

ANALYSIS OF THE REASONS FOR VIOLATION OF THE STANDARDS ON WORKING TIME BY PROFESSIONAL DRIVERS

DOI 10.2478/ntpe-2018-0010

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2018
Volume 1
Issue 1
pp. 81-85

Abstract. The paper features a discussion on the legal conditions that regulate the aspects of working time, driving times, breaks and rest periods for professional drivers. The drivers' knowledge of and compliance with the regulations were the subject of surveys conducted among thirty professional drivers. The study was conducted on a group of selected drivers (males) hired in a single transport company. The interviewees referred to their knowledge and its practical use in everyday work. The interviewees responded anonymously and voluntarily to the questions asked in the survey. These were persons of the age of 21 to 65 years old. 47% of all interviewees executed only national transports, whereas international transports were executed by 33% drivers. The interviewees included persons with basic, vocational, secondary and higher education. Most of them were persons with large occupational experience, working as a professional driver longer than 5 years, no persons with occupational experience between 11 to 19 years. The paper includes the specification of the survey methodology and analysis of the obtained results, with special attention paid to the reasons for the conscious and unconscious violation of regulations. The analysis results are presented in a graphical form.

Keywords: professional driver working time, professional driver, tachograph, road transport

INTRODUCTION

The large dynamic of changes taking place in the field of law substantially hinders conducting transport activity. The field of law features regulations concerning the drivers' working time and standards on driving times, breaks and rest periods. In principle, these regulations were to, among others, contribute to levelling the competitiveness among transport entrepreneurs in the European Community and to the safety in the field of vehicle transport (Bodziony et al., 2016, Moravcik and Jaškiewicz, 2018, Poliak et al., 2017, Jurecki et al., 2017, Odważny et al., 2014). Currently in Poland the drivers' working time is regulated by national law regulations (Act on drivers' working time), whereas the standards concerning the driving times, breaks and rest periods – by EU law regulations (Regulation (EC) no. 561/2006 of the European Parliament and of the Council of 15 March 2006). The EU law regulations are applicable to transports executed only within the European Union and to transports executed between the EU and Switzerland, and countries of the European Economic Area (Norway, Iceland and Lichtenstein). In international transport, i.e. transports executed at least partially outside of the aforementioned areas, the AETR European Agreement applies. The agreement was adopted in Geneva on 1 July 1970 (Polish Journal of Laws; Dz. U. of 1999, no. 94, item 1086 and 1087) (European Parliament and of the Council, 2006).

The aforementioned regulations apply to drivers executing transports with vehicles, the acceptable total weight of which exceeds 3.5 tons as well as drivers executing transports of more than nine persons, including the driver. The regulations were introduced, among others, for the sake of safety of all road traffic participants. Professional drivers are able to get acquainted with these regulations on qualification courses and other trainings on working time and standards concerning driving times, breaks and rest periods.

COURSE AND METHODOLOGY OF CONDUCTED STUDIES

As part of this paper, surveys were conducted on the reasons for driver's violation of working time regulations and standards concerning driving times, breaks and rest periods. The interviewees responded anonymously and voluntarily to the questions asked in the survey. The study was conducted on a group of 30 randomly selected drivers (males) hired in a single transport company. By responding to questions, the interviewees referred to behaviours associated with everyday work. These concerned, among others, the knowledge of regulations, scope of complying with them and reasons for violating them. The study served only scientific purposes. The interviewees were eager to fill out the survey and its questions were comprehensible to them. The study was conducted on a group of persons of the age of 21 to 65 years old (Fig. 1), executing both national and international transports (Fig. 2).

