

Derogations to driving and rest times in road transport

Template for Member States to notify their derogation from driving and rest times pursuant to Art. 14 (1) and Art. 14 (2) of Regulation 561/2006

When granting temporary exception under Article 14 Member States must ensure that the objectives of Regulation 561/2006 are not jeopardised, in particular working conditions of drivers and road safety

In response to the extraordinary crisis situation due to the pandemic of COVID-19 (Coronavirus), **IRELAND** plans to adopt a temporary and limited relaxation of the enforcement of driving and rest times for the drivers of vehicles transporting **ALL TYPES OF GOODS**.

This relaxation is granted pursuant to

<input type="checkbox"/>	Article 14(1) of Regulation (EC) No 561/2006
<input checked="" type="checkbox"/>	Article 14 (2) of Regulation (EC) No 561/2006

and the purpose of this document is to notify the Commission accordingly.

This temporary relaxation applies from **09 January 2022 (retrospectively)** and will run until **30 January 2022**. It will apply to all drivers, irrespective of their nationality, when operating on the territory of the Member State.

IRELAND has made it clear that working conditions of drivers and road 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 above-mentioned category of drivers, the following provisions will be temporarily relaxed as follows:

- **Derogation to Article 6(3) of Regulation 561/2006:** the fortnightly driving limit is lifted from 90 hours to 112 hours.
- **Derogation to Article 8(4) of Regulation 561/2006:** the maximum of three reduced daily rest periods between any two weekly rest periods is lifted from three to five.

Important to note: the applicable spread must continue to be complied with, on whatever day that a daily rest is extended to make a weekly rest.

If a driver avails of the maximum of five reduced daily rest periods on the first five days since the end of the previous weekly rest period and then continues to drive on the sixth consecutive day his daily spread shall not exceed thirteen hours on day six.

- **Derogation to Article 8(6) of Regulation 561/2006:** the rules relating to weekly rest are being relaxed by allowing drivers to take a reduced weekly rest of at least 24 hours in each consecutive week during the relaxation period. There will be no obligation on a driver to take at least one (1) regular weekly rest period in any two consecutive weeks until the derogation expires. Furthermore, there will not be any requirement for compensation where reduced weekly rest is being taken.

Appropriate arrangements must be put in place to record any extra driving time being undertaken by drivers availing of this derogation. Drivers must record on the back of their analogue tachograph charts or digital tachograph printouts (as soon as they finish their daily working period) the reasons and justification why they are exceeding the prescribed limits.

The temporary relaxation of the rules described above reflects the exceptional circumstances stemming from the COVID-19 Omicron variant which has led to a shortage of drivers for transporting goods, food, fuel and medical supplies. IRELAND wishes to emphasise that, as a rule, we expect business to plan for and manage the risks of disruption to supply chains.