



Trace 2

Efficient and harmonised enforcement of Mobility Package 1

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TRACE 2 Enforcement Guidance Document on New provisions of regulation (EC) No 1072/2009 as modified by Regulation (EU) 2020/1055 – Access to Market



Table of contents

- 1. Introduction..... 1
- 2. Rules on access to the road haulage market..... 2
 - 2.1. The EU rules 2
 - 2.2. Additional relevant rules and agreements covering access to the road haulage market, including cabotage..... 2
 - 2.3. Geographical scope of the application of cabotage rules..... 3
 - 2.4. The relevance of the EU Combined Transport rules..... 4
- 3. Controls and sanctioning 6
- 4. Roadside checks..... 9
- 5. Engagement with drivers 11
 - 5.1. Communication..... 11
 - 5.2. Production of evidence 11
 - 5.3. Approaching drivers 11
- 6. Regulation (EC) No 1072/2009 – Understanding the cabotage rules 13
 - 6.1. Definition of cabotage 13
 - 6.2. Structure of the cabotage rules..... 13
 - 6.2.1. Article 8(1) describes which road goods transport undertakings are authorised to carry out cabotage operations. 13
 - 6.2.2. Article 8(2) regulates the conditions for a legal cabotage operation (transport for hire and reward). This includes: 13
 - 6.2.3. Article 8(3) regulates the evidence required to prove compliance with Article 8(2). Evidence must be made available upon requested from an authorised inspector for: 25
 - 6.2.4. Article 8(4a) describes when, how and within what period the evidence referred to in paragraph 3 must be produced. The evidence must be produced during the roadside inspection, not afterwards. 26
- 7. Regulation (EC) No 1072/2009, amended by Regulation (EU) 2020/1055 – The new provisions..... 27
 - 7.1 Article 1.5 (c) – Scope..... 27
 - 7.1.1 Text and explanation of the article 27
 - 7.1.2 Identification of potential offences..... 27
 - 7.1.3 What to check at the roadside and how? 27
 - 7.1.4 Outcome: 28
 - 7.1.5 Notes..... 28
 - 7.2 Article 1.5 (ca) – Scope..... 32
 - 7.2.1 Text and explanation of the article 32
 - 7.2.2 Identification of potential offences..... 32
 - 7.2.3 What to check at the roadside and how? 32
 - 7.2.4 Outcome: 32
 - 7.2.5 Notes: See Section 7.1 above..... 32
 - 7.3 Article 8.2a – Cabotage – cooling-off period 33

7.3.1 Text and explanation of the article	33
7.3.2 Identification of potential offences.....	34
7.3.3 What to check at the roadside and how?	34
7.3.4 Outcome:	34
7.3.5 Notes.....	35
7.4 Article 8.3, first paragraph – cabotage – cooling-off period	35
7.4.1 Text and explanation of the article	35
7.4.2 Identification of potential offences.....	36
7.4.3 What to check at the roadside and how?	36
7.4.4 Outcome	36
7.4.5 Notes.....	36
7.5 Article 8.4 a – evidence to prove compliance by electronic means	36
7.5.1 Text and explanation of the article	36
7.5.2 Identification of potential offences.....	36
7.5.3 What to check at the roadside and how?	36
7.5.4 Outcome	37
7.6 Article 8.5 – cabotage – scope.....	37
7.6.1 Text and explanation of the article	37
7.6.2 Identification of potential offences.....	37
7.6.3 What to check at the roadside and how?	37
7.6.4 Outcome	37
7.6.5 Notes: See <i>Section 7.1</i>	38
7.7 Article 10.7 – application of quantitative restrictions to the road legs of combined transport	38
7.7.1 Text and explanation of the article	38
7.7.2 Identification of potential offences.....	39
7.7.3 What to check at the roadside and how?	39
7.7.4 Outcome	40
7.7.5 Notes: See <i>Section 7.1 above</i>	40
7.8 Article 14 a – shared liability	40
7.8.1 Text and explanation of the article	40
7.8.2 Identification of potential offences.....	40
7.8.3 What to check at the roadside and how?	40
7.8.4 Outcome	40
7.8.5 Notes.....	41
Annex 1 – Questions and answers of the European Commission	42
Annex 2 – Specific national provisions applicable for cabotage operations in EU Member States	50
Annex 3 – Driver attestations	54
Sources	56

Abbreviations & Acronyms

CMR	Convention on the Contract for the International Carriage of Goods by Road
EC	European Commission
e-CMR	Electronic CMR
ECMT	European Conference of Ministers of Transport
EEA	European Economic Area
EEC	European Economic Community
eFTI	Freight Transport Information
ERRU	Electronic Register for Road Transport Undertakings
EU	European Union
MS	Member State
TCA	Trade and Cooperation Agreement
UK	United Kingdom

Table of figures

Figure 1 - the EU, EEA and the United Kingdom and Northern Ireland 3

Figure 2 - NOT ALLOWED! Cabotage before the complete unloading of the incoming international journey..... 15

Figure 3 - Three cabotage operations in a single host Member State..... 16

Figure 4 - NOT ALLOWED! Four consecutive cabotage operations in one single host Member State 17

Figure 5 - THREE cabotage operations in three host Member States 18

Figure 6 - NOT ALLOWED! Two cabotage operations in one host Member State when spreading the cabotage operations over several host Member States during the same seven-day cabotage period 18

Figure 7 - end of the cabotage period on a Saturday 20

Figure 8 - END of the cabotage period on a Saturday with a public holiday on the following Monday 20

Figure 9 - illustration of the seven-day cabotage period in one single host Member State..... 21

Figure 10 - illustration of the three-day cabotage period 21

Figure 11 - ILLUSTRATION of the seven-day cabotage period in three host Member States 22

Figure 12 – NOT ALLOWED! Unloading of cabotage after 23:59 of the last day of the cabotage period 22

Figure 13 - Examples of light commercial vehicles above 2.5 tonnes, used in international goods transport for hire and reward 31

Figure 14 - Cooling-off period 33

Figure 15 - practical application of the rule across the days of the week..... 46

Figure 16 - practical application of the rule across the days of the week..... 48

1. Introduction

The purpose of this document is to record a commonly agreed and simplified explanation of *Regulation (EC) No 1072/2009*¹ as last modified by *Regulation (EU) 2020/1055*². In terms of scope, the document focuses on the new provisions which were introduced by the latter Regulation in August 2020. However, the document will also further clarify and refer to, where relevant, other provisions of the Regulation and provisions of other relevant rules and agreements such as *Directive 92/106/EC* on combined transport and the Trade and Cooperation Agreement between the European Union and the United Kingdom³.




The explanations given in the present document describe how the EU cabotage rules and the derogation for applying quantitative restrictions on domestic combined transport road legs should be applied from an EU perspective. Guiding case law exists. In addition, the European Commission provided [guidance notes on various elements of the regulations](#). The guidance notes are available in *Annex 1*. The interpretation of the EU law is ultimately the prerogative of the Court of Justice of the European Union.

The present document does not seek to reinterpret the rules and to suggest further changes. Sufficient consultation has taken place to indicate that the content represents a good foundation on which to base the creation of the training products that are valid and fit for purpose.

As most of the new provisions introduced through *Regulation (EU) 2020/1055* relate to cabotage and cabotage is, for the purposes of *Regulation (EC) No 1072/2009*, an activity carried out by a transport undertaking engaged in international carriages of goods not established in the host Member State where it takes place, this document will mainly focus on roadside inspections.

This document is based on the most up to date information available, seeks to explain the rules in an easy manner and focusses on enforceability. Guidance is provided on how a particular rule can be practically enforced.

Different chapters in the document use figures with arrows (see *Section 6*) to explain scenarios. For the arrow colours the following must be noted:

	The blue arrow indicates a loaded incoming international journey
	The red arrow indicates a cabotage operation
	The white arrow indicates an empty incoming international journey

¹ Regulation (EC) No 1072/2009 on common rules relating to access to the international road haulage market.
² Regulation (EU) 2020/1055 amends, inter alia, the original Regulation (EC) No 1072/2009 and applies since 21 February 2022.
³ "United Kingdom" will be used throughout this document. The official name is the United Kingdom of Great Britain and Northern Ireland.

