This Statutory Instrument has been made in consequence of a defect in S.I. 2020/1658 and is being issued free of charge to all known recipients of that Statutory Instrument.

STATUTORY INSTRUMENTS

2025 No. 402

ROAD TRAFFIC

The Drivers' Hours and Tachographs (Amendment and Modification) Regulations 2025

Made - - - -	*26th March 2025*
Laid before Parliament	*31st March 2025*
Coming into force - -	*21st April 2025*

The Secretary of State makes these Regulations in exercise of the powers conferred by section 31(1) and (3) of, and paragraph 27 of Schedule 5 to, the European Union (Future Relationship) Act 2020(**a**).

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Drivers' Hours and Tachographs (Amendment and Modification) Regulations 2025 and come into force on 21st April 2025.

(2) These Regulations extend to England and Wales, Scotland and Northern Ireland.

Amendment of Regulation (EC) No 561/2006

2.—(1) 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(**b**) is amended as follows.

(2) In Article 2—

(a) for paragraph 2 substitute—

"2. This Regulation shall apply, irrespective of the country of registration of the vehicle, to carriage by road undertaken exclusively within the United Kingdom.

2A. This Regulation shall apply to carriage by road of goods undertaken in the United Kingdom by a vehicle where the motor vehicle or tractor is registered in the United Kingdom or a member State and where that carriage is undertaken exclusively within the area consisting of the United Kingdom and the European Union.";

(b) for paragraph 3 substitute—

(**a**) 2020 c. 29. See section 37 for the definitions of "relevant national authority" and "Trade and Cooperation Agreement".
(**b**) EUR 2006/561; relevant amending instruments are S.I. 2020/1658, 2021/135 and 2022/1260.

"3. Subject to paragraph 2A, the AETR shall apply, irrespective of the country of registration of the vehicle, to carriage by road undertaken in the United Kingdom where that carriage is part of international road transport operations undertaken in part outside the United Kingdom.".

(3) In Article 4—

(a) in point (n), at the end insert "and, in particular, include special regular passenger services";

(b) for point (na) substitute—

"(na) *"special regular passenger services"* means services by whomsoever organised, which provide for the transport of specified categories of passengers to the exclusion of other passengers, in so far as such services are operated under the conditions specified for regular passenger services and, in particular, include—

(i) the carriage of workers between home and work;

(ii) the carriage of school pupils and students to and from the educational institution;";

(c) omit point (nb).

(4) In Article 8, omit paragraph 6a.

Modification to Regulation (EU) No 165/2014

3.—(1) Regulation (EU) No 165/2014 of the European Parliament and of the Council of 4 February 2014 on tachographs in road transport, repealing Council Regulation (EEC) No 3821/85 on recording equipment in road transport and amending Regulation (EC) No 561/2006 of the European Parliament and of the Council on the harmonisation of certain social legislation relating to road transport(**a**) is modified as follows.

(2) In Article 36 (Records to be carried by the driver), after paragraph 2 insert—

"3. For the purposes of a vehicle to which Article 2(2A) of Regulation (EC) No 561/2006 applies, paragraphs 1(i) and (iii) and 2(ii) are to be read as if the reference to "28 days" is to "56 days".".

Amendment of Regulation (EU) 2016/403

4.—(1) Annex I to Commission Regulation (EU) 2016/403 of 18 March 2016 supplementing Regulation (EC) No 1071/2009 of the European Parliament and of the Council with regard to the classification of serious infringements of the Union rules, which may lead to the loss of good repute by the road transport operator, and amending Annex III to Directive 2006/22/EC of the European Parliament and of the Council(**b**) is amended as follows.

(2) In the table comprising Section 1 (Groups of infringements against Regulation (EC) No 561/2006 of the European Parliament and of the Council (Driving and resting time))—

(a) omit the sub-heading "12-day rule derogation";

(b) omit rows 29, 30 and 31.

(3) In the table comprising Section 2 (Groups of infringements against Regulation (EU) No 165/2014 of the European Parliament and of the Council (Tachograph))—

(a) in row 21, for the entry in the third column (Type of infringements) substitute—

(**a**) EUR 2014/165, amended by S.I. 2019/453; there are other amending instruments but none is relevant.
(**b**) EUR 2016/403.

"Unable to produce records of current day and the previous 28 days or 56 days, whichever is applicable";

(b) in row 23, for the entry in the third column (Type of infringements) substitute—

"Unable to produce manual records and printouts made during the current day and the previous 28 days or 56 days, whichever is applicable".

Signed by authority of the Secretary of State for Transport

Lilian Greenwood
Parliamentary Under Secretary of State
Department for Transport

26th March 2025

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend 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 ("Regulation (EC) No 561/2006") and modify Regulation (EU) No 165/2014 of the European Parliament and of the Council of 4 February 2014 on tachographs in road transport, repealing Council Regulation (EEC) No 3821/85 on recording equipment in road transport and amending Regulation (EC) No 561/2006 of the European Parliament and of the Council on the harmonisation of certain social legislation relating to road transport ("Regulation (EU) No 165/2014"), which both extend to the United Kingdom. These Regulations implement aspects of the Trade and Cooperation Agreement between the United Kingdom of Great Britain and Northern Ireland, of the one part, and the European Union and the European Atomic Energy Community, of the other part, done at Brussels and London on 30th December 2020 ("the TCA"), relating to road freight and passenger transport.

Regulation 2 amends Regulation (EC) No 561/2006 to—

(a) adjust the scope of application of that Regulation in order to align with international obligations within the TCA;

(b) amend the definition of "special regular passenger services" in order to make clear that such services must also meet the requirements of "regular passenger services", and to set out specific examples of special regular passenger services as provided under Article 474 of the TCA;

(c) omit provision which relates to international occasional passenger services, as such journeys no longer fall within scope of Regulation (EC) No 561/2006, and the related definition.

Regulation 3 modifies Regulation (EU) No 165/2014 to implement the requirement under Article 10 of Section 4 of Part B of Annex 31 to the TCA, which requires drivers of vehicles within scope of that Article to keep tachograph records for 56 days, rather than 28 days.

Regulation 4 makes consequential amendments to Commission Regulation (EU) 2016/403 of 18 March 2016 supplementing Regulation (EC) No 1071/2009 of the European Parliament and of the Council with regard to the classification of serious infringements of the Union rules, which may lead to the loss of good repute by the road transport operator, and amending Annex III to Directive 2006/22/EC of the European Parliament and of the Council, which relates to infringements committed by operators of goods and passenger vehicles. These amendments are consequential to changes being made by regulations 2(4) and 3(2).

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

An Explanatory Memorandum is published alongside this instrument at www.legislation.gov.uk.

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