



# DRIVING AND REST TIME RULES 2024



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*Reservations:*

*This leaflet is only an introduction to the driving and rest time rules. If you need any advice in connection with a specific case, please contact ITD.*

*Please note that national and international control authorities may perform the control of driving and rest time periods as well as working time rules differently.*

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# INTRODUCTION

## **The driving and rest times rules have three main objectives:**

- To specify common standards for the work environment of drivers by ensuring a reasonable balance between driving and rest time periods.
- To ensure maximum road safety by preventing fatigued drivers from sitting at the wheel of heavy vehicles.
- To ensure uniform and fair competition on the European road transport market.

## **The driving and rest time rules apply to the following types of road transport:**

- Carriage of goods by means of a vehicle whose maximum permissible total weight, including trailer or semi-trailer, exceeds 3,500 kg.
- Carriage of passengers by means of a vehicle designed or permanently arranged to carry more than nine persons, including the driver, and intended for that purpose.

The EU regulation on drivers' hours applies in all EU countries plus Norway, Iceland, Switzerland, Liechtenstein and United Kingdom. The AETR rules apply to transport performed outside these countries. The AETR rules are in general identical to the EU rules.

In addition to the rules on driving and rest times, the act on working time of persons performing mobile road transport activities also applies.

It is the responsibility of both the haulier and the driver that the rules are complied with.



## THE “SMALL” OVERVIEW

There are many things to be aware of. Below is a small overview of the main rules.



### DRIVING TIME AND BREAKS

- Daily driving time up to 9 hours, however, up to 10 hours twice a week
- Max. 4.5 hours' driving before break of 45 minutes, alternatively divided by 15 minutes followed by a break of 30 minutes
- Max. 90 hours' driving in 14 days
- Max. 56 hours' driving in one week – conditional on max. 34 hours' driving in the previous week and max. 34 hours' driving in the following week (i.e. 45 hours' driving on average per week)

### REST PERIODS

- Within 24 hours from the start of the working time, a daily rest period of 11 consecutive hours must be taken (regular rest period)
- The daily rest period may be divided into two periods of at least 3 hours, followed by a rest period of at least 9 hours, a total of 12 hours
- The daily rest period may be reduced to 9 hours, max. three times between each weekly rest period
- At the latest after 6 x 24 hours (144 hours), a weekly rest period of at least 24 - 45 hours (or more) must be taken. More weekly rest periods may be taken than the required ones
- A rest period of less than 45 hours may be taken in a stationary vehicle with a bunk

### MULTI-MANNING

- Daily rest period of at least 9 hours within 30 hours
- The presence of one or more drivers is only optional the first hour

### FERRIES

- A rest period may be interrupted twice for up to a total of one hour when getting on and off a ferry
- The driver must have access to a bed or bunk if taking a rest on a ferry
- The ferry rule may be used on the daily rest period as well as the reduced and regular weekly rest periods

### COMPENSATION

- Compensation for reduced weekly rest periods before the end of the third week. If 2 x reduced weekly rest period in a row, both rest periods must be compensated before the next regular weekly rest period in the third week

### DRIVER HOME

- The work must be organised so that the driver can come home every four weeks
- The work must be organised so that the driver can come home in the third week if the driver has taken 2 reduced weekly rest periods in a row

### DATA

- Read/download data from the driver card no later than every 21 days
- Data from the tachograph must be read/downloaded no later than every 60 days
- Bring data, diagram sheets and printouts for the last 28 days (56 days from 31 December 2024) in the vehicle

### WORKING HOURS

- Control of working hours by the authorities from 2 February 2022
- Max. 48 hours per week on average over 4 months
- Max. 60 hours per week
- Recording of working hours – to be stored for at least 2 years



# CHAPTER 1

## BEFORE DRIVING IS COMMENCED

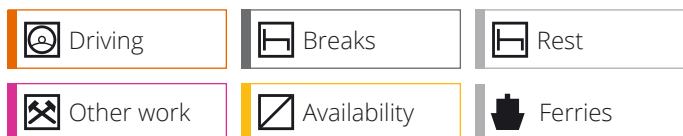
### 1.1 Company card must be registered in the tachograph

- 1.1.1 Before the company puts a vehicle into service for the first time, the company must register its company card in the vehicle's tachograph.
- 1.1.2 The company card is inserted in the tachograph and the company is logged in.
- 1.1.3 Data from the tachograph must be downloaded every 60 days.