2. Rules on access to the road haulage market

2.1. The EU rules

Rules on access to the road haulage market were first introduced on a community-wide basis by the *First Council Directive of 23 July 1962 on the establishment of common rules for the carriage of certain types of goods by road* which exempted the carriage of certain types of goods by road from any quota or authorisation system.

An important milestone came with the *Judgment of the Court of Justice of 22 May 1985 on Case C-13/83 – Parliament v Council* which found that the Council had failed to introduce before the end of the transition period laid down in the Treaty of Rome, adequate provisions on the freedom to provide international transport and on the permission for non-resident road transport undertakings to provide national transport services in other Member States.

The foundations for the access to the EU road haulage market principles which are based on qualitative criteria and that we know today were laid down in *Regulation (EEC) No 881/92 of 26 March 1992* and started to apply on 1 January 1993. This was also the starting date for the Single European Market. This Regulation only covered transports to and from a Member State and in transit through the territory of Member States. *Regulation (EEC) No 3118/93 of 25 October 1993* was adopted to cover the permission for non-resident road transport undertakings to provide national transport services in other Member States, or cabotage.

The rules on access to the intra-EU market, transit and cabotage were brought together in one single text with *Regulation (EC) No 1072/2009*. This Regulation contains, for the first time, a chapter laying down provisions on sanctions and penalties to be imposed by the Member State of establishment and by the host Member State. This Regulation also includes a reference to the application of *Directive 92/106/EEC* on combined transport.

The EU rules on access to the road haulage market were most recently modified by *Regulation (EU) 2020/1055* which further develops the rules on enforcement and establishes a possibility for Member States to apply quantitative restrictions on domestic combined transport road legs as a derogation from *Directive 92/106/EEC* in certain limited cases.

2.2. Additional relevant rules and agreements covering access to the road haulage market, including cabotage.

The Agreement of the European Economic Area (EEA) stipulates that the EU rules on access to the road haulage market also apply to undertakings established in a Member State of the EEA⁴.

The United Kingdom is no longer part of the EU since 1 February 2020 and has not become part of the EEA. The United Kingdom concluded a Trade and Cooperation Agreement (TCA)⁵ with the EU which also lays down rules for mutual access to their respective road haulage

⁴ Regulation (EC) No 1072/2009: Adopted by Joint Committee Decision to include in the EEA Agreement in May 2014, with a compliance obligation from August 2015. Regulation (EU) 2020/1055: Adopted by Joint Committee Decision to include in the EEA Agreement in March 2022, with an entry into force decision pending.

⁵ This agreement can be found [here](#)

markets, including rules on cabotage. Where appropriate, reference will be made to the TCA, especially where the rules deviate from those laid down in the EU Regulations.

The Agreement between the European Community and the Swiss Confederation on the Carriage of Goods and Passengers by Rail and Road⁶ provides rules on access to the respective road haulage markets of the parties. It does not however authorise cabotage in an individual EU Member State for transport operators established in the Swiss Confederation or vice-versa.

2.3. Geographical scope of the application of cabotage rules

Cabotage is the transport of goods carried out on a temporary basis on the territory of a single host country by a road goods transport undertaking not established in that host country. Cabotage is carried out for hire and reward. Road goods transport undertakings from the following countries are entitled to perform cabotage operations in the territories of the **EU Member States** (see *Figure 1* and *Table 1*):

- **The EU:** Austria, Belgium, Bulgaria, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxemburg, Malta, the Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden.
- **The EEA:** Iceland, Liechtenstein, and Norway.
- **The United Kingdom and Northern Ireland.**⁷

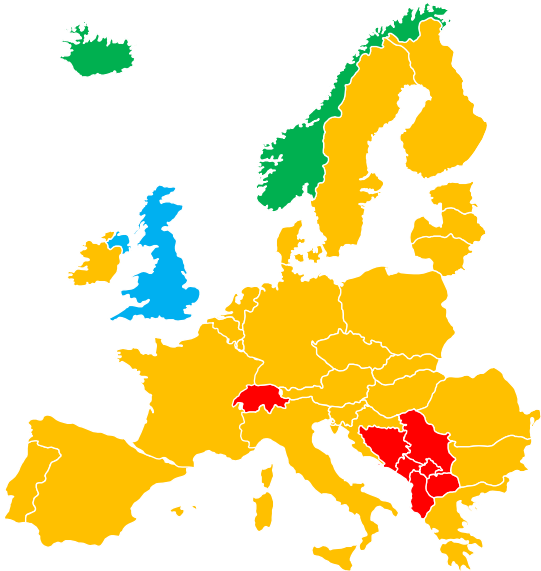


FIGURE 1 - THE EU, EEA AND THE UNITED KINGDOM AND NORTHERN IRELAND

⁶ This agreement can be found [here](#)

⁷ Article 462 of the EU-UK Trade and Cooperation Agreement (TCA)

	EU Member States
	Non EU EEA Member States
	The UK and Northern Ireland

When the vehicle is stopped in the EU/EEA		Cabotage allowed?			
		EU	EEA	UK	Other third country
Country of registration	EU				
	EEA				
	UK				
	Other third country				

	Cabotage is allowed subject to compliance with EU rules
	Cabotage is allowed subject to compliance with the provisions of the EU-UK TCA
	Cabotage is not allowed, unless otherwise specified in existing bilateral agreements (or any other relevant rules or agreements as regards vehicles registered in other third country doing cabotage in other third countries)
	Not applicable

TABLE 1 - OVERVIEW OF WHERE ROAD GOODS TRANSPORT CABOTAGE IS ALLOWED

2.4. The relevance of the EU Combined Transport rules

The EU rules on access to the road haulage market interact closer with the EU combined transport rules⁸. According to those rules, a *combined transport operation* means intermodal transport of goods between EU and EEA⁹ Member States, where part of the transport is by rail, inland navigation or by sea and the other part is on road, and the full operations meet the specific conditions set in *Article 1 of Directive 92/106/EEC*.

Directive 92/106/EEC only covers international combined transport operations between Member States. A combined transport operation is considered international when at least one of the modal legs crosses an EU/EEA border. The operation can start or end outside of the Union and can cross a third country.

⁸ Directive 92/106/EEC

⁹ Directive 92/106/EEC entered into force for the EEA on 1 July 1994 after a Joint Committee Decision to incorporate this legal act in the EEA Agreement.

Under *Article 10(7) of Regulation (EC) No 1072/2009*, in case of established misuse of *Article 4 of Directive 92/106/EEC* and after notifying the European Commission¹⁰, Member States can choose to apply quantitative restrictions on road legs of a combined transport journey where such road legs do not cross a border. The quantitative restrictions may be the same as cabotage rules or may be different (see *Annex 2*). Therefore, where appropriate, reference will also be made to the provisions of the combined transport rules.

¹⁰ Member States shall make their rules, including the length of the respective periods, publicly available in a transparent manner.

3. Controls and sanctioning

Authorised inspectors can check compliance with the road haulage market access rules at the premises of the undertaking or at the roadside. The new provisions introduced in *Regulation (EU) 2020/1055* mostly relate to cabotage which can most effectively be checked at the roadside in the host Member State(s) where cabotage takes place.

Regulation (EU) 2020/1055 provides that the checks carried out under *Article 2 of Directive 2006/22/EC*¹¹ should include a check on cabotage operations, when relevant Member States should also carry out concerted roadside checks on cabotage at least twice per year. More detailed information is available in *Section 5* of this document.

