

TENTH MEETING OF THE SRM TWG

(14 - 18 SEPTEMBER 2026)

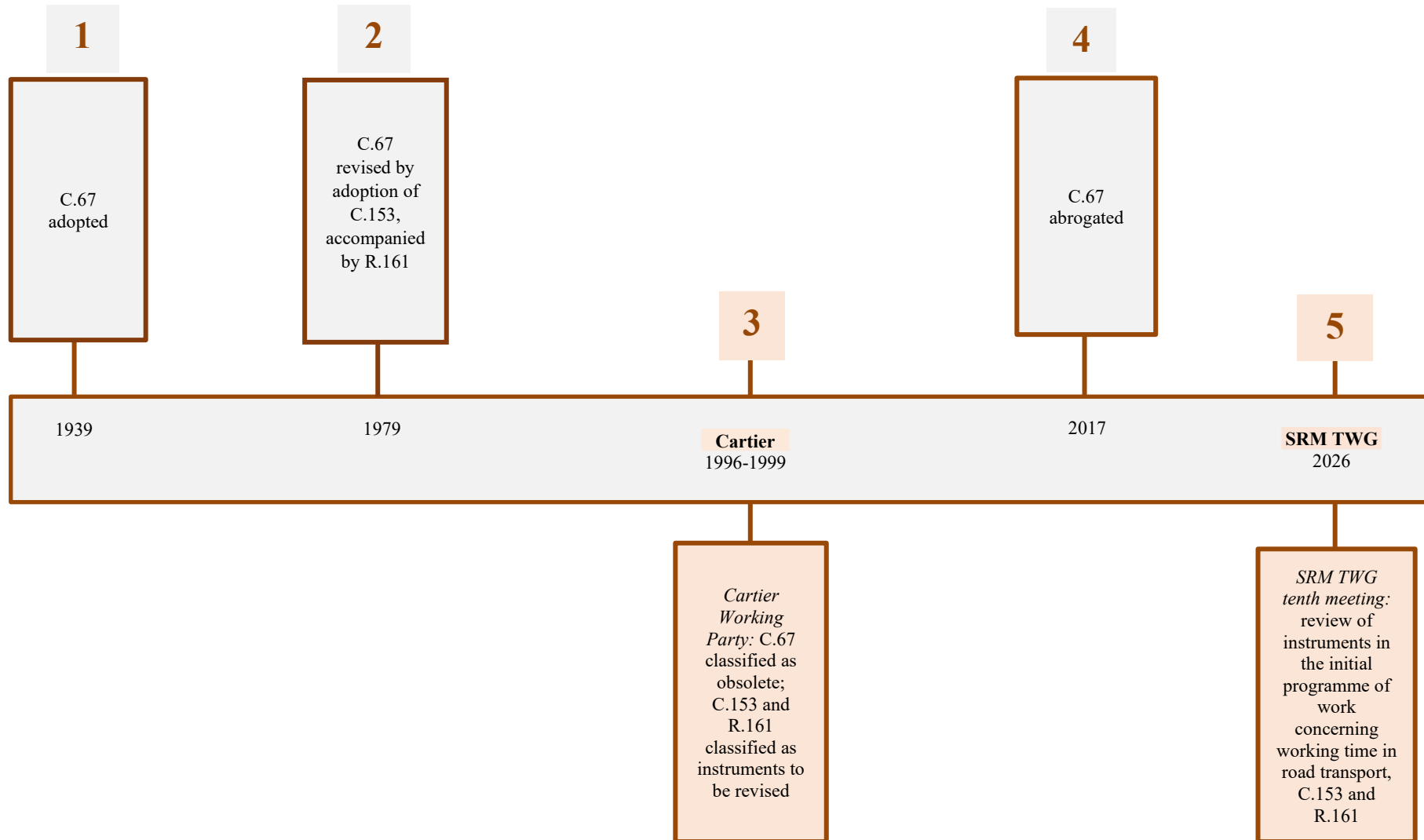
EXAMINATION OF INSTRUMENTS CONCERNING WORKING TIME

Technical Note 1.6: Working time in road transport

- Two instruments in the initial programme of work concern working time in road transport: the Hours of Work and Rest Periods (Road Transport) Convention, 1979 (No. 153) and the Hours of Work and Rest Periods (Road Transport) Recommendation, 1979 (No. 161).
- *Current status of instruments:* These instruments were reviewed by the Cartier Working Party, following which they were classified under 'instruments to be revised'.
- *Action to be considered:* Classification of Convention No. 153 and Recommendation No. 161; identification of any gaps in coverage; and associated follow-up action.