### 1.2 Use of diagram sheet and driver card

- 1.2.1 Drivers must use record sheets and driver cards every day on which they drive, starting from the moment they take over the vehicle. The diagram sheet must not be replaced before the end of the daily working period unless it is permitted to replace it at other times.
- 1.2.2 Drivers must protect the diagram sheets and driver cards and must not use soiled or damaged diagram sheets or driver cards.
- 1.2.3 Drivers must enter the country code in the tachograph for the countries in which the daily working period begins and ends.
- 1.2.4 In vehicles with digital tachographs or version1 smart tachographs the drivers must enter the country code in the tachograph for the country that the drivers enter after crossing a border of a Member State.
- 1.2.5 The relevant fields of diagram sheets must be filled in, including country codes for start and end country as well as country after the crossing of a border.
- 1.2.6 Be sure to register the activity you are performing correctly in the tachograph.



- 1.2.7 Data from the driver card must be downloaded every 21 days. The card will not be emptied or deleted but a backup copy will be made.

### 1.3 Attestation of activities

- 1.3.1 The primary source of information during roadside inspections are the recordings made by the tachograph. Missing tachograph recordings should only be acceptable if it was not possible, for objective reasons, to make recordings in the tachograph, including manual entries. In such cases, a signed attestation of activities should be completed describing these objective reasons.



# CHAPTER 2

## DRIVING TIME

### 2.1 Daily driving time

2.1.1 The daily driving time must not exceed 9 hours.

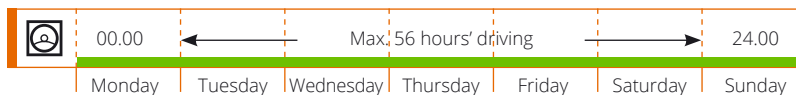


2.1.2 However, the daily driving time may twice a week (Monday at 00:00 – Sunday at 24:00) be increased to a maximum of 10 hours.



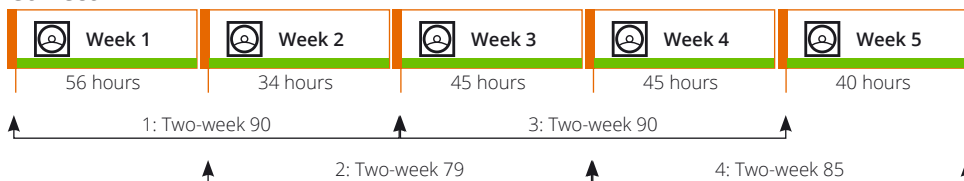
### 2.2 Weekly driving time

2.2.1 The weekly driving time must not exceed 56 hours.

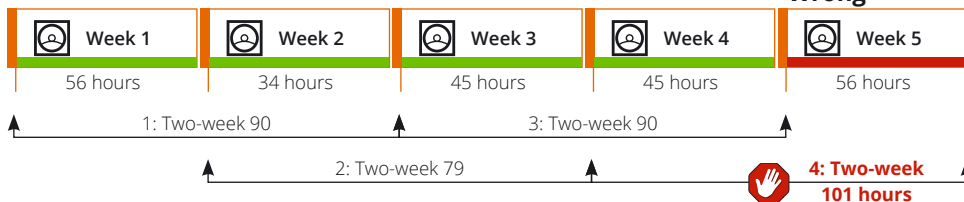


2.2.2 The total driving time in the course of two consecutive weeks must not exceed 90 hours.

#### Correct



#### Wrong



### 2.3 Deviation

2.3.1 If observing the general rules on road safety, the driver may, in order to reach a suitable stopping place, deviate from the rules on driving time, break, rest or ferry, to the extent necessary to ensure the safety of persons, of the vehicle or of its load.