When a driver or road transport undertaking claims to operate as part of a combined transport operation, the following three situations are possible:

- Where the host Member State does not use the derogation to apply quantitative restrictions to the road legs of an international combined transport operation under *Article 10(7) of Regulation (EC) No 1072/2009*, only compliance with the combined transport rules needs to be checked.
- Where the host Member State applies identical quantitative restrictions on combined transport road legs as on cabotage, only compliance with cabotage rules has to be checked.
- Where the host Member State applies different quantitative restrictions on combined transport than on cabotage (longer period for operations to take place than for cabotage or shorter cool-off period), compliance with combined transport and dedicated rules on quantitative restrictions on combined transport road legs have to be checked.

Several tools can be used to check vehicles. It should be noted that authorised inspectors should have access to the records of a road goods transport undertaking that are stored in the Electronic Register for Road Transport Undertakings (ERRU) at the roadside, including the risk-rating profile. Information exchange is essential to facilitate the control of cabotage rules:

- 1) **Licence plate recognition:** this can be useful to pre-select vehicles based on the country of registration of the vehicle, the country of establishment of the undertaking and or the risk-rating profile of the undertaking. Pre-selection should happen on a non-discriminatory basis when considering the nationality of the vehicle or road goods transport undertaking. When using the country of registration of the vehicle as a selection criterion, vehicles registered in the host Member State should not be excluded given the fact that an undertaking can use a vehicle hired without driver in the host country to carry out cabotage in that host Member State.
- 2) **Tachograph records:** tachograph records can give important indications about routes and driving activity, including information when borders have been crossed. However, not all vehicles covered by the scope of the cabotage rules are obliged to be equipped with a tachograph.
- 3) **Road transport consignment notes or equivalent:** These provide a lot of information on the operational activity of the motor vehicle and can be used to proof compliance with

¹¹ [Directive 2006/22/EC](#) of 15 March 2006 on minimum conditions for the implementation of Regulations (EC) No 561/2006 and (EU) No 165/2014 and Directive 2002/15/EC as regards social legislation relating to road transport activities, recently amended by [Directive \(EU\) 2020/1057](#)

Articles 8 (2), (2a), (3) and (4) of Regulation (EC) No 1072/2009. They can be provided in paper or in electronic format (usually in pdf or equivalent). The implementation of the Electronic Freight Transport Information (eFTI) Regulation¹² will provide the legal framework for the use of electronic evidence to prove compliance with certain EU rules, including those related to cabotage and combined transport. The transport undertakings and drivers will not be obliged to present evidence electronically. It will also be possible to use mix of paper and electronic evidence. However, all authorities and authorised inspectors will need to be able to accept transport information provided electronically according to the eFTI Regulation from the date of its full implementation. For cases where authorised inspectors cannot access the electronic evidence directly from their own devices, the driver or road goods transport undertaking must always be able to present the evidence in a human-readable format.

It should be noted that usually, a consignment note accompanies the goods. This could provide challenges in making the consignment notes available on a motor vehicle carrying a loading unit (container, swap body, semi-trailer or trailer) in an unaccompanied combined or intermodal transport operation. However, the consignment note information should always be accessible from the motor vehicle (either directly available or upon request from the premises of the transport undertaking during the inspection). The digitalisation of the information required to provide proof of compliance with EU rules will facilitate this.

- 4) **Permits and authorisations:** Road goods transport undertakings may have authorisations and permits on board to prove allowance to carry out certain operations. Generally, third country road goods transport undertakings are not allowed to carry out cabotage in the EU (except the UK). For national road legs of intra-EU combined transport operations, it depends on the Member State. The absence of bilateral agreements between a host Member State and a third country or a third country not being a signatory to a multilateral market access framework such as the ECMT Multilateral Quota System can already give indications of what is allowed and what not. The ECMT System is complementary to bilateral permits and excludes the possibility to undertake cabotage.
- 5) **Other evidence:** Trying to establish whether a motor vehicle or combination is involved in intra-EU combined or multimodal transport can also be checked through evidence from the non-road modes of transport such as consignment notes, stamps of terminals or tickets for the boarding of the non-road mode of transport.

It should also be noted that the authorised inspectors are not all equipped in the same way to carry out checks. The equipment can vary between Member States. Concerted checks involving authorised inspectors from different Member States contributes to the bridging of potential shortcomings in equipment.

In terms of sanctioning, without prejudice to any criminal prosecution, the competent authorities of the host Member State shall be empowered to impose penalties on a non-resident road goods transport undertaking having committed infringements on their territory, including during a cabotage operation. They impose such penalties on a non-discriminatory basis. These penalties may, *inter alia*, consist of a warning, or, in the event of a serious infringement, a temporary ban on cabotage operations on the territory of the host Member State where the infringement was committed. The host Member State must inform the Member State of

¹² [Regulation \(EU\) 2020/1056](#) on electronic freight transport information (eFTI).

establishment in case a serious infringement has been detected and can request the imposition of additional administrative penalties such as a warning, a temporary or permanent withdrawal of some or all the certified true copies of the Community licence of even of the main Community licence.

In case additional penalties are imposed by the Member State of establishment, they should be proportionate to the level of committed infringements and should take into consideration any penalty already received in host Member State.

Several infringements have been included in the Commission Regulation relating to the classification of serious infringements¹³. Infringements of *Articles 8 (2), 8 (2a), 8 (3), and 8 (4) of Regulation (EC) No 1072/2009* are classified as a “very serious infringement”. It should also be noted that offences and infringements against cabotage should be considered by the Member State of establishment in the evaluation of the good repute of a road goods transport undertaking and its transport manager(s)¹⁴. Under certain conditions, sanctions can also be applied to consignors, freight forwarders, contractors, and subcontractors. More information can be found in *Section 7*.

¹³ [Regulation \(EU\) 2016/403](#) 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.

¹⁴ Article 6 of Regulation (EC) No 1071/2009 establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator, as amended by Regulation (EU) 2020/1055.

4. Roadside checks

Compliance with the cabotage rules is normally checked at the roadside by the control authorities of the host Member State(s) where cabotage can be done. In this chapter, the road haulage market access provisions that should be checked during a roadside check are summarised.

In the illustrated scenario, an authorised inspector stops an EU registered vehicle combination not registered in the host Member State:

Community licence:	<ul style="list-style-type: none"> ○ to check if the undertaking carries for hire and reward, the certified true copy should be requested. ○ in case no certified true copy is available, compliance with the own account rules can be checked.
Third country driver attestation:	<ul style="list-style-type: none"> ○ Identity papers of the driver should be checked. ○ If the driver is not a national of a Member State nor a long-term resident, the third country driver attestation should be requested.
Type of operation:	<ul style="list-style-type: none"> ○ The movements of the motor vehicle or combination should be checked, and border crossings identified. The tachograph records and consignment notes (or equivalent) can be used. ○ It should be established if an operation is part of an international combined transport operation or not. ○ In case it is a road-only operation and there is no border crossing, it is a national operation; in this case cabotage. Compliance with <i>Article 8 of Regulation (EC) No 1072/2009</i> should be checked. ○ In case it is a combined transport road leg and there is no border crossing, it may be subject to quantitative restrictions if the host Member State applies the derogation to road legs of an international combined transport operation. If the derogation applies identical restrictions on combined transport road legs, only cabotage rules (<i>Article 8 of Regulation (EC) No 1072/2009</i>) need to be checked. If the Member State applies dedicated restrictions, compliance with those needs to be checked.
Cabotage – Incoming loaded journey:	<ul style="list-style-type: none"> ○ The last incoming international loaded journey should be traced. This is essential. It can originate in another host Member State or a third country. The tachograph records and consignment notes should be requested. For the incoming operation, all information listed in <i>Article 8(3) of Regulation (EC) No 1072/2009</i> should be provided during the roadside check. This evidence is normally available in a consignment note and can be provided on paper or electronically (in both machine- and human-readable format). The driver is allowed to contact the base of the road goods transport undertaking, but the evidence must be provided before the end of the roadside check.
Cabotage – Number of operations:	<ul style="list-style-type: none"> ○ The number of cabotage operations should not exceed three over a seven-day period if done in the same host Member State. Only one cabotage operation is allowed if the last international unloading happened in another Member State, but the total cabotage period remains seven days (within the specific limits applicable for cabotage in another Member State). For each cabotage operation, all information listed in <i>Article 8(3) of Regulation (EC) No 1072/2009</i> should be provided during the roadside check. This evidence is normally available in a consignment note and can be provided on paper or electronically (in both machine- and human-readable format). The driver is allowed to contact the premises of the road goods transport undertaking, but the information must be provided during the roadside check.