14 August 2026

ILO regulation of working time in road transport Chronology of developments



ILO regulatory approach to working time in road transport

The ILO has long recognised the need to regulate the hours of work and weekly rest for persons employed in industrial undertakings, including the transport of passengers or goods by road.¹ In 1939, the sector-specific Hours of Work and Rest Periods (Road Transport) Convention, 1939 (No. 67), and four related Recommendations, were adopted,² focusing on ‘drivers’ engaged in the rapidly growing and largely unregulated road transport sector.³

By the 1950s, proposals were made to introduce greater flexibility, especially when determining the scope of application, defining hours of work and fixing the duration of work or rest periods.⁴ The Inland Transport Committee recommended revision of Convention No. 67 because its ratification was hindered as tripartite constituents considered its scope “too wide” and its provisions “too detailed and rigid”.⁵

During the development of the new standards on hours of work and rest periods in road transport, differing views were expressed concerning the form of the instruments to be adopted and the substantive content of their provisions.⁶ In 1979, the **Hours of Work and Rest Periods (Road Transport) Convention, 1979 (No. 153)** and the **Hours of Work and Rest Periods (Road Transport) Recommendation, 1979 (No. 161)** were adopted,⁷ revising Convention No. 67.

In 2019, the ILO adopted Guidelines on the promotion of decent work and road safety in the transport sector, which refer to Convention No. 153 and Recommendation No. 161.⁸

ILO developments since adoption of the instruments

1. 1939: ILC adopted Convention No. 67

Convention No. 67 established standards regulating hours of work and mandatory rest periods for persons who drove a road transport vehicle in a professional capacity, and attendants and others connected in a professional capacity. It established a normal working week of 48 hours, and working day of eight hours, with extended limits in certain circumstances.⁹ Following its subsequent revision by Convention No. 153, Convention No. 67 lost its purpose and was abrogated by the ILC in 2017.

See: [Convention No. 67](#) and [Instrument of Abrogation](#) (ILC 106th Session, 2017)

¹ Hours of Work (Industry) Convention, 1919 (No. 1), which will be reviewed by the SRM TWG at its tenth meeting in 2026 (see Technical Note 1.1); and Weekly Rest (Industry) Convention, 1921 (No. 14).

² Hours of Work and Rest Periods (Road Transport) Convention (No. 67), Control Books (Road Transport) Recommendation (No. 63), Night Work (Road Transport) Recommendation (No. 64), Methods of Regulating Hours (Road Transport) Recommendation (No. 65), and Rest Periods (Private Chauffeurs) Recommendation (No. 66).

³ ILO: Regulation of Hours of Work and Rest Periods of Professional Drivers (and their Assistants) of Vehicles engaged in Road Transport, [Report IV](#), ILC, 24th Session, 1938, p. 23.

⁴ ILO: *Hours of Work and Rest Periods in Road Transport*, [Report VII\(1\)](#), ILC, 64th Session, 1978, pages 1-2 and 60-61.

⁵ ILO: [Report VII\(1\)](#), 1978, p. 60.

⁶ ILO: *Report of the Committee on Road Transport: Submission, Discussion and Adoption*, [Record of Proceedings](#), ILC, 65th Session, 1979, p. 37/4-37/11 and 39/1-39/3.

⁷ In the final record vote on C.153 and R161, Employers opposed. ILO: [Record of Proceedings](#), 1979, pp. 39/2 and 44/8-44/13.

⁸ ILO: [Guidelines on the promotion of decent work and road safety in the transport sector](#), 2019.

⁹ ILO: [Report VII\(1\)](#), 1978, p. 41.

2. 1979: Convention No. 153 and Recommendation No. 161 adopted, revising Convention No. 67

Convention No. 153 and accompanying Recommendation No. 161 establish a specific reference standard for working time in the road transport sector.¹⁰ Convention No. 153 revised Convention No. 67 and closed it to further ratifications.

Convention No. 153 establishes that maximum total driving time, including overtime, shall not exceed nine hours per day and 48 hours per week. Recommendation No. 161 states that normal hours of work should gradually and by stages be reduced so as to not exceed 40 hours per week and eight hours per day as an average.

See: [Convention No. 153](#) and [Recommendation No. 161](#)

3. 1996 - 1999: Governing Body classified Convention No. 153 and Recommendation No. 161 as instruments to be revised

In 1996, in follow-up to the Cartier Working Party recommendations, the Governing Body invited Member States to consider ratifying Convention No. 153, and to inform the Office of any obstacles to ratification and possible need for its revision, following which its status would be re-examined.¹¹ In 1998, the Governing Body approved the Working Party's proposal to include the revision of Convention No. 153 as a separate item in the portfolio of proposals for the agenda of the ILC, rather than considering it within the context of an item concerning working time arrangements.¹² In 1999, the Governing Body decided that Recommendation No. 161 should be revised along with Convention No. 153, since its provisions are parallel to, and supplement, the Convention.

