

New DVSA guidance on 28 day record keeping

26 August 2022

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DVSA are changing what is acceptable to them for drivers recording their activities for the previous 28 days.

A drivers records must still cover driving, other work, periods of availability, breaks, rest, annual leave, and sick leave. How this can be acceptably recorded is what is changing. This now includes accepting the use of attestation (evidence) forms.

The change is limited to fixed weeks (0000 hrs Monday to 2400 hrs Sunday) only. If any in-scope driving is done in any week than a full daily record is required for all driving in that week.

Change to recoding time

“DVSA is accepting, until further notice, recording of activities in blocks to cover any fixed week during which no in-scope driving takes place.

For fixed weeks (0000 hrs Monday to 2400 hrs Sunday) when no in-scope driving takes place, the DVSA will accept one or more records for the whole week, as opposed to requiring seven daily records. Records must identify all the weekly rest periods within that fixed week.

When in scope driving is undertaken, a full record must be kept for that whole week with separate records for each 24-hour period.”

DVSA have provided an example of how the rules can work.

A transport manager does not drive for a period of three weeks but works in the office, then part way through the current week (the fourth week) has to drive a vehicle in-scope of the retained EU drivers' hours rules, due to staff shortages. Rather than expect them to produce a separate record sheet or printout for each day of the three weeks in which no in scope driving has taken place, the DVSA would accept a manual record made on a record sheet or printout paper which covers the period where they have not driven.

The records might look something like – WK 1 - Monday to Friday (include dates) 40 hours working in the office, Sat – Sun (include dates) rest period 60 hours. WK 2 – Monday to Friday (include dates) 40 hours working in the office, Sat – Sun (include dates) rest period 60 hours*. WK 3 – Monday to Friday (include dates) 45 hours working in warehouse, Sat – Sun (include dates) rest period 50 hours*.*

If the driver is then in scope half-way through the 4th week, the DVSA would expect full records for each day in that week back to when the last weekly rest finished.

**Details for rest periods must include start and finish times.*

“Drivers and their operators can in all cases choose to input an entry for each day.”

Means of manually recording other activities

A drivers “other activities” can be recorded using

- (a) Manual inputs on a digital/smart tachograph; or
- (b) Making a manual record on an analogue tachograph disc or printout paper.
- (c) Attestation (evidence) form, using the template at: [Form of attestation of activities \(europa.eu\)](https://european-council.europa.eu/media/en/press-communications/infographic/infographic_20220823_01.pdf).

When using a manual record on an analogue tachograph disc or printout paper (option b), drivers must ensure that there is sufficient detail to identify the individual driver. On an analogue tachograph disc it must be the driver’s name, and on digital printout paper it must be the driver’s name, or driver card or driving licence number.

When using an Attestation (evidence) form (option c) the attestation I(evidence) form will have to cover the relevant periods, including rest, other work and periods of availability. One form should cover each activity. For example, in a period where there was no in-scope driving a driver would need one form to cover other work and another for weekly rest. The form must be completed prior to the journey and signed by the operator and also signed by the driver.

Final Comment

The new approach is severely limited by DVSA insistence that the new recoding options must be for an entire “fixed week (0000 hrs Monday to 2400 hrs Sunday) when no in-scope driving takes place”.

RHA will continue to press for further simplifications and the regulation to be amended in the future as part of the governments review of EU legislation.

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