## 2.4 Exceptional circumstances

2.4.1 Provided that road safety is not thereby jeopardised, in exceptional circumstances, the driver may also exceed the daily and weekly driving time by up to one hour in order to reach the employer's operational centre or the driver's place of residence to take the weekly rest period. The 90 hours' rule as described in section 2.2 of this chapter must not be exceeded. Please note that it is only the driving time that may be exceeded.

NOTE: The requirement for a break of at least 45 minutes after a driving period of 4.5 hours still applies, see chapter 3 below.

2.4.2 On the same conditions, the driver may exceed the daily and weekly driving time by up to two hours in order to reach the employer's operational centre or the driver's place of residence to take a regular weekly rest period, provided that an uninterrupted break of 30 minutes was taken immediately prior to the additional driving. The 90 hours' rule as described in section 2.2 must not be exceeded. Please note that it is only the driving time that may be exceeded.

NOTE: The requirement for a break of at least 45 minutes after a driving period of 4.5 hours still applies, see chapter 3 below.

2.4.3 Any period of extension must be compensated by an equivalent period of rest taken all together with any rest period, within three weeks following the week in question.

2.4.4 The driver must state the reason for such deviation manually on the diagram sheet of the recording equipment, or on a printout from the recording equipment or in the duty roster, at the latest on arrival at the destination or the suitable stopping place.



# CHAPTER 3



## BREAKS

### 3.1 Break – 45 minutes

3.1.1 After 4.5 hours' driving, the driver must take a continuous break of at least 45 minutes, unless he begins a rest period.

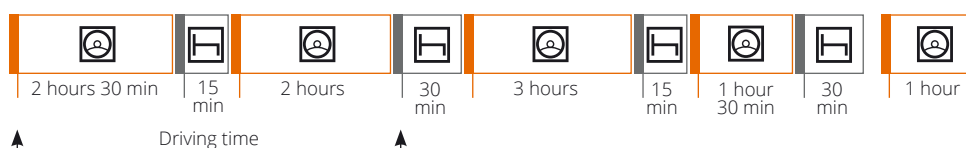


3.1.2 The break gives access to a new driving period of 4.5 hours, regardless of whether the previous driving period was shorter than 4.5 hours.



### 3.2 Split break – 15 + 30 minutes

3.2.1 The break gives access to a new driving period of 4.5 hours, regardless of whether the previous driving period was shorter than 4.5 hours.





# CHAPTER 4

## REST PERIODS



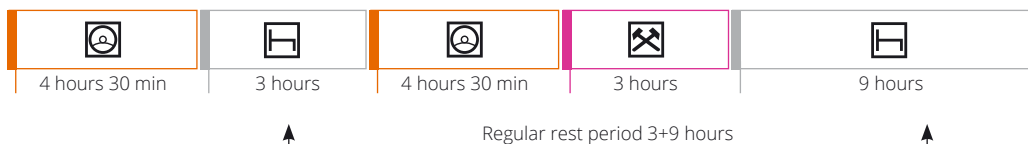
### 4.1 Daily rest period

4.1.1 Within each period of 24 hours following the end of the previous daily or weekly rest period, the driver must have taken a new daily rest period.

4.1.2 The daily rest period must in principle be at least 11 hours. This means that the rest period must begin within 13 hours from the start of the working day.



4.1.3 Alternatively, the regular daily rest period can be taken in two periods, of which the first period must be at least 3 consecutive hours and the second period at least 9 consecutive hours, i.e. a total of 12 hours.