The revision of Convention No. 153 and Recommendation No. 161 was among the proposals periodically considered by the Governing Body for the agenda of the ILC until 2007, when the item was withdrawn.¹³

See: [GB.265/LILS/WP/PRS/1](#), paras V.3 and IV.2 (Office background paper for Working Party, March 1996); [GB.265/LILS/5](#), paras 61-63 and 49 (discussion by Working Party, March 1996); [GB.265/8/2](#), para. 24 (discussion by LILS Committee, March 1996); [GB.271/LILS/WP/PRS/2](#), paras. 79-90 (Office background paper for Working Party, March 1998); [GB.271/LILS/5\(Rev.1\)](#), paras. 65-74 (discussion by Working Party, March 1998); [GB.271/11/2 and Corr.](#), para. 15 (discussion by LILS Committee, March 1998); [GB.276/LILS/WP/PRS/4](#), para II.7 (Office background paper for Working

¹⁰ ILO: [Guidelines - transport sector](#), 2019, p. 29.

¹¹ The Governing Body decided to shelve C.67 with immediate effect, and subsequently consider its abrogation. Since its revision by C.153, C.67 was considered obsolete, and its three States parties were invited to denounce it and consider ratifying the revising Convention.

¹² During the discussion on C.153 by the Working Party, both the Employers' and the Workers' groups agreed that the issues covered by the Convention had specific characteristics that differed from the concept of working time in general. [GB.271/LILS/5\(Rev.1\)](#), paras 66-67.

¹³ [GB.273/2](#), 1998, paras 145-152; [GB.276/2](#), 1999, paras 294-301; [GB.297/2](#), 2006, paras 13 and 83; [GB.300/2/2](#), 2007, para. 81.

Party, November 1999); [GB.276/LILS/5](#), paras 63-65 (discussion by Working Party, November 1999); [GB.276/10/2](#), para. 10 (discussion by LILS Committee, November 1999)

Analysis of Convention No. 153 and Recommendation No. 161

The following table provides a provision-by-provision analysis of the substantive provisions of Convention No. 153 and Recommendation No. 161, compared with relevant international labour standards of general application and sectoral instruments.

ANALYSIS OF SUBSTANTIVE PROVISIONS OF CONVENTION NO. 153 AND RECOMMENDATION NO. 161	
Arts 1-2 of C.153 Paras 1-3 of R.161	• <i>Objective:</i> ○ <i>C.153:</i> Applies to wage-earning drivers working for undertakings engaged in transport for third parties or transporting goods or passengers for own account, on motor vehicles engaged professionally in internal or international transport by road of goods or passengers. Except as otherwise provided, applies to motor vehicle owners engaged professionally in road transport and non-wage-earning family members working as drivers. Allows for exclusions. ○ <i>R.161:</i> Applies to wage earners working as drivers; or others travelling with a road transport vehicle in connection to the vehicle, passengers, or load. Certain Parts apply to owners of motor vehicles engaged professionally in road transport and to non-wage-earning family members when they are working as drivers or in related functions. • <i>Comparison with relevant instruments:</i> No similar provisions. • <i>Current relevance:</i> It permits the competent national authority to exclude workers driving certain types of vehicles such as ambulances or taxis, provided adequate standards concerning driving time and rest periods of drivers are set.¹⁴ The scope of application of these instruments is inconsistent with practice, as they apply primarily to wage-earning drivers, while the road transport industry is largely composed of non-wage-earning drivers.¹⁵
Art. 3 of C.153 Para. 4 of R.161	• <i>Objective:</i> Requires tripartite consultation prior to decision-making. • <i>Comparison with other relevant instruments:</i> Many international standards include similar provisions on tripartite consultation. • <i>Current relevance:</i> Consistent with current practice.
Art. 4 of C.153 Paras 5-6 of R.161	• <i>Objective:</i> Defines ‘hours of work’ as time spent on driving and work during the vehicle’s running time; and subsidiary work connected to the vehicle, passengers or load. May include periods of mere attendance or stand-by, on the vehicle or at the workplace and during which drivers are not free. • <i>Comparison with relevant instruments:</i> No similar provisions concerning road transport. Reg. 2.3 – A2.3 of the Maritime Labour Convention, 2006 defines hours of work for seafarers as the time during which seafarers are required to do work on account of the ship and hours of rest as the time outside hours of work, not including short breaks. C.30 on hours of work in commerce and offices provides that the term “hours of work” does not include rest periods during which the persons employed are not at the employer's disposal.

¹⁴ The inclusion of self-employed drivers and lack of exceptions for certain types of transport are not in line with EU legislation. [GB.271/LILS/WP/PRS/2](#), para. 85.

¹⁵ ILO: [Guidelines - transport sector](#), para. 24.

