1985 No. 293

ROAD TRAFFIC AND VEHICLES

Vehicles (Drivers' Hours of Duty) Regulations (Northern Ireland) 1985

Made . . . . . *24th October 1985*

Coming into operation . . . *2nd December 1985*

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The Department of the Environment in exercise of the powers conferred on it by Articles 56(1) and (5), 58, 63 and 218(1) of the Road Traffic (Northern Ireland) Order 1981(**a**) and of all other powers enabling it in that behalf makes the following regulations:

Citation and commencement

1. These regulations may be cited as the Vehicles (Drivers' Hours of Duty) Regulations (Northern Ireland) 1985 and shall come into operation on 2nd December 1985.

Revocation

2. The Public Service Vehicles and Goods Vehicles (Drivers' Hours of Duty) Regulations, 1935(**b**) and the Public Service Vehicles and Goods Vehicles (Drivers' Hours of Duty) (Amendment) Regulations, 1948(**c**) are revoked.

(**a**) S.I. 1981/154 (N.I. 1)
(**b**) S.R. & O. (N.I.) 1935 No. 22 (p. 230)
(**c**) S.R. & O. (N.I.) 1948 No. 140 (p. 652)

Interpretation

3. In these regulations—

"the Order" means the Road Traffic (Northern Ireland) Order 1981;

"vehicle" means a goods vehicle or a public service vehicle.

Continuous driving hours

4.—(1) Subject to paragraph (2) for the purposes of Article 56(1)(*a*) of the Order the number of hours for a continuous period of driving shall be—

(*a*) in the case of a goods vehicle, 5½ hours;

(*b*) in the case of a public service vehicle, 6 hours.

(2) In the case of a public service vehicle the 6 hour period may be substituted by a period of 9 hours where in any period of 24 hours one period of driving only is worked provided that the driver of the vehicle is allowed intervals of time for—

(*a*) signing on and off;

(*b*) looking over the vehicle before it leaves and after it returns to the depot;

(*c*) lay over which, in the aggregate is not less than 45 minutes or where the period of driving does not exceed 8 hours, 40 minutes.

(3) In this regulation "lay over" means any period during which the vehicle sits idle at a depot or terminus between stages.

Continuous driving in 24 hour period

5. For the purposes of Article 56(1)(*b*) of the Order the number of hours for continuous periods of driving in any period of 24 hours shall be, in the aggregate, 11 hours.

Rest periods

6.—(1) Subject to paragraph (2) for the purposes of Article 56(1)(*c*) of the Order the period for rest in any period of 24 hours shall be 10 consecutive hours.

(2) The 10 consecutive hour period may be substituted by a period of 8 consecutive hours on one day in any period of 7 consecutive days if the driver has a period of at least 12 consecutive hours for rest on the next day following any day on which he has not had 10 consecutive hours for rest.

Keeping of records

7. The driver of a vehicle shall keep, and the employer of a driver of a vehicle shall cause to be kept, a record as specified in regulation 8.

Form of records

8. The record shall conform to and contain the information contained in the model set out in the Schedule.

Manner of keeping records

9.—(1) The driver shall—

(*a*) make each entry in the record as soon as the particular to be recorded is ascertained;

(*b*) keep the record in his possession until he completes his work for the period to which the record relates;

(*c*) sign the record in the space provided; and

(*d*) deliver the record to his employer or his employer's authorised representative within 7 days of the expiration of the period to which the record relates.