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STATUTORY INSTRUMENTS

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**2008 No. 1660**

**The Cross-border Railway Services  
(Working Time) Regulations 2008**

**Driving time**

**8.**—(1) Between two daily rest periods taken in accordance with regulation 3 a driver’s scheduled driving time must not exceed—

- (a) in the case of a shift that is scheduled to include at least three hours of night time, eight hours; and
- (b) in any other case, nine hours.

(2) In any period of two weeks a driver’s scheduled driving time must not exceed 80 hours.

(3) The employer of the driver must take all reasonable steps to ensure that this regulation is complied with.

(4) In this regulation—

“night time” means a period which—

- (a) is not less than seven hours,
- (b) includes the period between midnight and 5 am, and
- (c) is determined for the purposes of this regulation by a relevant agreement, or, in default of such a determination, the period which is between 11 pm and 6 am; and

“scheduled driving time” means the time scheduled for the driver to be in charge of the traction unit, excluding the scheduled time to prepare or shut down the unit, but including any scheduled interruptions when the driver is to remain in charge.