	• <i>Current relevance:</i> Defines ‘hours of work’ based on the specificities of the road transport sector. The calculation of hours of work takes into consideration non-driving activities, such as subsidiary work, including refuelling and waiting for cargo at a shipper's facility or passengers. In terms of the continued relevance of the type of unit used by the Convention, a study conducted jointly by the ILO and WHO found that 79 of the 82 countries that reported having national laws on maximum driving times defined driving limits in terms of hours rather than distance.¹⁶
Paras 7 - 11 of R.161	• <i>Objective:</i> Limits normal weekly work hours (thus excluding overtime) to 40 - introduced gradually if needed. Allows averaging over four weeks in long-distance transport and other transport activities where established limits would be impracticable if applied to one week. Daily normal work hours should not exceed eight on average, except when weekly hours are unevenly distributed (10 hours maximum) or include stand-by periods, interruptions, or necessary travel for crew rest (12 hours maximum). • <i>Comparison with other relevant instruments:</i> Art. 1 of C.47 adopts the principle of a 40-hour week; Para. 4 of the R.116 recommends the progressive reduction of normal working hours, to achieve a 40-hour workweek without any reduction in wages. • <i>Current relevance:</i> Aims to limit or progressively reduce normal hours of work in the road transport sector. In the ILO-WHO study, 42 of the 82 countries with legislation on driving times and rest periods have included a maximum driving time per week/two weeks in their legislation. The maximum driving time is set at 42 hours per week in one country, 48 hours per week in two countries, and no more than 68 hours within any seven-day period in another country. In 38 countries, the maximum driving time is 56 hours per week and 90 hours over two weeks.¹⁷
Art. 5 of C.153 Para. 14 of R.161	• <i>Objective:</i> Establishes that no driver shall be allowed to drive continuously for more than four hours without a break, and regulates practical application of, and possible exceptions to, this limit. • <i>Comparison with relevant instruments:</i> No similar provisions concerning road transport. • <i>Current relevance:</i> Rest breaks for drivers, including both wage-earning and non-wage-earning, are essential to minimize the build-up of fatigue and can help to reduce work-related stress.¹⁸ The ILO-WHO study found that the standard of four hours established by C.153 and R.161 is used by 18 per cent of countries with break time regulations, while the most common driving period before taking a break is four hours and 30 minutes.¹⁹ This standard is inconsistent with the typical four hours and 30 minutes established by other sector-specific international reference standards.²⁰ The majority of countries acknowledge the importance of breaks during the work day, and require at least one rest break to be provided after a maximum period of continuous work, or provide a total amount of rest time that can be divided into several breaks.²¹

¹⁶ ILO-WHO: [The regulation of driving times and rest periods for professional drivers](#), page 38, forthcoming.

¹⁷ ILO-WHO: [The regulation of driving times and rest periods for professional drivers](#), pages 41-42, forthcoming.

¹⁸ ILO: General Survey: [Ensuring decent working time for the future](#), Report III (Part B), ILC, 107th Session, Geneva, 2018, para. 166.

¹⁹ ILO-WHO, [The regulation of driving times and rest periods for professional drivers](#), pages 39-40, forthcoming.

²⁰ UN: *European Agreement concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR)*, 1970, entered into force - 1976; and EU: [Regulation \(EC\) No. 561/2006](#). See also: Spain, [direct request](#), adopted in 2014.

²¹ ILO: [2018 General Survey](#), paras 167-175; [Regulation of working times, driving times and rest periods for commercial vehicle drivers: a comparative study](#), 2023, p. 18-19.

Art. 6 of C.153 Paras 15-17 of R.161	• <i>Objective:</i> Maximum total driving time, including overtime, shall not exceed nine hours per day or 48 hours per week. Total driving times shall be reduced for transport activities carried out in particularly difficult conditions, as determined by the competent authority. ◦ <i>C.153:</i> Total driving times may be calculated as an average over a number of days or weeks as determined by the competent authority. ◦ <i>R.161:</i> Total driving times may be calculated as an average over a maximum period of four weeks. • <i>Comparison with relevant instruments:</i> No similar provisions concerning road transport. • <i>Current relevance:</i> Defines the maximum total driving time as specifically applicable to the sector. In the ILO-WHO study, 64 percent of countries that regulate maximum driving times set the maximum at nine hours.²² Any extension of the maximum total driving time beyond nine hours per day is not permitted, unlike other sector-specific international reference standards, which allow up to 10 hours per day.²³
Art. 7 of C.153 Para. 12 of R.161	• <i>Objective:</i> Wage-earning drivers are entitled to a break after a continuous period of five hours of work. R.161 extends this provision to persons travelling with a road transport vehicle in connection to the vehicle, passengers, or load. • <i>Comparison with relevant instruments:</i> No similar provisions concerning continuous work or rest breaks in road transport. • <i>Current relevance:</i> For drivers in wage-earning employment relationships, the maximum period of continuous work and rest breaks can contribute to safeguarding their health and performance and consequently contribute to road safety.²⁴
Para. 13 of R.161	• <i>Objective:</i> Competent authority to prescribe the maximum number of hours separating two successive daily rest periods; the spreadover should not reduce the daily rest period. • <i>Comparison with other relevant instruments:</i> No similar provisions. • <i>Current relevance:</i> Supplements C.153.
Art. 8 of C.153 Paras 18-22 of R.161	• <i>Objective:</i> Provides for daily rest periods of at least 10 consecutive hours during any 24-hour period (C.153) or 11 consecutive hours (R.161), which may be calculated as an average, provided it is in no case less than eight hours; different durations and methods of taking rest based on specific circumstances; and exceptions. • <i>Comparison with relevant instruments:</i> No similar provisions concerning road transport. • <i>Current relevance:</i> Daily rest periods for drivers are essential to minimize the build-up of fatigue and can help to reduce work-related stress.²⁵ In the ILO-WHO study, 57 of the 82 countries with legislation on driving times and rest periods have included a minimum daily rest period in their legislation. Most countries provide for at least 10 consecutive hours.²⁶
Paras 23 – 25 of R.161	• <i>Objective:</i> Minimum duration of weekly rest should be 24 consecutive hours, preceded or followed by daily rest. Weekly rest should, as far as possible, coincide