<p>Cabotage – Seven-day period:</p>	<ul style="list-style-type: none"> ○ The seven-day period must be respected in all cases. A cabotage period ends in a host Member State when the vehicle leaves that Member State before the end of the seven-day period. At the end of a cabotage period, a motor vehicle is not obliged to leave a host Member State. All cabotage carried out since a last international unloading must happen within a period of seven days (see <i>Section 5.4</i>). Where the cabotage operations take place in several host Member States during a seven-day period, cabotage operations not taking place in the host Member State of the last unloading of the international incoming goods should happen within three days after entry in these host Member States. In case of road legs of a combined transport operation, a Member State can extend the seven-day period, the number of operations cannot be increased. Tachograph records and consignment notes should be used to check.
<p>Cabotage – Cooling-off:</p>	<ul style="list-style-type: none"> ○ It should be checked if the motor vehicle is not undertaking national transports during a cooling-off period referred to in <i>Article 8(2a)</i> for that Member State. International transports are allowed. The evidence required in <i>Article 8 (2) and 8 (3)</i> should be checked. ○ The period preceding the entry into the country should be checked to identify the cabotage history for this motor vehicle or combination in that host Member State and compliance with a four-day cooling-off (see <i>Section 5.4</i>). Tachograph records and consignment notes should be used to check this.
<p>Combined transport – Use:</p>	<ul style="list-style-type: none"> ○ Evidence should be produced of the length of the journey on the other mode; at least 100 km as the crow flies. ○ In case of a first or final road leg before and/or after the non-road transport, evidence should be produced for the use of another mode of transport during the same operation (rail, sea, inland waterway). This can be done with stamps of terminals or tickets for the other mode. ○ It is up to the road goods transport undertaking or the transport organiser to choose the format and documents for this evidence.
<p>Combined transport – Border crossing:</p>	<ul style="list-style-type: none"> ○ Evidence should be produced of a border crossing element. This can be the road or other modal leg. ○ It is up to the road goods transport undertaking or the transport organiser to choose the format and documents for this evidence.
<p>Combined transport – length of road legs:</p>	<ul style="list-style-type: none"> ○ For rail, transport to the nearest suitable terminal (rail loading station) is permitted. Information should be provided why the chosen terminal is the nearest suitable terminal for a given operation. The suitability of a rail loading station can depend on the availability of equipment for necessary transshipment and for the type of loading unit used, quality of the service provided defined through the opening hours and administrative structures available such as customs and veterinary controls, but also on the rail service provided in the terminal in terms of destinations available, frequency of the trains, reliability of that service and the cost of that service. It is for the transport organiser to establish the suitability of a terminal, provide explanations why terminals closer are not suitable and provide that information to the driver for presentation during road-side checks. For sea and inland waterway, the distance between the loading and unloading point of road legs cannot exceed 150 km as the crow flies. ○ It should be noted that picking up and delivering the empty container from/to container depot before and after the transport of loaded container used for combined transport operation should be considered an integral part of combined transport operation if such pick-up/delivery of empty container is covered by the same transport document than the road leg itself. Such depot runs shall be considered as integral part of a combined transport operation and road leg in particular and shall not be counted as separate operations in the meaning of quantitative restrictions in defined in <i>Article 10 (7) of Regulation (EC) No 1072/2009</i>. However, the distance of such depot runs shall not be counted into the distance limits on combined transport road legs.

5. Engagement with drivers

5.1. Communication

Authorised inspectors will encounter drivers from many different countries; therefore, communication difficulties are inevitable. Any driver from any country, involved in a roadside check, must be aware of the requirement to produce for inspection, certain specific documents proving compliance with the rules. Evidence can be produced on paper or electronically. Authorised inspectors will not need expert linguistic skills to secure this production. When produced electronically, the authorised inspectors will always be able to check the information in a human readable format¹⁵.

However, authorised inspectors must do more than inspect and validate these documents; they must interpret the information contained in them to verify compliance. Invariably this will require that some form of dialogue is conducted, and authorised inspectors could for example make use of interpreter services and translated explanatory notes to aid understanding by both driver and control inspector. Communication is facilitated in the case of concerted roadside checks involving authorised inspectors from several Member States; this increases the language coverage.

5.2. Production of evidence

Authorised inspectors may only understand the entire operational picture of a motor vehicle or combination over a given period by examining other information that the driver may possess such as permits, tickets to board non-road modes of transport, etc. Such documents can therefore be requested from the driver and compared with other evidence; however, authorised inspectors should be aware of any limitation of the right to demand documents. Immediate non-production of evidence by the driver is not necessarily an indication that it is being suppressed to cover up infringements. The driver has the right to contact the premises of the road goods transport undertaking to provide the necessary evidence. The evidence must be produced during the roadside check. The evidence that must be produced on demand is listed under *Section 6*.

5.3. Approaching drivers

Authorised inspectors promote road safety and ensure fair competition by monitoring compliance with those regulations, designed for that purpose. They accept the driver's evidence as being a true version of events unless they find reasons to suspect otherwise and then they must make all necessary enquiries to establish all facts and satisfy themselves of the authenticity of the records and compliance with the Regulations. Authorised inspectors should refrain from a presumption of guilt on the part of drivers or road goods transport undertakings unless they detect evidence to the contrary, although they are entitled to consider the outcomes of previous enforcement checks carried out on an undertaking's motor vehicles or combinations when targeting their activities. They should guard against adopting behaviour which would be seen by drivers as superior and condescending and which only builds barriers between the authorised inspector and the driver. Exercising professional judgement when evaluating infringements, authorised inspectors should consider mitigating circumstances and when force majeure events

¹⁵ According to the eFTI Regulation, the road goods transport undertakings or drivers have the right to present, in the first place, only a link to the information. The Member States should ensure that their authorised inspectors are equipped so that they can read that link and retrieve the information in human readable format. In addition, to cater for situations where for one reason or another (no internet connection, server down etc) the authorised inspector cannot access the information based on the link, at the moment of inspection, they may ask the road goods transport undertaking or driver to provide the information also in human readable format.

arising from the pressures exerted upon commercial transport operations from many quarters, affect regulatory compliance. They should ensure their enquiries are carried out in a professional manner with objectivity and impartiality.

6. Regulation (EC) No 1072/2009 – Understanding the cabotage rules

Whereas the present guidelines aim to focus on the new provisions that have been introduced in the EU road haulage market access rules by *Regulation (EU) 2020/1055*, enforcement can only be efficiently done with a background explanation of the all the cabotage provisions in the third chapter of *Regulation (EC) No 1072/2009*.

6.1. Definition of cabotage

Cabotage transport, as defined in *Article 2(6) of Regulation (EC) No 1072/2009*, is the temporary national transport of goods for hire and reward within a host Member State in accordance with the said Regulation. Road goods transport undertakings operating vehicles with a permissible laden mass above 2.5 tonnes in international hire and reward transport should have a community licence before they can do international carriage and cabotage.

Where a road goods transport undertaking is entitled, in its Member State of establishment, to carry out road haulage operations for hire and reward for the carriage of mail as a universal service, the carriage of vehicles which have suffered damage or breakdown, or with vehicles with a permissible laden mass below 2.5 tonnes, this undertaking is allowed to carry out cabotage operations in a host Member State according to the rules laid down in *Chapter III of Regulation (EC) No 1072/2009*, albeit the fact that such an undertaking does not have to have a Community licence (*Article 8(5)*).

