
STATUTORY INSTRUMENTS

1986 No. 1492

ROAD TRAFFIC

The Drivers' Hours (Goods Vehicles) (Exemptions) Regulations 1986

<i>Made</i>	- - - -	<i>28th August 1986</i>
<i>Laid before Parliament</i>		<i>8th September 1986</i>
<i>Coming into Operation</i>		<i>29th September 1986</i>

The Secretary of State for Transport, in exercise of the powers conferred by section 96(10) of the Transport Act 1968 and now vested in him⁽¹⁾ and of all other enabling powers, after consultation with representative organisations in accordance with section 101(6) of that Act, hereby makes the following Regulations.

Citation, commencement and revocation

1.—(1) These Regulations may be cited as the Drivers' Hours (Goods Vehicles) (Exemptions) Regulations 1986 and shall come into operation on 29th September 1986.

(2) The Drivers' Hours (Goods Vehicles) (Exemptions) Regulations 1978 and the Drivers' Hours (Goods Vehicles) (Exemptions) (Amendment) Regulations 1982 are hereby revoked.

Exemptions from requirements as to drivers' hours

2.—(1) A driver who during any working day spends all or the greater part of the time when he is driving vehicles to which Part VI of the Transport Act 1968 applies in driving goods vehicles and who spends time on duty during that working day to deal with any of the cases of emergency specified in paragraph (2) below is exempted from the requirements of sections 96(1) and (3)(a) of that Act in respect of that working day subject to the condition that he does not spend time on such duty (otherwise than to deal with the emergency) for a period of or periods amounting in the aggregate to more than 11 hours.

(2) The cases of emergency referred to in paragraph (1) above are—

(a) events which cause or are likely to cause such—

(i) danger to life or health of one or more individuals or animals or

(ii) a serious interruption in the maintenance of public services for the supply of water, gas, electricity or drainage or of telecommunication or postal services, or

(1) S.I. 1970/1681, 1979/571 and 1981/238.

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- (iii) a serious interruption in the use of roads, railways, ports or airports,
as to necessitate the taking of immediate action to prevent the occurrence or continuance of such danger or interruption and
- (b) events which are likely to cause such serious damage to property as to necessitate the taking of immediate action to prevent the occurrence of such damage.

Signed by authority of the Secretary of State.

28th August 1986

Caithness
Parliamentary Under Secretary of State
Department of Transport

EXPLANATORY NOTE

These Regulations revoke and replace the Drivers' Hours (Goods Vehicles) (Exemptions) Regulations 1978 and the Drivers' Hours (Goods Vehicles) (Exemptions) (Amendment) Regulations 1982 ("the 1978 Regulations").

The principal changes in the exemptions prescribed are that—

(a) the provision in the 1978 Regulations for exemptions in the case of certain special needs (Part II of the Schedule to the 1978 Regulations) is not continued; and

(b) in the case of exemptions in cases of emergency a serious interruption in the use of ports is added to the cases of emergency specified in regulation 2(2), the exemption is restricted to drivers who during any working day drive predominantly goods vehicles and in a view of the omission in such a case of subsections (2), (3)(b) and (4) to (6) of section 96 of the Transport Act 1968 effected by the Drivers' Hours (Goods Vehicles) (Modifications) Order 1986 (S.I. 1986/1459) the conditional exemption is only from the requirements of subsections (1) and (3)(a) of that section.