²² ILO-WHO, [The regulation of driving times and rest periods for professional drivers](#), page 41, forthcoming.

²³ Member States also subject to [Regulation \(EC\) No. 561/2006](#) and/or the [AETR](#) have reported issues of compliance with C.153. See: *Spain*, [direct request](#), adopted in 2014.

²⁴ ILO: *2018 General Survey*, para. 166; [Regulation of working times - commercial vehicle drivers](#), 2023, pp. 10 and 15.

²⁵ ILO: *2018 General Survey*, para. 166.

²⁶ ILO-WHO, [The regulation of driving times and rest periods for professional drivers](#), pages 42-43, forthcoming.

	with a Sunday or traditional and customary days of rest, and it should during a given period be possible for this rest to be spent at home a certain number of times. In long-distance transport, it should be possible to cumulate weekly rest over two consecutive weeks; cumulation over a longer time may be approved. • <i>Comparison with relevant instruments:</i> Art. 2 of C.14 on weekly rest is the up-to-date instrument regulating weekly rest, it requires a period of rest comprising at least 24 consecutive hours, in every period of seven days; and where possible that the rest period is fixed to coincide with days already established by traditions or customs of the area. • <i>Current relevance:</i> Consistent with current practice.
Art. 9 of C.153 Paras 26-28 of R.161	• <i>Objective:</i> Allows temporary exceptions to extend driving and working hours and reduce rest periods when necessary for indispensable work due to accidents, breakdowns, delays, service disruptions, force majeure, or urgent public service needs. ○ <i>Art. 9(2), C.153:</i> Where strict compliance with work-hour limits is impractical, authorities may authorize extensions or reductions. Countries must declare such conditions upon ratification, report progress toward stricter application, and can later revoke exceptions. ○ <i>R.161:</i> Extensions are permitted to allow crews to reach a stopping place or complete journeys without compromising road safety. Temporary exceptions for abnormal workloads may also be authorized. Overtime should be compensated at a higher rate or otherwise compensated. • <i>Comparison with relevant instruments:</i> No similar provisions concerning road transport. C.1 and C.30 on hours of work permit temporary exceptions to normal working hours in the case of accident, or in case of urgent work to be done to machinery or plant, or in case of “force majeure”, but only to prevent serious workplace disruption. • <i>Current relevance:</i> These provisions, particularly Art. 9(2), were included to increase flexibility in the application of C.153 and to address the practical challenges associated with regulating road transport, considering the wide variety of transport operations and differing national circumstances.²⁷
Art. 10 of C.153 Paras 29-31 of R.161	• <i>Objective:</i> Requires drivers to keep records using an individual control book, and employers to keep records indicating hours of work and rest for every driver. Provides for supervision to be replaced or supplemented by recourse to modern methods, such as tachographs. ○ <i>R.161:</i> Provides a procedure for authorising hours of work for a temporary exception due to abnormal pressure of work. • <i>Comparison with relevant instruments:</i> No similar provisions concerning road transport. Para. 21 of R.116 on reduction of hours of work details measures to ensure compliance with provisions, including through record-keeping. • <i>Current relevance:</i> Consistent with current practice on supervision through record-keeping. Methods of supervision may evolve to meet the needs of the sector. Other international and national regulations have incorporated technological advances such as tachograph (manual), digital tachograph (with driver’s card) or electronic logging devices.
Art. 11 of C.153	• <i>Objective:</i> Provides for an adequate inspection system, with verification in the undertaking and on the roads, and appropriate penalties for breaches. • <i>Comparison with relevant instruments:</i> No similar provisions concerning road transport. Para. 21 of R.116 on reduction of hours of work details measures to ensure

²⁷ ILO: [Record of Proceedings](#), 1979, p. 37/4-37/11 and 39/1-39/3.