4.1.4 If the rest period is of less than 11 hours, but more than 9 hours, it is called a reduced daily rest period. This means that the rest period must begin within 15 hours from the start of the working day. The driver must take a maximum of 3 reduced daily rest periods between each weekly rest period.

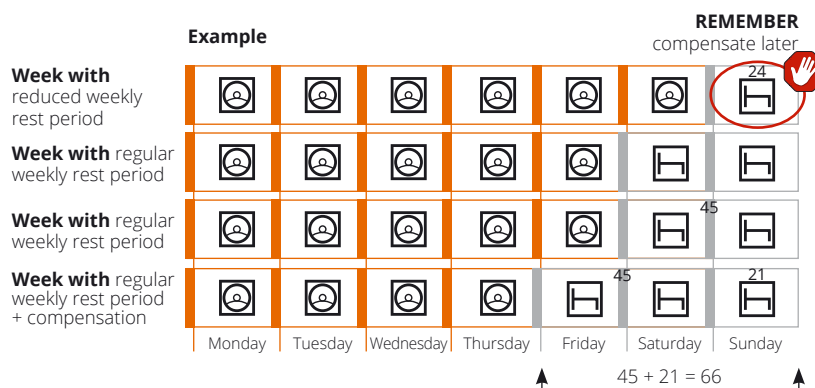


### 4.2 Weekly rest period

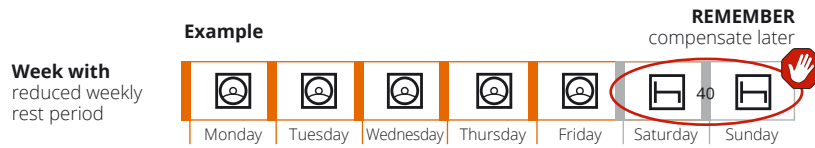
4.2.1 During two consecutive weeks, a driver must take at least:

- two regular weekly rest periods, or
- a regular weekly rest period and a reduced weekly rest period of at least 24 hours.

4.2.2 The time that the reduced rest period (between 24 and 45 hours) is shorter than a regular rest period (at least 45 hours) must be compensated with a corresponding rest period. Compensation must be taken as an uninterrupted period within three weeks from the end of the week in question.



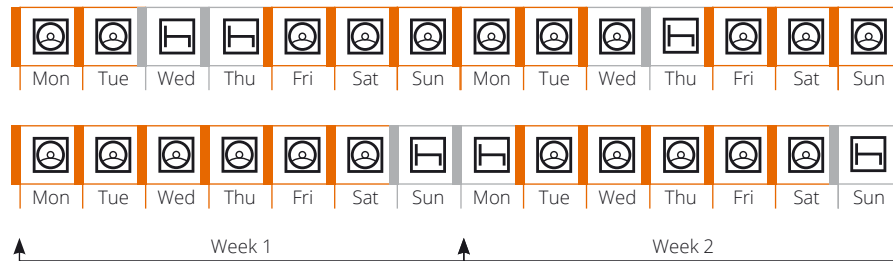
- 4.2.3 A rest period which is taken as compensation for a reduced weekly rest period must be taken as an uninterrupted period in continuation of another rest period of at least 9 hours.



**Compensation attached to a rest period of at least 9 hours**



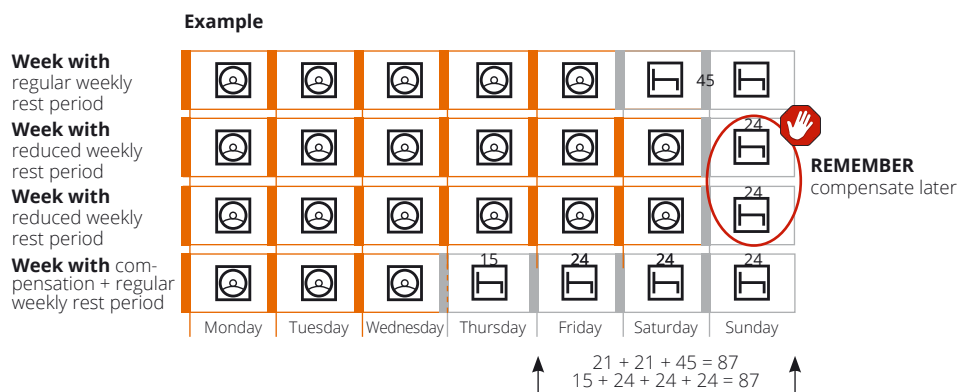
- 4.2.4 A weekly rest period must start no later than at the end of 6 consecutive 24-hour periods from the end of the previous weekly rest period.