6.2. Structure of the cabotage rules

The cabotage provisions in *Article 8 of Regulation (EC) No 1072/2009* are structured as follows:

6.2.1. Article 8(1) describes which road goods transport undertakings are authorised to carry out cabotage operations.

These are hauliers for hire and reward holding a community licence and whose driver, if he or she is a national of a third country, holds a driver attestation.

6.2.2. Article 8(2) regulates the conditions for a legal cabotage operation (transport for hire and reward). This includes:

1. **Conditions to start cabotage:** Cabotage is consecutive to an international carriage from another Member State or a third country. The incoming international carriage of goods in a host Member State must be carried out in its entirety with one single motor vehicle to be allowed to carry out subsequent cabotage operations. It is allowed to change trailers after the incoming international goods transport, as it is the motor vehicle of a combination that qualifies for subsequent cabotage operations.

The incoming international carriage of goods must be an actual shipment covered by a contract. If the purpose of the transport is merely to acquire the right to carry out cabotage transport in a host Member State, it may be considered as not complying with the condition of an international loaded transport. For example, a motor vehicle with a turntable (tractor unit) without a trailer attached (semi-trailer) does not offer cargo

space and therefore cannot carry out an incoming international freight transport that qualifies for subsequent cabotage operations.

The international carriage of empty packaging and load units is not always considered as a load allowing consecutive cabotage operations in a host Member State. Several elements should be considered:

- When empty containers, pallets or packaging are transported under the coverage of a transport contract (such as a consignment note) from one Member State to another, the carriage should be considered as a carriage of goods by road for hire or reward accounting for an international carriage. In such cases, the transport of the empty containers, pallets or packaging is either the object, or forms an integral part of the transport contract.
- When empty containers, pallets or packaging are not transported under the coverage of a transport contract the carriage, in principle, this should not be considered as a carriage of goods by road for hire or reward.
- If those empty containers, pallets, or packaging are owned by the haulier, and if the international carriage complies with the conditions for own account carriage under *Article 1(5)(d) of Regulation (EC) No 1072/2009*, the carriage should be considered as an incoming international carriage and the haulier is permitted to carry out cabotage operations following that international carriage, in application of *Article 8(6)* and subject to the conditions set out in *Article 8(2) to (4) of Regulation (EC) No 1072/2009*¹⁶.

Cabotage operations are also allowed consecutive to an international incoming journey from a third country provided the incoming journey is loaded. It is not possible to enter a host Member State empty from a third country and carry out three consecutive cabotage operations in three different host Member States. The international carriage must be to a Member State, not to a third country. If the international carriage is to a third country, then the motor vehicle is not entitled to any cabotage operations. A vehicle combination carries a load from Member State A to a third country and fully unloads the incoming international goods in the third country. The vehicle combination returns empty to Member State B on route to Member State C; the vehicle combination is not allowed to undertake any cabotage operation in Member State C. However, a vehicle combination carries a load from Member State A to Member State D, transiting through a third country and fully unloads the incoming international goods in Member State D. The vehicle combination returns empty to Member State B on route to Member State C transiting the third country; the vehicle combination is allowed to undertake one cabotage operations in Member State C.

Infringement 1: If the international incoming loaded operation was not carried out with the same motor vehicle used for the cabotage transport.

Infringement 2: The shipment of goods for hire and reward is not actually covered by a contract (unless the international carriage complies with the conditions for own account carriage under *Article 1(5)(d) of Regulation (EC) No 1072/2009*).

Infringement 3: The load consists of empty pallets or empty containers and the driver or transport undertaking cannot provide evidence that they are carried under contract or that they are owned by the transport undertaking (unless the international carriage

¹⁶ See the ruling of the Court of Justice of the European Union Ruling C-937/19 – (Request for a preliminary ruling by Amtsgericht Köln, Germany) for further explanation.

complies with the conditions for own account carriage under *Article 1(5)(d) of Regulation (EC) No 1072/2009*.

Infringement 4: An EU registered vehicle combination returns from a third country empty and carries out cabotage in an EU Member State and cannot provide evidence that it has unloaded in a Member State.

- 2. When can cabotage start:** Before cabotage operations can start in a host Member State, the entire load (all goods) of the incoming international goods transport must have been unloaded. The incoming international transport of goods must have been terminated at the place of delivery indicated by the consignee of the goods and mentioned in a consignment note or equivalent.

Cabotage operations may start immediately after the last unloading of the load of the incoming international goods transport operation, even on the day of unloading. (*Article 8 (2)*). The cabotage period only starts at midnight after the last unloading of the incoming international journey. Example, the last unloading takes place at 15:00 on a Wednesday, the cabotage period starts on the Thursday at 00:00 hours and ends the next Thursday at 23:59.

Infringement: Where a cabotage operation starts without being preceded by an international incoming loaded road haulage operation that has not been fully unloaded, in a host Member State.

Figure 2 shows a not allowed operation where a 50% loaded Polish vehicle combination carries goods from Poland to Germany and loads after crossing the border, additional goods in Germany for a destination in Germany. During this operation, international (blue arrow) and cabotage (red arrow) goods are carried together during the same journey.

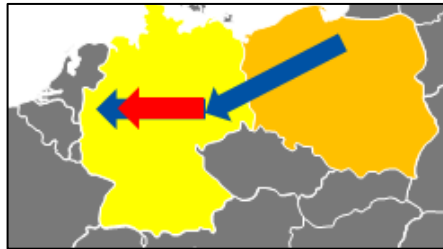


FIGURE 2 - NOT ALLOWED! CABOTAGE BEFORE THE COMPLETE UNLOADING OF THE INCOMING INTERNATIONAL JOURNEY

There are two possible scenarios to do cabotage:

- Where all cabotage is only carried out in a single host Member State: This is the host Member State where all the goods of an incoming international carriage are unloaded. In this scenario, cabotage cannot start before all goods of the international carriage have been unloaded. Cabotage can start as soon as all the goods of the incoming international carriage have been unloaded.
- Where the cabotage is carried out in several host Member States: This is generally done when it is not possible to do three cabotage operations in a host Member State where all the goods of the international carriage have been unloaded, for

example because of the cooling-off rule under *Article 8(2a) of Regulation (EC) No 1072/2009*. In this case, cabotage operations can be undertaken in three different host Member States, including the host Member State where all the goods of the international carriage have been unloaded (providing of course that no cooling-off rule applies at that time in the latter Member State).

- 3. Number of cabotage operations allowed:** Three cabotage operations can be carried out. The three cabotage operations can be carried out in one or several host Member States. A single cabotage operation can include several loadings and/or unloading points, for example where there is one single freight contract or where the goods have the same consignor or the same consignee¹⁷. A Member State can limit the number of loading and unloading points in its definition of a cabotage operation. It is important for the road goods transport undertaking to verify which rules are applied in a host Member State before planning cabotage operations. This information should ideally be readily made available by the competent authorities of the Member States. (See *Annex 2*).

Figure 3 illustrates three consecutive cabotage operations (red arrows) in a single host Member State (Spain) after complete unloading of an international loaded journey from another Member State (Portugal). In this example, the three cabotage operations are followed by a return international loaded journey from Spain to Portugal.

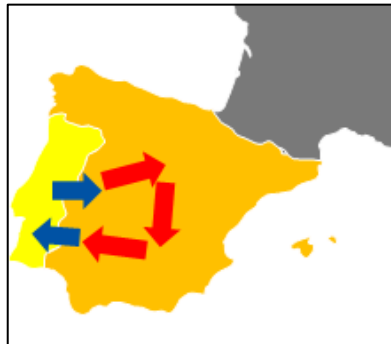
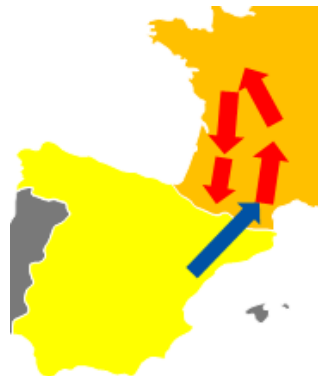


FIGURE 3 - THREE CABOTAGE OPERATIONS IN A SINGLE HOST MEMBER STATE

Infringement 1: If the number of cabotage operations is more than three in the host Member State of the last unloading of an incoming international operation.