Para. 32 of R.161	compliance with provisions, including through adequate inspection and sanctions. C.81 on labour inspection establishes that transport undertakings may be exempted from its application. R.82 regulates labour inspection in mining and transport taking into account sectoral specificities.²⁸ • <i>Current relevance:</i> Development of adequate inspection systems is challenging due to the share of non-wage-earning workers that fall outside labour inspection mechanisms. In this particularly mobile and fragmented workforce, “workplaces” may include a truck, cabin or bus circulating the highway and road network.
Arts 12-13 of C.153 Para. 33 of R.161	• <i>Objective:</i> Provisions, including on road safety, shall be given effect by laws or regulations except if subject to collective agreements, arbitration awards or other national practices. ○ R.161: National conditions and needs of each transport category to be considered. ○ C.153 revises C.67. • <i>Comparison with relevant instruments:</i> No similar provisions concerning road transport. The provision on application of the instrument is similar to other sectoral instruments, including Art. 7 of the Dock Work Convention, 1973 (No. 137). • <i>Current relevance:</i> Consistent with current practice on implementation through laws or regulations or, where appropriate, collective agreements, arbitration awards or other means consistent with national law and practice, taking into account the conditions and needs of the sector.

The instruments in 2026

A Policy context

The road transport sector is strategically essential to social and economic development and ensures passenger and freight mobility across jurisdictions and countries. It makes an important contribution to economic growth and job creation.²⁹ However, every year, approximately 1.19 million people are killed, and up to 50 million more are injured, due to crashes on the world’s roads.³⁰ Commercial vehicles are involved in approximately 10 to 22 per cent of all road crashes,³¹ with heavy vehicle crashes tending to be deadlier.

A number of countries are experiencing driver shortages and high turnover rates for road transport operations.³² Developments in the last 20 years have had a strong impact on the composition of the industry. Outsourcing is a dominant trend in road transport currently.³³ Non-wage-earning road transport drivers and small and medium-sized enterprises make up the majority of the freight transport industry.³⁴ Informal working opportunities give rise to occupational safety and health and public safety concerns.³⁵ Further, pressure from supply

²⁸ ILO: [Resolution \(no. 67\) concerning labour inspection in road transport](#), 1957, pp. 50-54.

²⁹ ILO: [Guidelines - transport sector](#), 2019, para. 2.

³⁰ WHO: [Road traffic injuries](#), 13 December 2023.

³¹ ILO: [Guidelines - transport sector](#), 2019, para. 1.

³² ILO: [Guidelines - transport sector](#), 2019, para. 49.

³³ ILO: [Guidelines - transport sector](#), 2019, para. 137.

³⁴ ILO: [Guidelines - transport sector](#), 2019, para. 24.

³⁵ ILO: [Guidelines - transport sector](#), 2019, para. 26.

chain entities can be an underlying cause of transport workers adopting riskier and unsafe driving practices, which can contribute to poor road safety outcomes.³⁶

There are divergent interests surrounding the definition of duration of work, its application to non-wage-earning commercial motor vehicle (CMV) drivers,³⁷ competition and road safety targets.³⁸ The recently adopted ILO Guidelines on the promotion of decent work and road safety in the transport sector establish that Governments should, “regulate driving times and breaks applicable to CMV drivers”, which includes wage-earning and non-wage-earning drivers; and “consider the regulation of hours of work of non-wage-earning CMV drivers”.³⁹ The Guidelines detail that remuneration for both wage-earning and non-wage-earning drivers should cover both driving and subsidiary non-driving work activities.⁴⁰

Globally, in 2019, the transport and communications sector accounted for one of the longest average weekly hours of work from a sectoral perspective: over 48 hours and, when disaggregated by gender, over 49 hours for men and 40 hours for women.⁴¹ More than 40 per cent of workers in the sector worked more than 48 hours per week,⁴² over 10 per cent worked less than 35 hours per week and some 3 per cent worked less than 20 hours per week.⁴³

B International labour standards context

(1) Information relating to the ratification of Convention No. 153

Convention No. 153 is in force in 9 Member States.

In 1998, the Cartier Working Party noted that several Member States reported challenges preventing ratification of Convention No. 153.⁴⁴ Member States subject to the European Agreement concerning the work of crews of vehicles engaged in international road transport ("AETR") and/or the EU regulation on road transport reported obstacles arising from discrepancies between legislation in force in their countries and certain provisions of the Convention.⁴⁵

Convention	Effective ratifications:	Further information
Convention No. 153	9 effective ratifications	• <u>Last ratification</u>: 2008 (<i>Ukraine</i>)

³⁶ ILO: [Guidelines - transport sector](#), 2019, para. 29, and [Conclusions on safety and health in the road transport sector](#), 2015, para. 8.