- 4.2.5 A driver performing international carriage of goods outside the territory of the member state of establishment may take two consecutive reduced weekly rest periods, provided that the driver takes at least four weekly rest periods for four consecutive weeks, of which at least two must be regular weekly rest periods.

For this purpose, a driver is considered to perform international carriage of goods when the driver starts two consecutive reduced weekly rest periods outside the employer's member state of establishment and the driver's country of residence.

If 2 consecutive reduced weekly rest periods have been held, a rest period must be held immediately **prior** to the next weekly rest period, in compensation for these 2 reduced weekly rest periods. See also section 4.3.2.



- 4.2.6 The regular weekly rest periods and any weekly rest period of more than 45 hours taken in compensation for previous reduced weekly rest periods must not be taken in a vehicle. They must be taken in suitable genderfriendly accommodation with adequate sleeping and sanitary facilities.

4.2.7 Any costs for accommodation outside the vehicle must be covered by the employer.

**NOTE:** Regardless of which type of rest is to be taken in the vehicle, the vehicle must be at a standstill during the rest period.

### 4.3 The driver must be able to come home

4.3.1 Transport companies must organise the work of drivers in such a way that the drivers are able to return to:

- The employer's operational centre where the driver is normally based and where the driver's regular weekly rest period begins, in the member state of establishment, or
- Return to the drivers' place of residence

within each period of four consecutive weeks, in order to spend at least one regular weekly rest period or a weekly rest period of more than 45 hours taken in compensation for a reduced weekly rest period.

4.3.2 However, where the driver has taken two consecutive reduced weekly rest periods, the transport company must organise the work of the driver in such a way that the driver is able to return before the start of the regular weekly rest period of more than 45 hours taken in compensation.

4.3.3 The company must document how it fulfils this obligation and must keep the documentation at its premises in order to present it at the request of the control authorities.



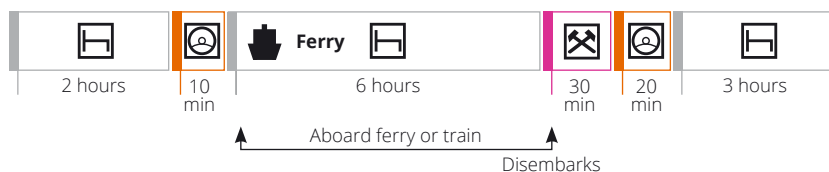
## CHAPTER 5

### REST PERIOD ON A FERRY OR TRAIN



### 5.1 Regular daily rest period or reduced weekly rest period

5.1.1 In connection with transport by ferry or train, a regular daily rest period or a reduced weekly rest period may be interrupted not more than twice by other activities not exceeding one hour in total. During that regular daily rest period or reduced weekly rest period, the driver must have access to a sleeper cabin, bunk or couchette at their disposal.



### 5.2 Regular weekly rest period

5.2.1 With regard to regular weekly rest periods, this deviation only applies to ferry or train journeys where:

- The journey is scheduled for 8 hours or more, and
- The driver has access to a sleeper cabin in the ferry or on the train.

### 5.3 Rest $\geq$ 45 hours

5.3.1 Remember that any rest period of 45 hours or more is not allowed to be taken in the vehicle, even before and after a ferry/train rest.

