for night work is given in accordance with national legislative measures, collective agreements, agreements between the two sides of industry and/or national practice, on condition that such compensation is not liable to endanger road safety.

It was stated in the RTD that the Commission must produce a report on the impact of these provisions and suggest amendments if needed by 23 March 2007.³⁷ It reported on 23 May 2007 and concluded:

While there appears to be no demand to adjust the current provisions, the issue of enforcement is pertinent. The Commission will examine further in consultation with the relevant Member State enforcement authorities and with the social partners meeting at European level how they ensure respect for the night time rules and in what ways compliance can best be achieved.³⁸

In UK law the Road Transport (Working Time) Regulations 2005 define night working as:

³⁶ Business Link website, [Hours, rest breaks and the working week](#) [on 18 September 2009]

³⁷ 2002/15/EC Article 7 (2)

³⁸ Report from the Commission to the Council and the European Parliament on the consequences of the exclusion of self employed drivers from the scope of the Directive 2002/15/EC of the European Parliament and of the Council of 11 March 2002 on the organisation of the working time of persons performing mobile road transport activities. [COM/2007/0266 final](#) [on 18 March 2008]

"night time" means in respect of goods vehicles the period between midnight and 4 a.m. and in respect of passenger vehicles the period between 1am and 5am³⁹

6 Derogations

Article 8 of the RTD allows Member States to derogate from Article 4 (maximum weekly working time) and Article 7 (night work) on the basis of social dialogue between employers and employees:

- a. Derogations from Articles 4 and 7 may, for objective or technical reasons or reasons concerning the organisation of work, be adopted by means of collective agreements, agreements between the social partners, or if this is not possible, by laws, regulations or administrative provisions provided there is consultation of the representatives of the employers and workers concerned and efforts are made to encourage all relevant forms of social dialogue.
- b. The option to derogate from Article 4 may not result in the establishment of a reference period exceeding six months, for calculation of the average maximum weekly working time of forty-eight hours.⁴⁰

³⁹ *Road Transport (Working Time) Regulations 2005* SI 2005/639, regulation 2

⁴⁰ 2002/15/EC Article 8

7 Annex: RTD comparison with the European drivers' hours rules

Road Transport (Working Time) Regulations 2005 and the Community Drivers' Hours Regulation (EC/561/2006)⁴¹

Type of Duty	Road Transport (Working Time) Regulations 2005	European drivers hours Rules HGV & PSV
Maximum working week/attendance time	No limit on attendance/shift time as such, but an average weekly working time limit of 48 hrs will apply. 60 hours working time can be performed in a single week, if the average 48 hour week is not exceeded.	Weekly driving limit of 56 hours.
Maximum working day/duty time	None specified	None specified, but daily rest requirement effectively limits the length of the working day.
Maximum work performed at night	There is a 10 hour working time limit for night work for each 24 hour period.	None.
Cumulative or continuous driving	None specified	4 ½ hrs maximum
Daily driving	None specified	9 hrs (but this can be increased to 10 hours twice a week).
Fortnightly driving	None specified	90 hrs maximum in any two consecutive weeks
Breaks	If driving, the break periods under European drivers' hours rules take precedence. Mobile workers must not work more than 6 consecutive hours without taking a break, if your working hours total between 6 and 9 hours, working time should be interrupted by a break or breaks totalling at least 30 minutes, if your working hours total more than 9 hours, working time should be interrupted by a break or breaks totalling at least 45 minutes, breaks should be of at least 15 minutes duration. For examples on the impact of mixed working - see section 5.	45 minutes (either continuous or 2 breaks the first of which must be at least 15 minutes, and the second must be at least 30 minutes).
Daily Rest	For drivers and other mobile workers the daily rest periods under the European drivers' hours rules.	11 consecutive hrs, (reducible to 9 hrs 3 times between any two weekly rest periods).
Weekly Rest	For drivers and other mobile workers the weekly rest periods under European drivers' hours rules.	Within six 24 hour periods from the end of the last weekly rest period, a driver will extend a daily rest period into either: a regular weekly rest period of at least 45 hours, or a reduced weekly rest of less than 45 hours, but at least 24 hours (any reductions must be compensated for).

⁴¹ Taken from DfT, [Road Transport \(Working Time\) Guidance](#), April 2007, Annex B

		In any two consecutive weeks, a driver shall take at least two weekly rest periods, or one regular weekly rest period of at least 24 hours.
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