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STATUTORY INSTRUMENTS

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**1970 No. 145**

**ROAD TRAFFIC**

**The Drivers' Hours (Passenger Vehicles)  
(Exemptions) Regulations 1970**

<i>Made</i>	- - - -	<i>3rd February 1970</i>
<i>Laid before Parliament</i>		<i>9th February 1970</i>
<i>Coming into Operation</i>		<i>1st March 1970</i>

The Minister of Transport, in exercise of his powers under section 96(10) of the Transport Act 1968 and of all other enabling powers, and after consultation with representative organisations in accordance with section 101(6) of the said Act of 1968, hereby makes the following Regulations:—

*Commencement and citation*

1. These Regulations shall come into operation on the 1st March 1970, and may be cited as the Drivers' Hours (Passenger Vehicles) (Exemptions) Regulations 1970.

*Interpretation*

2.—(1) In these Regulations, unless the context otherwise requires,—

“the Act” means the Transport Act 1968,

“emergency” means an event which—

(a) causes or is likely to cause such—

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

(iii) a serious interruption in the use of roads, or

(iv) a serious interruption in private transport or in public transport (not being an interruption caused by a trade dispute (within the meaning of the Trade Disputes Act 1906) involving persons who carry passengers for hire or reward), or

(b) is likely to cause such serious damage to property,

as to necessitate the taking of immediate action to prevent the occurrence or continuance of such danger or interruption or the occurrence of such damage;

and any other expression which is also used in Part VI of the Act has the same meaning as in that Part of that Act.

(2) Any reference in these Regulations to an enactment or instrument shall be construed, unless the context otherwise requires, as a reference to that enactment or instrument as amended by any subsequent enactment or instrument.

(3) The Interpretation Act 1889 shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament.

#### *Exemptions from requirements as to drivers' hours*

**3.—**(1) Any driver of a passenger vehicle who spends time on duty to deal with an emergency is, in accordance with paragraphs (2) and (3) of this Regulation, hereby exempted from the requirements of subsections (1) to (6) of section 96 of the Act in respect of the time so spent.

(2) Any time so spent by such a driver shall for the purposes of—

- (a) subsection (1) of the said section 96 be deemed not to have been spent in driving vehicles to which Part VI of the Act applies, and
- (b) subsections (1) to (6) of the said section 96 (including the expression “working day” used therein)—
  - (i) be deemed to have been spent by him off duty, and
  - (ii) if it would apart from the emergency have been spent in taking an interval for rest or an interval for rest and refreshment be deemed to have been so spent by him.

(3) The requirements of subsection (6) of the said section 96 shall, in relation to such a driver, be deemed to be satisfied in respect of a working week in which he spends time on such duty if he is off duty for a period of twenty-four hours in accordance with that subsection less a period equal to the total time which he spends on such duty in that week.

**4.** Any driver of a passenger vehicle who spends time on duty during a working day to meet a special need, that is to say work done solely in connection with the collection and delivery of blood for the purposes of transfusion, is hereby exempted from the requirements of section 96(3) in relation to that day, subject to the conditions that—

- (a) he is able to obtain rest and refreshment during that day for a period which is, or for periods which taken together are, not less than the time by which the working day exceeds 10 hours,
- (b) that day does not exceed 14 hours, and
- (c) he has not taken advantage of this exemption from the requirements of section 96(3) on more than one previous working day which forms part of the working week of which that day forms part.

Given under the Official Seal of the Minister of Transport the 3rd February 1970.

L.S.

*Fred Mulley*  
Minister of Transport

## EXPLANATORY NOTE

These Regulations provide exemptions from the requirements of section 96(1) to (6) of the Transport Act 1968 (which relates to permitted driving times and periods of duty) to enable drivers of passenger vehicles to deal with certain cases of emergency (Regulation 3) and to meet a special need (Regulation 4).