
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations implement aspects of the Trade and Cooperation Agreement between the European Union and the United Kingdom entered into on 30th December 2020, relating to road freight and passenger transport, mainly in the area of drivers' hours and tachograph rules, but also in the area of international haulage access to the UK. These Regulations primarily reinstate provisions that were removed or amended in preparation for exiting the European Union.

Regulation 2 amends Regulation No (EC) 561/2006 (drivers' hours and tachograph rules) to—

- (a) include in its scope goods vehicles over 2.5 tonnes on international journeys, from 1st July 2026;
- (b) provide an exemption, from 1st July 2026, for vehicles between 2.5 and 3.5 tonnes used for own account international journeys and not for hire or reward;
- (c) insert definitions of “occasional passenger services” and “special regular passenger services”;
- (d) provide for a derogation for vehicles used for a single provision of occasional passenger services consisting of the international carriage of passengers to allow drivers of these vehicles to postpone the weekly rest period for up to 12 consecutive 24-hour periods;
- (e) provide for a derogation allowing drivers on international journeys to take two consecutive reduced weekly rest periods;
- (f) provide that operators are liable for infringements committed under the drivers' hours rules by their drivers in the European Union and other countries and territories as well as the UK.

Regulation 3 amends Regulation No (EU) No 165/2014 to—

- (a) insert definitions of ‘smart tachograph 1’ and ‘smart tachograph 2’;
- (b) insert implementation dates for the smart tachograph 2;
- (c) impose certain requirements for drivers to record border crossings;
- (d) omit reference to “EU implementing acts”.

Regulation 4 amends Regulation (EC) 1072/2009 to—

- (a) amend the definition of “international carriage”;
- (b) remove rights of EU hauliers to undertake cabotage following an unladen journey into the UK.

Regulation 5 amends the Goods Vehicles (Licensing of Operators) (Temporary Use in Great Britain) Regulations 1996 (S.I. 1996/2186) to make consequential amendments in respect of exemptions to particular requirements of those Regulations relating to Northern Ireland goods vehicles and other goods vehicles whose operators are established outside of the United Kingdom and who hold international licences.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, public or voluntary sectors is foreseen.

An Explanatory Memorandum for this instrument has been published alongside these Regulations at www.legislation.gov.uk.