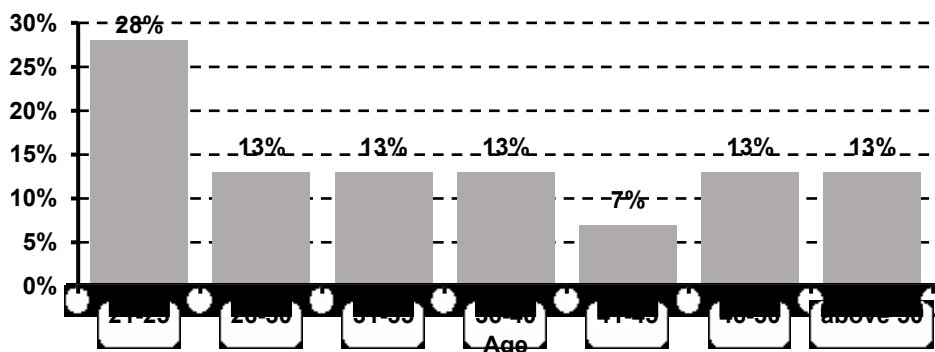


Fig. 1. Interviewee age structure

Nearly half, i.e. fourteen drivers (47% of all interviewees) executed only national transports, whereas international transports were executed by ten drivers (33% of all interviewees). Other drivers executed both national and international transports. The largest group consisting of twelve persons (27% of all interviewees) were interviewees at the age of up to 25 years old. These were persons with the smallest occupational experience of up to five years.

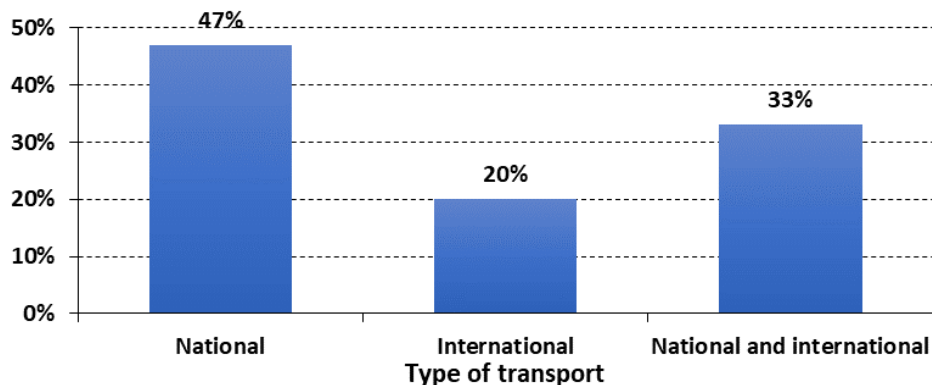


Fig. 2. Range of executed transports

The interviewees included persons with basic, vocational, secondary and higher education. In terms of education, the largest group featured persons with vocational education (60% of interviewees) (Fig. 3). Eight persons possessed secondary education (these persons were also in the age bracket of 18÷25 years old and during the study they attended part-time studies), whereas two persons possessed basic education and two – higher education.

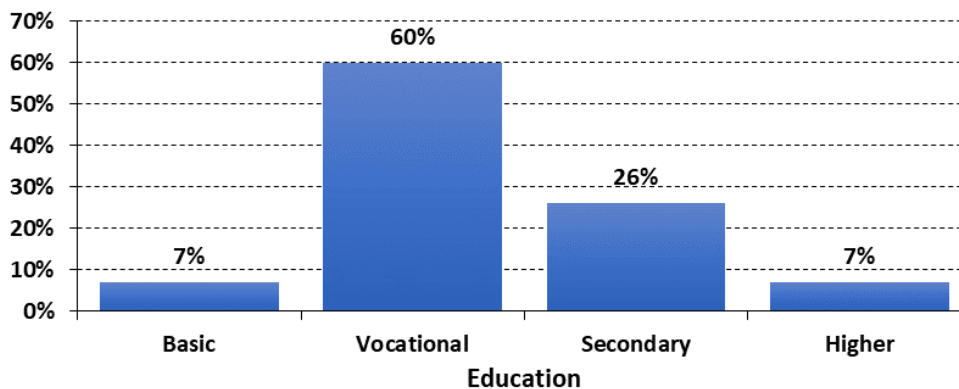


Fig. 3. Interviewee education

The interviewees were divided into five groups:

- group I – persons working as a driver no longer than 5 years,
- group II – persons working as a driver longer than 5 years, but no longer than 10 years,
- group III – persons working as a driver longer than 10 years, but no longer than 15 years,
- group IV – persons working as a driver longer than 15 years, but no longer than 20 years,
- group V – persons working as a driver longer than 20 years.

Persons working as a professional driver no longer than 5 years, i.e. with very small occupational experience constituted 27% of all interviewees. This means that the vast majority featured persons with large occupational experience, working as a professional driver longer than 5 years. The interviewees included no persons with seniority of 11 to 19 years (Fig. 4).

