

Temporary relaxation of the enforcement of the drivers' hours rules: delivery of essential items to retailers

In response to requests from Industry, the Department for Transport has, pursuant to Article 14(2) of Regulation (EC) No 561/2006, agreed to a temporary and limited urgent relaxation of the enforcement of EU drivers' hours rules in England, Scotland and Wales for the drivers of vehicles involved in the delivery of food, non-food (personal care and household paper and cleaning) and over the counter pharmaceuticals when undertaking the following journeys:

- 1) Distribution centre to stores (or fulfilment centre)
- 2) From manufacturer or supplier to distribution centre (including backhaul collections)
- 3) From manufacturer or supplier to store (or fulfilment centre)
- 4) Between distribution centres and transport hub trunking
- 5) Transport hub deliveries to stores

This exemption does not apply to drivers undertaking deliveries directly to consumers.

This temporary relaxation applies from 00:01 on Wednesday 18 March 2020 and will run until 23:59 on Thursday 16 April 2020 and will apply only to the drivers specified in this notice. The Department reserves the right to withdraw the relaxation earlier or extend the relaxation 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 health and safety of their employees and other road users.

For the drivers and work in question, the EU drivers' hours rules can be temporarily relaxed as follows:

- a) Replacement of the EU daily driving limit of 9 hours with one of 11 hours;
- b) Reduction of the daily rest requirements from 11 to 9 hours;
- c) Lifting the weekly (56 hours) and fortnightly driving limits (90 hours) to 60 and 96 hours respectively;
- d) Postponement of the requirement to start a weekly rest period after six-24 hours periods, for after seven 24 hours period; although two regular weekly rest periods or a regular and a reduced weekly rest period will still be required within a fortnight;
- e) The requirements for daily breaks of 45 minutes after 4.5 hours driving replaced with replaced with a break of 45 minutes after 5.5 hours of driving.

Drivers' must not use relaxation 'a' and 'd' at the same time. This is to ensure drivers are able to get adequate rest.

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 stemming from the COVID-19 outbreak. 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 Freight Operator Licensing & Roadworthiness Division at the Department for Transport via the switchboard on 0207 944 3000 (during office hours) or to the DfT Duty Office on 0207 944 5999 (out of office hours).

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