

Regulation (EC) No 561/2006 of the European Parliament and of the Council of 15 March 2006 on the harmonisation of certain social legislation relating to road transport and amending Council Regulations (EEC) No 3821/85 and (EC) No 2135/98 and repealing Council Regulation (EEC) No 3820/85 (Text with EEA relevance)

CHAPTER I

INTRODUCTORY PROVISIONS

Article 3

This Regulation shall not apply to carriage by road by:

- (a) vehicles used for the carriage of passengers on regular services where the route covered by the service in question does not exceed 50 kilometres;
- (aa) [^{F1}vehicles or combinations of vehicles with a maximum permissible mass not exceeding 7,5 tonnes used for:
 - (i) carrying materials, equipment or machinery for the driver's use in the course of the driver's work; or
 - (ii) for delivering goods which are produced on a craft basis, only within a 100 km radius from the base of the undertaking and on the condition that driving the vehicle does not constitute the driver's main activity and transport is not carried out for hire or reward;]
- (b) vehicles with a maximum authorised speed not exceeding 40 kilometres per hour;
- (c) vehicles owned or hired without a driver by the armed services, civil defence services, fire services, and forces responsible for maintaining public order when the carriage is undertaken as a consequence of the tasks assigned to these services and is under their control;
- (d) vehicles, including vehicles used in the non-commercial transport of humanitarian aid, used in emergencies or rescue operations;
- (e) specialised vehicles used for medical purposes;
- (f) specialised breakdown vehicles operating within a 100 km radius of their base;
- (g) vehicles undergoing road tests for technical development, repair or maintenance purposes, and new or rebuilt vehicles which have not yet been put into service;
- (h) vehicles or combinations of vehicles with a maximum permissible mass not exceeding 7,5 tonnes used for the non-commercial carriage of goods;
- (ha) [^{F2}vehicles with a maximum permissible mass, including any trailer or semi-trailer, exceeding 2,5 tonnes but not exceeding 3,5 tonnes that are used for the transport of goods, where the transport is not effected for hire or reward, but on the own account of the company or the driver, and where driving does not constitute the main activity of the person driving the vehicle;]

Changes to legislation: There are currently no known outstanding effects for the Regulation (EC) No 561/2006 of the European Parliament and of the Council, Article 3. (See end of Document for details)

- (i) commercial vehicles, [^{F3}which are used for the non-commercial carriage of passengers or goods and which have a historic status according to:
- in relation to England and Wales and Scotland, regulation 3 of the Community Drivers' Hours and Recording Equipment Regulations 2007;
 - in relation to Northern Ireland, regulation 4 of the Community Drivers' Hours and Recording Equipment (Exemptions and Supplementary Provisions) Regulations (Northern Ireland) 2009 in Northern Ireland.]

Textual Amendments

- F1** Substituted by Regulation (EU) 2020/1054 of the European Parliament and of the Council of 15 July 2020 amending Regulation (EC) No 561/2006 as regards minimum requirements on maximum daily and weekly driving times, minimum breaks and daily and weekly rest periods and Regulation (EU) No 165/2014 as regards positioning by means of tachographs.
- F2** Art. 3(ha) inserted (24.12.2022) by The Drivers' Hours, Tachographs, International Road Haulage and Licensing of Operators (Amendment) Regulations 2022 (S.I. 2022/1260), regs. 1(1), 2(3)
- F3** Words in Art. 3(i) substituted (31.12.2020) by The Drivers' Hours and Tachographs (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/453), regs. 1(3), 58; 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation:

There are currently no known outstanding effects for the Regulation (EC) No 561/2006 of the European Parliament and of the Council, Article 3.