### 5.4 Ferry/train sign

The activation of the "ferry/train" sign is mandatory during a rest period on a ferry or a train.

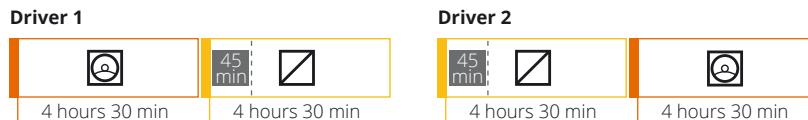


# CHAPTER 6

## MULTI-MANNING

### 6.1 Conditions of multi-manning

- 6.1.1 Multi-manning means that during a period between two daily rest periods or a weekly and a daily rest period, there are two drivers on board the vehicle. There must be at least two drivers on board while driving. However, the first hour is optional.
- 6.1.2 The driver who is not driving must set the tachograph to availability time.

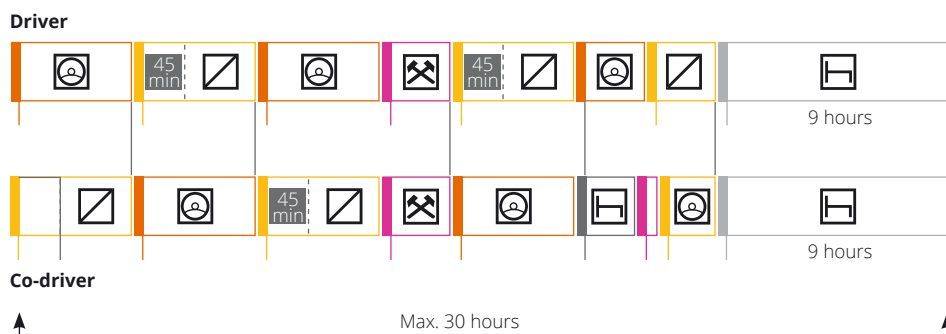


### 6.2 Break during driving

- 6.2.1 A driver engaged in multi-manning may take a break of 45 minutes in a vehicle driven by another driver. However, the driver taking the break must actually be taking the break and not being assisting the other driver in any way.

### 6.3 Daily rest period

- 6.3.1 In case of multi-manning, both drivers must have taken a daily rest period no later than 30 hours after the end of the most recent rest period. This means that the rest period must begin within 21 hours from the start of the working day.





# CHAPTER 7

## WORKING TIME RULES FOR COVERED AND EXEMPTED DRIVING

### 7.1 Working time rules

#### 7.1.1 Background

The driving and rest time rules generally apply to carriage of goods by means of a vehicle whose maximum permissible total weight, including trailer or semi-trailer, exceeds 3,500 kg. The rules on working time of persons performing mobile road transport activities also apply.

However, the driving and rest time rules do not apply when the driving performed is exempt from the driving and rest time rules, also called exempted driving/Out of Scope. However, the act on working time of persons performing mobile road transport activities still applies. The working environment act, which regulates the distribution of work and rest periods, also applies.

The most important working time rules are listed below. Here it is specified if the rules only apply to exempted driving. If nothing is specified, the rules apply regardless of whether the driving is covered or exempted.

#### 7.1.2 Night work

This act defines a night period as the period between 01.00 and 05.00, unless a collective agreement stipulates that another period of 4 hours between 00.00 and 07.00 is to be considered as a night period.

The daily working hours of mobile employees must not exceed 10 hours within a period of 24 hours during which night work is performed.

#### 7.1.3 Weekly working hours

The average weekly working hours must not exceed 48 hours calculated over a period of 4 months.

The maximum weekly working hours must not exceed 60 hours per week.

#### 7.1.4 Breaks

Mobile workers are not allowed to work for more than 6 hours in a row without breaks. Breaks must have a total length of at least:

- 1) 30 minutes if the total working time is 6-9 hours.
- 2) 45 minutes if the total working time is more than 9 hours.

