1992 No. 370

ROAD TRAFFIC AND VEHICLES

Vehicles (Drivers' Hours of Duty) (Amendment) Regulations (Northern Ireland) 1992

Made	*24th August 1992*
Coming into operation . .	*5th October 1992*

The Department of the Environment, in exercise of the powers conferred on it by Articles 2(2)(**a**), 56(1) and (5), 58, 63 and 218(1) of the Road Traffic (Northern Ireland) Order 1981(**b**) 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) (Amendment) Regulations (Northern Ireland) 1992 and shall come into operation on 5th October 1992.

Amendment of the 1991 Regulations

2. The Vehicles (Drivers' Hours of Duty) Regulations (Northern Ireland) 1991(**c**) are amended as follows—

(1) In regulation 3 (exemptions)—

(*a*) for sub-paragraph (1)(*e*) substitute—

"(*e*) a public service vehicle driven for not more than 4 hours a day by any one driver;";

(*b*) in sub-paragraph (1)(*f*) for the first two lines substitute—

"(*f*) a public service vehicle driven for more than 4 hours a day by any one driver for up to 2 days in any period of 7 days provided that on those 2 days —"; and

(*c*) in paragraph (2) in the second line omit the word "goods";

(2) For regulation 4 (continuous driving hours) substitute—

"**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, 5 hours;

(*b*) in the case of a public service vehicle, 5½ hours.

(**a**) *See* the definition of "Department" and "prescribed"
(**b**) S.I. 1981/154 (N.I. 1)
(**c**) S.R. 1991 No. 144

(2) In the case of a public service vehicle the 5½ hour period may be replaced by a period of 8½ hours provided that intervals for rest, amounting in the aggregate to 45 minutes, are taken within that period.''.

(3) In regulation 6 (rest periods) in paragraph (2) omit the words from ''provided the driver'' to the end of the paragraph.

Sealed with the Official Seal of the Department of the Environment on 24th August 1992.

(L.S.) *Trevor Pearson*
Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the Vehicles (Drivers' Hours of Duty) Regulations (Northern Ireland) 1991 as follows—

1. To exempt public service vehicles from the drivers' hours provisions in the following circumstances—
   (*a*) where the vehicle is driven for not more than 4 hours a day by any one driver or driven for more than 4 hours a day by any one driver for up to 2 days in any period of 7 days, subject to certain conditions; or
   (*b*) where the vehicle is used to deal with emergency events (regulation 2(1)).

2. To permit the 5½ hour period of continuous driving in the case of a public service vehicle to be replaced by a period of 8½ hours provided that a total of 45 minutes rest is taken within that period (regulation 2(2)).

3. To remove the condition that the driver of a public service vehicle was required to have a period of rest of at least 10 consecutive hours on the day following any day on which he did not have 10 consecutive hours of rest (regulation 2(3)).