



Road Traffic (Drivers' Ages And Hours Of Work) Act 1976

1976 CHAPTER 3

2 Amendment of Transport Act 1968 about drivers' hours.

- (1) In Part VI of the ^{M1}Transport Act 1968 (drivers' hours)—
- (a) in section 103(1), for the definition of “the international rules” there shall be substituted the words “ “the applicable Community rules” means any directly applicable [^{F1}EU] provision for the time being in force about the driving of road vehicles”
 - (b) in section 103(1), in the appropriate places in alphabetical order, there shall be inserted the following definitions—
 - ““the domestic drivers' hours code” has the meaning given by section 96(13) of this Act”
 - ““relevant [^{F1}EU] provision” means any [^{F1}EU] provision for the time being in force about the driving of road vehicles, whether directly applicable or not”;
 - (c) for the words “the international rules” wherever occurring in that Part, there shall be substituted the words “the applicable Community rules”;
 - (d) in section 95(1), there shall be inserted after the words “proper hours” the words “or periods” and there shall be substituted, for the words after “fatigue” (about the adaptation of that Part to take account of [^{F1}EU] provisions relating to international journeys), the following words—

“but the Secretary of State may by regulations make such provision by way of substitution for or adaptation of the provisions of this Part, or supplemental or incidental to this Part, as he considers necessary or expedient to take account of the operation of any relevant [^{F1}EU] provision.

(1A) Regulations under subsection (1) above may in particular—

- (a) substitute different requirements for the requirements of the domestic drivers' hours code or add to, make exceptions from or otherwise modify any of the requirements of that code;

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- (b) apply to journeys and work to which no relevant [F¹EU] provision applies;
- (c) include provisions as to the circumstances in which a period of driving or duty to which a relevant [F¹EU] provision or the domestic drivers' hours code applies is to be included or excluded in reckoning any period for purposes of the domestic drivers' hours code or any relevant [F¹EU] provision respectively; and
- (d) may contain such transitional, supplemental or consequential provisions as the Secretary of State thinks necessary or expedient";
- (e) in section 96(11), for the words from "subsections (1) to (6)" to "(10) thereof" there shall be substituted the words "the domestic drivers' hours code";
- (f) after section 96(12) there shall be added the following subsection—
 - “(13) In this Part of this Act “the domestic drivers' hours code” means the provisions of subsections (1) to (6) of this section as for the time being in force (and in particular, as modified, added to or substituted by or under any instrument in force under section 95(1) of this Act or subsection (10) or (12) of this section)”;
- (g) in section 98, for the words “books and records” in subsection (2) and the words “books and records” in subsection (4), there shall be substituted the words “books, records or documents”; and
- (h) in section 99, in subsection (1)(d), the word “corresponding” shall be omitted and in subsection (5) for the words “book or register kept” there shall be substituted the words “book, register or document kept or carried”;
- (i) in section 101, in subsection (3), after the words “(except regulations made” there shall be inserted the words “under section 95(1) or” and after that subsection there shall be inserted the following subsection—
 - “(3A) No regulations shall be made under section 95(1) of this Act unless a draft of the regulations has been laid before, and approved by a resolution of, each House of Parliament.”

F²(2)

- (3) In . . . F³ . . . F⁴ . . . F⁵ Schedule 2 to the M²Road Traffic (Foreign Vehicles) Act 1972, for the words “the international rules” there shall be substituted the words “the applicable Community rules”.
- (4) The enactment specified in Part II of Schedule 3 to this Act is hereby repealed.
- (5) Nothing in subsection (1) above shall invalidate any regulations made under the said section 95(1) and those regulations shall have effect as if they had been made under that subsection as substituted by paragraph (d) of subsection (1) above.

Textual Amendments

- F1** Words in Act substituted (22.4.2011) by [The Treaty of Lisbon \(Changes in Terminology\) Order 2011 \(S.I. 2011/1043\)](#), arts. 2, 3, 6 (with arts. 3(2)(3), 4(2), 6(4)(5))
- F2** S. 2(2) repealed (1.1.1996) by 1995 c. 23, s. 60(2), [Sch. 8 Pt. I](#) (with ss. 54, 55); S.I. 1995/2181, [art. 2](#)
- F3** Words repealed by [Employment Act 1980 \(c. 42, SIF 43:5\)](#), s. 2(3), [Sch. 2](#)
- F4** Entry repealed with savings by [Wages Councils Act 1979 \(c. 12, SIF 43:1\)](#), s. 31, [Sch. 5 para. 1](#), [Sch. 7](#)

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F5 Word repealed by [Employment Act 1980 \(c. 42, SIF 43:5\)](#), s. 2(3), [Sch. 2](#)

Modifications etc. (not altering text)

- C1** The text of ss. 2(1)(a)–(i)(4), 3, Sch. 3 Pts. I, II is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.
- C2** The text of s. 2(3) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

- M1** [1968 c. 73](#).
- M2** [1972 c. 27](#).

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Changes and effects yet to be applied to :

- s. 2(4) repealed by [2004 c. 14 Sch. 1 Pt. 14](#)