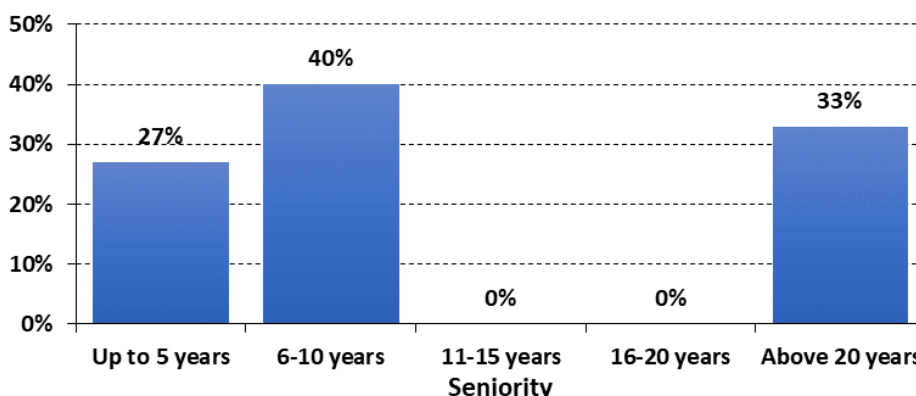


Fig. 4. Interviewee seniority as drivers

STUDY RESULTS AND THEIR INTERPRETATION

Currently in Europe, the standards concerning driving times, breaks and rest periods are regulated by the EU law regulations and the AETR European Agreement. Due to the fact that Poland is an EU member, drivers executing transports within the Polish territory are bound by the aforementioned EU law regulations. Due to the above, several questions for the interviewees (professional drivers) concerned the knowledge of these standards. By responding to these questions, the interviewees referred to their knowledge and its practical use in everyday work (Table 1, Fig. 5).

Table 1
Declared knowledge of the legal regulations in the scope of standards concerning driving times, breaks and rest periods

Legal regulations	Knowledge of legal regulations		
	Very good or good	Adequate	Inadequate
EU regulations	40%	47%	13%
AETR	47%	40%	13%
National regulations	80%	20%	0%

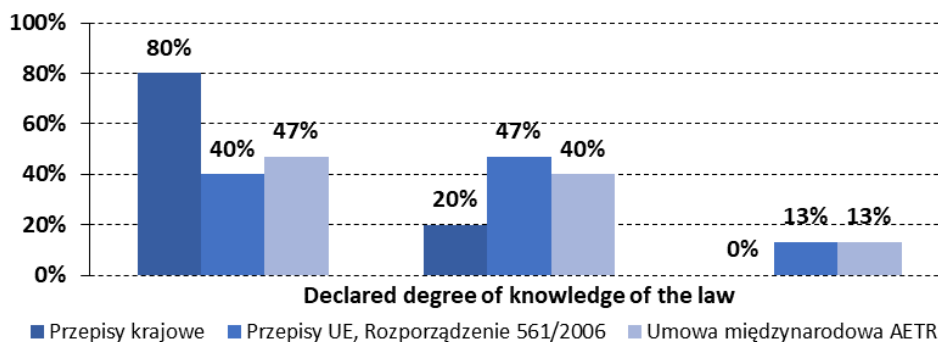


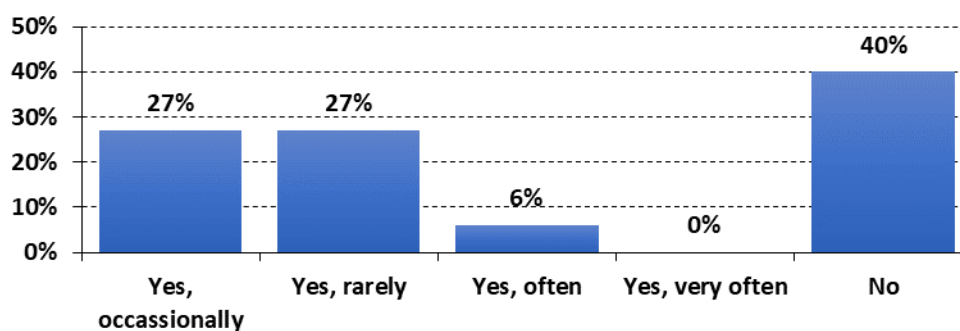
Fig. 5 Knowledge of the regulations on driving times, breaks and rest periods

As can be seen, all interviewees know the national regulations. A vast majority, i.e. 80% of interviewees finds that they know them well or very well. The knowledge of regulations specified in Regulation no. 561/2006 and in the AETR international agreement is substantially worse, because 13% of interviewees declared lack of knowledge of these regulations. 40% of interviewees find that they know Regulation no. 561/2006 well and very well, while 47% find that they know it adequately. The interviewees also find that their knowledge of the regulations specified in the AETR agreement is at a similar level and 47% deem that they know them well and very well, whereas 40% - that they know them adequately.