¹⁷ See paragraph 42 of the ruling of the Court of Justice of the European Union Ruling C-541/16 – (European Commission v Denmark) for further explanation.

Figure 4 shows a loaded Portuguese vehicle combination entering France from Spain and fully unloading in France (blue arrow). Following the full unloading of the international journey, the Portuguese combination undertakes four consecutive



cabotage operations without leaving France; this is not allowed.

FIGURE 4 - NOT ALLOWED! FOUR CONSECUTIVE CABOTAGE OPERATIONS IN ONE SINGLE HOST MEMBER STATE

Infringement 2: Systematic cabotage not respecting the limits of the number of cabotage operations during the seven-day period. Where a road goods transport undertaking for hire and reward is found to be undertaking systematic cabotage operations in a host Member State with frequent non-compliance of the rules relating to the number of cabotage operations allowed and the time limits, a host Member State can heavily penalise or request the Member State of establishment to act against the undertaking.

Where the cabotage operations are carried out in several host Member States, the ones other than the one of the last unloading of the international carriage should be entered empty and only one cabotage operation is allowed within three days of entry in these host Member States. A single cabotage operation can include several loadings and/or unloading points (see *Annex 2*). It is possible to undertake one or two cabotage operations in the host Member State of the last unloading of the international incoming goods and then drive empty to another Member State to undertake the third cabotage operation. Application of a cooling-off period should always be verified.

Figure 5 illustrates three consecutive cabotage operations (red arrows) in three different host Member States (Austria, Germany and France) after complete unloading of an international loaded journey in Italy from the Netherlands. In this example, the three cabotage operations are followed by a return international loaded journey from France to Belgium.

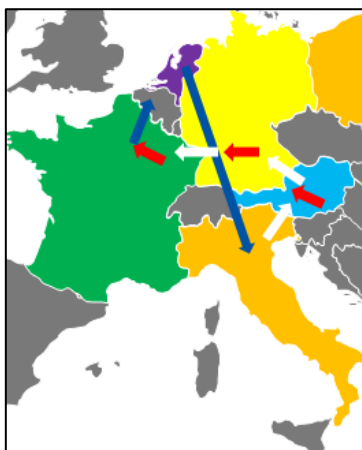


FIGURE 5 - THREE CABOTAGE OPERATIONS IN THREE HOST MEMBER STATES

Infringement 1: The number of cabotage operations allowed is exceeded. Where the cabotage operations are carried out in several host Member States, the ones other than the one of the last unloading of the international carriage should be entered empty and two cabotage operations are done within three days of entry in a host Member State. In this case, the two cabotage operations in a single host Member State are not allowed.

Figure 6 shows a loaded Dutch vehicle combination entering Italy and fully unloading on a Thursday; the vehicle combination drives empty to Austria to do one cabotage operation. The vehicle combination continues empty into Germany on the Friday to do two additional cabotage operations instead of one. In this situation, only one cabotage operation is allowed in Germany.

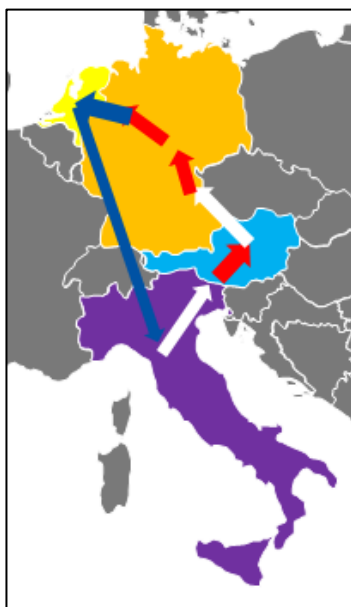


FIGURE 6 - NOT ALLOWED! TWO CABOTAGE OPERATIONS IN ONE HOST MEMBER STATE WHEN SPREADING THE CABOTAGE OPERATIONS OVER SEVERAL HOST MEMBER STATES DURING THE SAME SEVEN-DAY CABOTAGE PERIOD

4. **Time limits:** Before setting out the time limits applicable to cabotage operations, it is important to explain how the time limits are calculated.

Where a time limit expressed in days is to be calculated from the moment an event or act takes place, the day on which the event or act takes place shall not be included in the time limit. The cabotage period starts after the last unloading of an incoming international carriage in a Member State. So, the day of the last unloading of an incoming international event does not form part of the time limit of cabotage. If the last day of a period expressed in days is a public holiday, Sunday or Saturday, the period ends with expiry of the last hour of the following working day. Moreover, any period of two days or more shall include at least two working days¹⁸.

¹⁸ Provisions on time limits are laid down in Regulation (EEC, Euratom) No 1182/71 determining the rules applicable to periods, dates, and time limits.

However, the rule according to which if the last day of the period is a public holiday, Sunday or Saturday, the period ends with expiry of the last hour of the following working day does not apply to periods calculated retroactively such as the period of four days preceding the international carriage set under *Article 8(3)* during which the haulier should provide clear evidence of all operations carried out. This period falls under the exemption for periods calculated retroactively from a given date or event under *Article 3(4), second subparagraph of Regulation (EEC, Euratom) No 1182/71*.

Figure 7 illustrates a case where the last day of the cabotage period falls at 23:59 on a Saturday. Therefore, the cabotage period is extended with one working day.

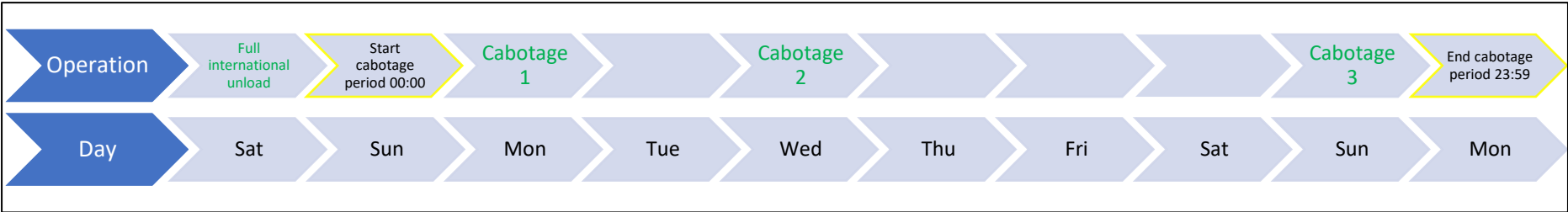


FIGURE 7 - END OF THE CABOTAGE PERIOD ON A SATURDAY

Figure 8 illustrates a case where the last day of the cabotage period ends at 23:59 on a Saturday and the following Monday is a public holiday. Therefore, the cabotage period is extended until Tuesday 23:59.

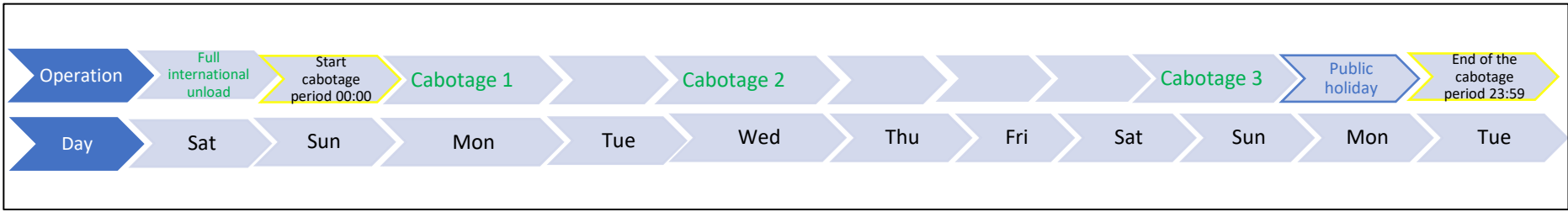


FIGURE 8 - END OF THE CABOTAGE PERIOD ON A SATURDAY WITH A PUBLIC HOLIDAY ON THE FOLLOWING MONDAY

What are the time limits for cabotage?