³⁷ “CMV driver” is a person – whether wage-earning or not – who drives a CMV, even for a short period, or who is carried in the vehicle to be available for driving if necessary. ILO: [Guidelines - transport sector](#), 2019, para. 10.

³⁸ ILO: [Guidelines - transport sector](#), 2019, para. 87.

³⁹ These Guidelines relate to the first United Nations Decade of Action for Road Safety (2011-2020). The Second Decade of Action for Road Safety (2021-2030) is underway. See: ILO: [Guidelines - transport sector](#), 2019, paras 5, 83 and 87.

⁴⁰ ILO: [Guidelines - transport sector](#), 2019, paras 76, 80 and 81.

⁴¹ ILO: [Working Time and Work-Life Balance Around the World](#), 2022, p. 12.

⁴² ILO: [Working Time and Work-Life Balance Around the World](#), 2022, p. 18.

⁴³ ILO: [Working Time and Work-Life Balance Around the World](#), 2022, p. 33.

⁴⁴ [GB.271/LILS/WP/PRS/2](#), part II.5.

⁴⁵ UN: [AETR](#), 1970; and EU: [Regulation \(EC\) No. 561/2006](#). See also: *Spain*, [direct request](#), adopted in 2014.

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- (0 denunciations)
- Ratification by dates: 1980s: 7;⁴⁶ 2000s: 2⁴⁷.
 - Ratification by region: Europe and Central Asia: 4 ratifications;⁴⁸ Americas: 4 ratifications;⁴⁹ Arab States: 1 ratification;⁵⁰ Africa: 0 ratifications; Asia and the Pacific: 0 ratifications.
 - There is no declaration of applicability to non-metropolitan territories.
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(2) Information concerning the implementation of Convention No. 153

The Committee of Experts has continued its supervision of Convention No. 153. There are currently six pending comments concerning:

- Measures undertaken to give effect to provisions regarding, continuous driving time and breaks, reduction of total driving time in difficult conditions, and exceptions;⁵¹ scope of application and regulation of excluded categories of drivers;⁵² reduction of daily rest periods;⁵³ and supervision through record-keeping.⁵⁴
- Lack of compliance of national legislation with standards on maximum total driving time and daily rest.⁵⁵ Statistical data gathered from inspection activities concerning working time, including overtime hours, in the road transport sector.⁵⁶
- Social partners' concerns regarding practical application of the Convention – exceeding maximum total driving time;⁵⁷ and challenging working days for drivers caused by insufficient training, health conditions, issues with vehicles and other factors.⁵⁸
- Provision of technical assistance for Member States indicating that certain concepts of the Convention are unfamiliar.⁵⁹

Key considerations

In examining Convention No. 153 and Recommendation No. 161 for the purpose of determining their status, the following considerations are particularly relevant:

- Convention No. 153 and Recommendation No. 161 are sectoral working time instruments. They regulate working time on road transport, considering the practical challenges

⁴⁶ Switzerland, Mexico, Venezuela (Bolivarian Republic of), Spain, Iraq, Ecuador and Uruguay.

⁴⁷ Türkiye and Ukraine.

⁴⁸ Switzerland, Spain, Türkiye and Ukraine.

⁴⁹ Mexico, Venezuela (Bolivarian Republic of), Ecuador and Uruguay.

⁵⁰ Iraq.

⁵¹ Ecuador, [direct request](#), adopted in 2022; Spain, [observation](#), adopted in 2024.

⁵² Mexico, [direct request](#), adopted in 2021; Spain, [observation](#), adopted in 2024.

⁵³ Ukraine, [direct request](#), adopted in 2020.

⁵⁴ Iraq, [direct request](#), adopted in 2025.

⁵⁵ Mexico, [direct request](#), adopted in 2021.

⁵⁶ Spain, [observation](#), adopted in 2024.

⁵⁷ Uruguay, [direct request](#), adopted in 2020.

⁵⁸ Mexico, [direct request](#), adopted in 2021.

⁵⁹ Iraq, [direct request](#), adopted in 2025.

associated with the wide variety of transport operations and differing national circumstances.

- Convention No. 153 is in force in 9 Member States and is fully supervised by the Committee of Experts.
- The Cartier Working Party classified Convention No. 153 and Recommendation No. 161 as instruments to be revised, but to date no item in this regard has been placed on the agenda of the Conference.
- While other working time standards of general application apply to workers engaged in road transport, these are the only instruments that address the specificities of the sector, including in relation to continuous and maximum total driving times and corresponding daily rest periods.
- Convention No. 153 and Recommendation No. 161 apply primarily to wage-earning drivers, while the sector currently comprises mostly non-wage-earning drivers.