The breaks can be divided into periods, but not for periods of less than 15 minutes.

#### 7.1.5 Registration of working hours

The employer of the mobile employee must register the working hours of the employee. The employee must inform the employer in writing of any other work performed for another employer. The employer must keep this information for at least 2 years.

The employer's non-compliance with this duty is punishable by a fine.

#### 7.1.6 Compensation

An employee may be awarded compensation if his rights are violated in relation to the rules on working hours of mobile employees.

#### 7.1.7 Daily rest period – Applies to exempted driving

Working hours must be organised in such a way that the employee has a rest period of at least 11 consecutive hours within each period of 24 hours.

#### 7.1.8 Weekly rest day – Applies to exempted driving

Within each period of 7 days, the employees must have a weekly day off, which must be taken in immediate connection with a daily rest period. Days off should as far as possible be taken on Sundays.

#### 7.1.9 Rules for self-employed road haulage operators

As far as self-employed road haulage operators are concerned, a different set of rules applies. However, these rules are almost identical to the rules applying to the employee listed above. The subject will not therefore be dealt with any further.

### 7.2 Exempted driving / Out of scope

- 7.2.1 Both the national and international rules include a number of exemptions from the driving and rest time rules. For example, vehicles used for winter services and emergency vehicles.

*Note: Exemptions may differ in the respective member states.*

- 7.2.2 If driving is performed that is considered to be exempted driving, such driving is not covered by the driving and rest time rules. It is therefore not necessary to use a driver card in the tachograph when the driving performed is exclusively exempted driving, see, however, 7.3.2.

- 7.2.3 If both exempted driving and covered driving are performed during the period in question, the exempted driving must be recorded as "other work", and the driving and rest time rules must thus be complied with.

### 7.3 Documentation for exempted driving

- 7.3.1 The control authorities require documentation for exempted driving. Therefore, make sure that you have sufficient documentation.
- 7.3.2 It is recommended that the driver also uses a driver card in case of exempted driving to secure data.



## CHAPTER 8

### INCORRECT RECORDS

#### 8.1 Documentation

- 8.1.1 If the driver has performed other activities than the ones recorded by the tachograph, e.g. if the driver has taken a rest, but the tachograph has recorded the activity as "other work", it is recommended to make a manual printout. The correct course of events specifying the reason is stated on this printout. Printing should be done immediately after the event.



# CHAPTER 9

## DOWNLOAD OF DATA

### 9.1 Responsibility for download and storage

- 9.1.1 The transport company must transfer, store and secure all data recorded in the digital tachograph and on the driver cards used by the drivers who drive for the company.

The data must be transferred to an external computer medium, which must be equipped with a backup system preventing that the data is lost.

- 9.1.2 The transport company must transfer, store and secure the data recorded in the digital tachograph at least every 2 months.
- 9.1.3 The transport company should consider establishing a self-control system in order to incorporate procedures to manage the company's driving and rest times, both in relation to compliance with rules and for securing data.

### 9.2 Download of data from driver cards

- 9.2.1 The transport company must transfer, store and secure data from driver cards belonging to the drivers driving for the company. Data must be downloaded from the driver cards at least every 21 days.

### 9.3 More information about securing tachograph data

#### 9.3.1 Sale of vehicle with digital tachograph

- 9.3.1.1 Before selling a vehicle with a digital tachograph, the company must remember to download the data from the tachograph.

#### 9.3.2 Driver conditions

- 9.3.2.1 Upon a driver's resignation, the company must ensure that the data from the driver card is downloaded when the driver has performed his last drive for the company.
- 9.3.2.2 A driver card has a limited service life, and when the date of expiry occurs, it must be replaced with a new driver card. When the driver card is replaced, it is important that the data from the old/expired driver card is downloaded after the last use.
- 9.3.2.3 Please note that a defective driver card that needs to be replaced must be handed in to the Danish Road Traffic Authority at the latest when the new card is delivered.
- 9.3.2.4 The transport company and the driver should have a procedure for the replacement of driver cards.
- 9.3.2.5 If the transport company uses temporary workers or the like, it is recommended that data be downloaded from their driver cards and secured immediately at the end of the work period.