After the last unloading of an international carriage, a vehicle has seven days to undertake a maximum of three cabotage operations in the same host Member State of the last unloading of the international carriage. Example: the working day period shall start from 00:00 on the day following the last unloading of goods on the incoming international transport. If the last unloading took place at 12:00 on 1 January, the seven-day period starts at 00:00 on 2 January, the following day. This means that the last cabotage operation must have been carried out within seven days, by 23:59 on 8 January at the latest. An additional illustration is given in *Figure 9*.

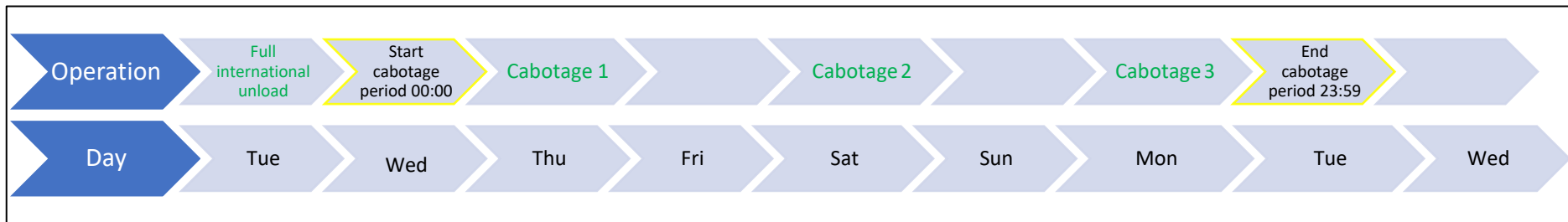


FIGURE 9 - ILLUSTRATION OF THE SEVEN-DAY CABOTAGE PERIOD IN ONE SINGLE HOST MEMBER STATE

In case the allowed cabotage operations cannot be carried out in that Member State, cabotage is allowed in other Member States. The latter should be entered empty and only one cabotage operation per Member State is allowed within three days after entry into the territory of that Member State.

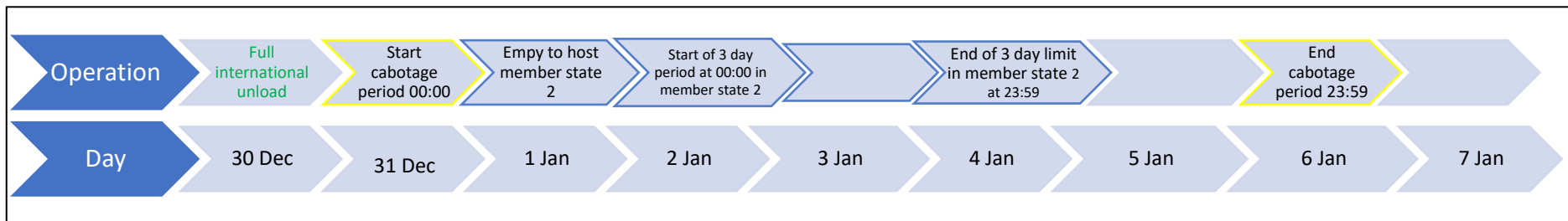


FIGURE 10 - ILLUSTRATION OF THE THREE-DAY CABOTAGE PERIOD

Example: the three-day period shall start at 00:00 the day after the unloaded entry into a host Member State. If the unloaded entry took place at 12:00 on 1 January, the three-day period starts at 00:00 on 2 January, the following day. This means that the last unloading of the single cabotage operation must have been carried out within three days, by 23:59 on 4 January at the latest. The total length of the cabotage period remains seven days.

An additional illustration is given in *Figure 11*, here below.

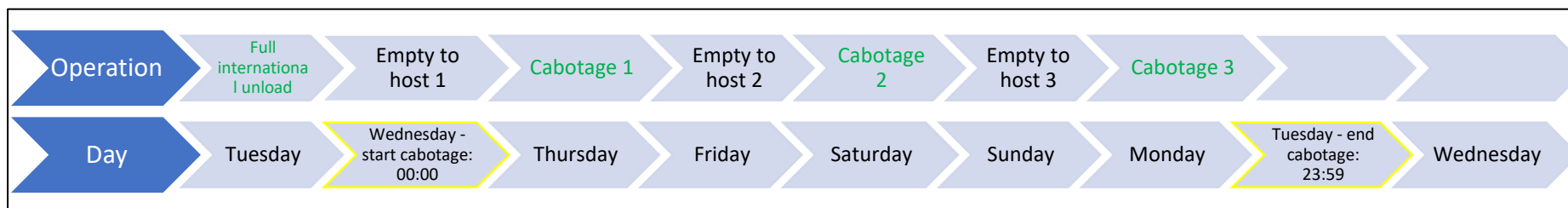


FIGURE 11 - ILLUSTRATION OF THE SEVEN-DAY CABOTAGE PERIOD IN THREE HOST MEMBER STATES

Infringement 1: If more than seven days have elapsed since a full unloading of goods of an incoming international transport. *Figure 12* shows a loaded vehicle combination entering Member State A and fully unloads on a Thursday. Afterwards, three cabotage operations are done without leaving Member State A. The cabotage period of seven days runs until midnight the next Thursday but the last cabotage unloading happens on the next Friday. This is not allowed, the last cabotage unloading should have been done before 23:59 on Thursday.

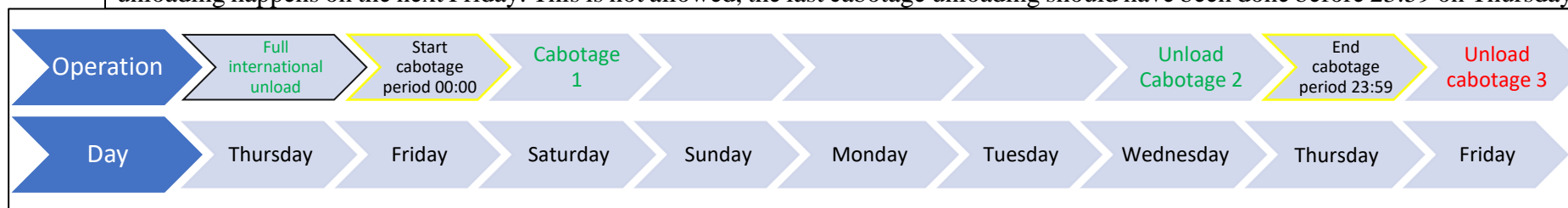


FIGURE 12 – NOT ALLOWED! UNLOADING OF CABOTAGE AFTER 23:59 OF THE LAST DAY OF THE CABOTAGE PERIOD

Infringement 2: Time limit within a host Member State is exceeded. A loaded vehicle combination enters Member State A and fully unloads on a Thursday; the vehicle combination drives empty to Member State B to do one cabotage operation with unloading on the Saturday. The vehicle combination continues empty into Member State C on the Saturday to do another cabotage operation with loading

on the Monday but only unloads the goods on the Wednesday. The three-day period to do one cabotage operation in the host Member State C ended on the Tuesday at midnight, therefore the unloading of the second cabotage operation on the Wednesday is not allowed.

Infringement 3: If the three cabotage operations have been spread over several Member States during the same cabotage period and more than seven days have elapsed since a full unloading of goods of an incoming international transport. A loaded vehicle combination enters Member State A and fully unloads on a Thursday; the subsequent cabotage period ends the next Thursday at midnight. The vehicle combination continues empty into Member State B on the Friday to do one cabotage operation. The vehicle continues empty to Member State C to do a cabotage operation on the following Tuesday. Afterwards, the vehicle combination continues empty to Member State D and does a cabotage operation in Member State D on the next Friday. When the vehicle is checked in Member State D, the inspector will trace the last incoming loaded international journey back to the Thursday, a week ago and established that more than seven days have elapsed since.