Possible action to be considered in relation to Convention No. 153 and Recommendation No. 161

Convention No. 153 and Recommendation No. 161 are the only instruments specifically regulating hours of work and rest periods in the road transport sector. The objective of applying working time standards to this sector remains relevant. However, the instruments primarily cover wage-earning drivers, and this scope of application does not correspond to the present-day composition of the sector. This raises questions as to whether they remain fully fit for purpose.

Following its review of Convention No. 153 and Recommendation No. 161, the SRM TWG will tailor lessons learnt through the SRM TWG process to the specificities of this review.

If the SRM TWG were to decide to recommend the adoption of a comprehensive instrument concerning working time, it may wish to indicate that this would include the sector-specific instruments on hours of work and rest periods in road transport and make appropriate recommendations in that regard. This could include recommending consideration of the abrogation or withdrawal of Convention No. 153 and Recommendation No. 161 following the adoption of a new comprehensive instrument, should such an instrument be adopted, that ensures the enhanced protection of the rights of workers in the road transport sector.

Alternatively, the SRM TWG may wish to consider the review of these instruments separately as set out below.

Based on the preceding information, and ensuring consistency with past SRM TWG recommendations, **the Office proposes consideration of:**

- the classification of Convention No. 153 and Recommendation No. 161 as instruments *requiring further action to ensure their continued and future relevance*;
- whether *a regulatory gap in coverage exists* in relation to the scope of application of the international regulation of hours of work and rest periods in road transport; and

- *practical and time-bound follow-up action* composed of the non-normative measures set out below.

In this regard, the Office has taken particular account of the continued relevance of working time standards regulating the specificities of the road transport sector, and the fact that currently the only international labour standards on hours of work and rest periods in the sector have a limited scope of application, as most of their provisions do not apply to non-wage-earning drivers.

The SRM TWG will take decisions concerning the three elements within its mandate and make corresponding recommendations to the Governing Body concerning Convention No. 153 and Recommendation No. 161.

1. STATUS OF INSTRUMENTS UNDER REVIEW:

The SRM TWG will consider whether, within their current legal status as active instruments, Convention No. 153 and Recommendation No. 161 should be classified as *up-to-date* instruments, instruments *requiring further action to ensure their continued and future relevance*, or *outdated* instruments. In deciding the status of Convention No. 153 and Recommendation No. 161, the SRM TWG will consider whether they are fit for purpose.

2. IDENTIFICATION OF GAPS IN COVERAGE:

In determining whether or not a regulatory gap in coverage exists in relation to hours of work and rest periods in road transport, the SRM TWG should consider all relevant elements, including:

- i. The fact that the subject matter is regulated by two sector-specific instruments on working time in road transport that may not be considered to be fully up-to-date; and
- ii. Whether a regulatory gap exists in relation to the international regulation of working time in road transport, as the limited scope of application of Convention No. 153 and Recommendation No. 161 does not reflect the present-day reality of the road transport sector, in particular concerning non-wage-earning drivers in the sector.

3. FOLLOW-UP ACTION AS APPROPRIATE:

Considering past practices of the SRM TWG and the specificities of the instruments under review, the SRM TWG will consider what follow-up action should be taken:

- i. **If the SRM TWG considers that Convention No. 153 and Recommendation No. 161 have the status of instruments requiring further action to ensure their continued and future relevance**, it could recommend that the Office take necessary further actions that could include:
 - (a) If the SRM TWG considers that there is a regulatory gap in coverage in relation to hours of work and rest periods in road transport, it could recommend that the Governing Body consider addressing this gap, including through placing a standard-setting item on the agenda of the Conference and/or through non-normative means; or

- (b) If the SRM TWG considers that there is no regulatory gap in coverage in relation to hours of work and rest periods in road transport but further action is required, it could recommend that the Governing Body consider requesting non-normative action such as conducting research to identify the key challenges and opportunities in relation to the application of the instruments by ILO Member States, with a view to facilitating a tripartite discussion of options for possible follow-up action.
- ii. **Alternatively, if the SRM TWG considers that Convention No. 153 and Recommendation No. 161 are up-to-date instruments,** it could recognize that their full implementation requires the *promotion of Convention No. 153's ratification, involving concerted and committed attention by governments and the social partners, supported by the Office*. The SRM TWG could recommend that the tripartite constituents should collaborate to take active steps towards ratification and effective implementation of Convention No. 153 and Recommendation No. 161.
- iii. **If the SRM TWG considers that Convention No. 153 and Recommendation No. 161 have the status of outdated instruments,** it could decide to recommend:
 - (a) Their revision through the placing of a standard-setting item on the agenda of the Conference; and
 - (b) Once new instruments have been adopted that revise these instruments, their abrogation or withdrawal, as relevant, be considered by the Conference either:
 - i) As soon as is possible or at a particular session of the Conference as it determines; or
 - ii) At a later stage, to allow it to take into account developments, including ratifications, with respect to the new instrument or instruments on hours of work and rest periods in road transport.