Despite the fact that the knowledge of the regulations, at least to an adequate degree, was declared by 26 persons (87%), as many as 20 of them admitted that they are not able to specify them.

The question on improving occupational competencies by participation in courses and trainings was included in the survey due to the high degree of responsibility of the driver vocation. By taking part in trainings, a driver can broaden his theoretical knowledge and practical skills. Among the interviewees, only 40% of persons admitted that they took part in additional trainings or courses. Only 27% of interviewees declared that their employers offered them participation in trainings intended for improving their occupational competencies.

Most interviewees, i.e. 60%, admitted that they exceeded the driving time specified in the regulations. 53% (16 persons) responded that they occasionally or rarely exceed the time, while 6% declared that they exceed the time often. 40% of interviewees never exceeded the driving time (Fig. 6).



Frequency of exceeding the driving time

Fig. 6. Exceeding the driving time

The most often reason for exceeding the driving time given by the interviewees was a delay caused by loading and unloading (56%). 33% of persons declared that they occasionally exceed the time due to the pressure exerted on them by their employers and 11% of interviewees find that the most common reason are bad road conditions (Fig. 7).

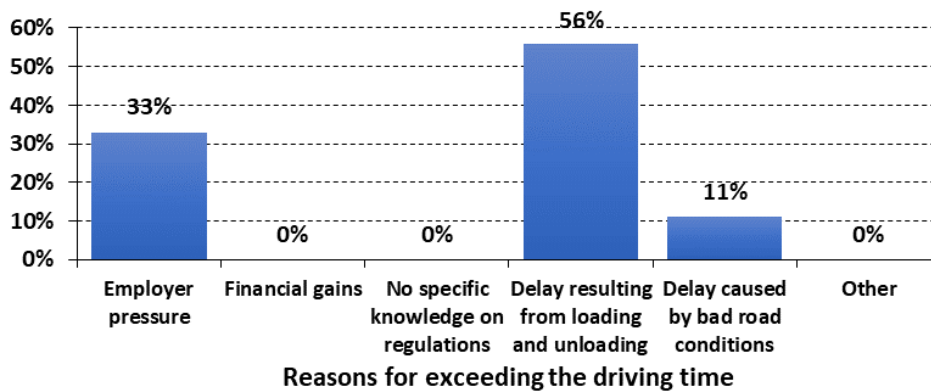


Fig. 7. Most common reason for exceeding the driving time

driver should know the principles of operation of the device recording the working, driving time and rest periods (Rychter and Rychter, 2016, (Kim, Do-Gyeong et al. 2016, Starkowski et al., 2010). If the driver does not have the required skills, the employer is obliged to train the driver accordingly. Most interviewees (80%) find that they know the principles of operation of devices recording the time of activities performed by the driver during work. Unfortunately, as much as 20% of the persons does not possess such knowledge. 60% of interviewees admitted that they know how to interfere with the operation of the devices recording the driving time and 1/3 of them admitted that they consciously interfered with the tachograph operation. A vast majority of interviewees (73%) has never been penalised by services inspecting the driving time.

CONCLUSION

In the analysed enterprise, professional drivers consist of young persons in the age of 21-25, with very small occupational experience. Most of them reside in rural areas and possess vocational education, and the most common transports executed by them are national transports. Their knowledge on the standards of driving time, breaks and rest periods is incomplete. 87% of drivers were not aware that national transports are bound by the same regulations as transports executed in other EU countries.

Most interviewees, admitted that they exceeded the driving time specified in the regulations. The most often reason for exceeding the driving time given by the interviewees was a delay caused by loading and unloading. Employer pressure plays a large role in exceeding the driving time. It is most often a result of delays related with bad organisation in the goods loading and unloading processes. Frequently, the consequence of non-performance of agreements by carriers are penalties and withdrawal of clients from further co-operation with these carriers.

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Date of submission of the article to the Editor: 06/2018

Date of acceptance of the article by the Editor: 09/2018