#### 9.3.3 Storage of data

- 9.3.3.1 Data, diagram sheets and other documentation must be stored for at least 1 year.

## 9.4 Emergency procedure

### 9.4.1 Defective tachograph

- 9.4.1.1 If a tachograph malfunctions, the transport company must have the tachograph repaired as soon as possible.

The repair must be carried out on the way if the vehicle is unable to return to the transport company's premises within one week of the day of the breakdown of the tachograph.

- 9.4.1.2 If the tachograph malfunctions, the driver must write down the following information:

- a. Name,
- b. Driver card or driving license number,
- c. Including a signature,
- d. As well as information about the various periods of time for driving, other work, rest/break periods and availability time if such information is no longer recorded or printed out correctly by the tachograph.
- e. Such information must be recorded on the diagram sheet or sheets, or on a temporary sheet to be attached to the diagram sheet or to be kept together with the driver card.

**NOTE:** The company should get a signed certificate from a workshop if it is not possible to extract data from the tachograph for a given period.

### 9.4.2 Defective or lost driver card

- 9.4.2.1 Printouts must be made before and after driving if the driver card malfunctions or if the driver card is not in the driver's possession.

At the start of the journey, the driver must print out the details of the vehicle he is driving and state on that printout:

- a. Name,
- b. Driver card or driving license number,
- c. Including a signature,
- d. As well as information about the various periods of time for driving, other work, rest/break periods and availability time.

At the end of the journey, the driver must print out the information relating to the periods recorded by the recording equipment, and state:

- a. Any periods of other work, availability time and rest taken after the printout which was made at the start of the journey, when such periods were not recorded by the tachograph,
- b. Name,
- c. Driver card or driving license number,
- d. and signature.

**NOTE:** The emergency procedure does not apply to expired driver cards.



# CHAPTER 10

## REGULATORY CONTROL

### 10.1 Inspection

10.1.1 There are basically two types of inspection:

- Roadside inspection – Carried out by the competent authority on the road. This applies to both domestic and international driving.
- Company inspection – Carried out by the competent authority, which in Denmark is the Danish Road Traffic Authority.

### 10.2 Roadside inspection

10.2.1 **Records to be carried by the driver and presented to the control authorities:**

- 10.2.1.1 Driver card – with data for the day in question and the previous 28 days\*.
- 10.2.1.2 All manual recordings and printouts made on the day in question and the previous 28 days\*.
- 10.2.1.3 Diagram sheets for the same period as specified under 10.2.1.1 and 10.2.1.2. if the driver during that period has driven a vehicle fitted with an analogue tachograph.
- 10.2.1.4 If the control authorities discover any violations for which the driver and/or company are charged, criminal proceedings will be initiated.

(\*) NOTE: – The requirement of 28 days applies until 31.12.2024. From this date, the requirement will be 56 days.

### 10.3 Company inspection

10.3.1 **Notice**

- 10.3.1.1 The Danish Road Traffic Authority will send a notice to the transport company, typically via e-Boks. The Danish Road Traffic Authority will ask the company to submit all data on drivers and vehicles for a given period, usually one month.

10.3.2 **Collection and submission of data**

- 10.3.2.1 When the company has received the notice, it must submit the requested data. It is recommended that the company check such data for errors before submitting it. If there are errors in the data, a new download of data should be made without errors, which can be submitted.

10.3.3 **Individual hearing**

- 10.3.3.1 The result of the Danish Road Traffic Authority's investigation depends on whether it finds any errors or violations in the submitted data. If there are no errors, the case will be closed. If the authority discovers any circumstances that may involve a violation, the company will be heard and will have the opportunity to submit its comments.