Infringement 4: Systematic cabotage not respecting the time limits. Where a road goods transport undertaking for hire and reward is found to be undertaking systematic cabotage operations in a host Member State with frequent non-compliance of the rules relating to the number of cabotage operations allowed and the time limits, a host Member State can either impose effective and proportional penalties or request the Member State of establishment to act against the undertaking.

- 5. Exemptions:** There are no exemptions from the cabotage rules for goods transports for hire and reward. Transports for hire and reward not subject to a Community licence are listed in *Article 1.5 (a), (b), (ca)*. These transports are subject to all rules in *Chapter III* of the Regulation. Transports listed under *Article 1.5 (e)* can be carried out unrestricted by a non-resident road transport undertaking in a host Member State. It should be noted that for combined transport road legs, additional options for own-account transport exist in *Article 9 of Directive 92/106/EEC*.

It should be noted that the events sector is highly mobile and moves frequently between several countries and within different countries and does not always use road goods transport undertakings established in a country where the events take place. Where the events sector uses road goods transport undertakings for hire and reward, no exemptions from the cabotage rules specifically apply to the sector. Only where an event organiser also carries the material used for his events under the transport for own account rules, domestic transports can be carried without restrictions.

- 6. Third Countries:** Road goods transport undertakings established in third countries are generally not allowed to undertake cabotage operations on the territory of individual EU Member States. Earlier on, it has been mentioned that transport undertakings established in the EEA and the United Kingdom have a different regime. They can do cabotage.

Road goods transport undertakings established in the EEA are subject to the same rules as those established in an EU Member State.

Road goods transport undertakings established in the United Kingdom are subject to the provisions of the EU-UK TCA. *Article 462 of the EU-UK TCA* lays down the cabotage and cross-trade provisions for road goods transport undertakings established in the UK:

- **Undertakings established in the UK** can undertake up to two laden operations between Member States consecutive to an international laden journey from the UK

into the EU. They can undertake one cabotage operation within the territory of a single Member State consecutive to an international laden journey into the EU, provided it is performed within seven days of the unloading in the territory of that Member State.

Undertakings established in Northern Ireland can do up to two cabotage operations in the Republic of Ireland consecutive to a laden international journey into the Republic of Ireland. These operations have to be done within seven days of the unloading of the international incoming laden journey. After the seven days, the motor vehicle must return to the UK or Northern Ireland.

The total number of cross-trade and cabotage journeys within a seven-day period cannot be more than two. UK motor vehicles are not subject to a cooling-off period.

- **Undertakings established in the EU** can undertake cabotage in the EU when returning from the United Kingdom or Northern Ireland under the conditions laid down in *Articles 8 (2) and 8 (3) of Regulation (EC) No 1072/2009*.

6.2.3. Article 8(3) regulates the evidence required to prove compliance with Article 8(2). Evidence must be made available upon requested from an authorised inspector for:

- the incoming international carriage.
- every individual cabotage operation.
- carriage operations during a cooling-off period.

The evidence must contain:

- (a) the name, address, and signature of the sender (or consignor).
- (b) the name, address, and signature of the haulier (the actual carrier of the goods).
- (c) the name and address of the consignee as well as his signature and the date of delivery once the goods have been delivered.
- (d) the place and the date of taking over of the goods and the place designated for delivery.
- (e) the description in common use of the nature of the goods and the method of packing, and, in the case of dangerous goods, their generally recognised description, as well as the number of packages and their special marks and numbers.
- (f) the gross mass of the goods or their quantity otherwise expressed.
- (g) the number plates of the motor vehicle and trailer.

It should be noted that the “generally recognised description, as well as the number of packages and their special marks and numbers” should not only be provided for dangerous goods but for all types of goods. Under *Article 8(4)*, no additional document shall be required to prove that the conditions laid down in this Article have been met.

Infringement: The driver and road goods transport undertaking cannot provide the complete set of obligatory evidence of compliance with the cabotage rules as requested by the authorised inspector during the duration of the roadside check.

6.2.4. Article 8(4a) describes when, how and within what period the evidence referred to in paragraph 3 must be produced. The evidence must be produced during the roadside inspection, not afterwards.

Infringement: The driver and road goods transport undertaking cannot provide the obligatory evidence of compliance with the cabotage rules as requested by the authorised inspector during the roadside inspection.

7. Regulation (EC) No 1072/2009, amended by Regulation (EU) 2020/1055 – The new provisions

This section contains an overview of the new provisions introduced by *Regulation (EU) 2020/1055*, the rules are explained, potential infringements are listed, reference to European Commission guidance and Court of Justice case law is included and where relevant, reference to other rules and agreements is included. Most new provisions relate to road haulage cabotage.

7.1 Article 1.5 (c) – Scope

7.1.1 Text and explanation of the article

“[...] until 20 May 2022: carriage of goods in vehicles the permissible laden mass of which does not exceed 3.5 tonnes.”: This provision extends the scope of undertakings required to have a Community licence to those only operating vehicles with a gross vehicle weight of at least 2.5 tonnes in international transport. The undertakings operating mixed fleets will need to have certified true copies of the Community licence for the vehicles between 2.5 – 3.5 tonnes.

7.1.2 Identification of potential offences

- The certified true copy of the Community licence is not on board a vehicle carrying an international load or doing cabotage.
- The certified true copy does not comply with the model in *Annex II of Regulation (EC) No 1072/2009*.
- The certified true copy does not comply with the security features in *Annex I of Regulation (EC) 1072/2009*.
- Systematic cabotage in a host Member State.

7.1.3 What to check at the roadside and how?

- The certified true copy of the Community licence in paper format which must be available on board a motor vehicle above 2.5 tonnes used for international hire and reward transport of goods by road. Operations can only be considered cabotage if they are carried out by road goods transport undertakings not established in a host Member State. The information on the number of certified true copies of the Community licence available to a road goods transport undertaking is available in the ERRU.
- If the driver claims the transport is for own account, compliance with the conditions for own account should be checked. The load and waybills linked to the load should be verified to establish the nature of the operation.
- Use of a file with all the existing formats of the certified true copy of the Community licence.
- Verification of the availability of a Community licence in the premises of the road goods transport undertaking. This might entail contacting the Member State of establishment of the undertaking via official channels.
- The tachograph records can also be used.

7.1.4 Outcome:

- **In scope:**
 - Continue with a check of the nature of the transport operation such as international, national, cabotage, rules on combined transport.
 - Check the availability of the third country driver attestation where relevant.

- **Out scope:**
 - Continue with a check of compliance with rules not related to *Regulation (EC) No 1072/2009*, such as those relating to the use of hired vehicles without driver.

7.1.5 Notes

- The Community licence:
 - If the motor vehicle does not have a certified true copy of the Community licence on board, suspicion of an offence should arise, unless the driver or road goods transport undertaking can provide the necessary proof of compliance with the conditions relating to own account transport¹⁹.
 - In the case of vehicles between 2.5-3.5 tonnes and for which the lower financial requirements established in the second subparagraph of Article 7(1) of Regulation (EC) No 1071/2009 on admission to the occupation of road transport operator are applied, an authority shall write under “particular remarks” of the Community licence or certified true copy “≤ 3.5 t”. However, this should not be done if the higher financial standing requirements are applied to the undertaking and the Member State has informed the European Commission²⁰.

¹⁹ Article 1.5 (d) of Regulation (EC) No 1072/2009

²⁰ The Member States having opted for this regime are published here:

https://transport.ec.europa.eu/transport-modes/road/rules-governing-access-profession_en

Distinguishing sign of the Member State ⁽¹⁾ issuing the licence		Name of the competent authority or body
<p>LICENCE No ...</p> <p>(or)</p> <p>CERTIFIED TRUE COPY No</p> <p>for the international carriage of goods by road for hire or reward</p>		
This licence entitles ⁽²⁾		
<p>to engage in the international carriage of goods by road for hire or reward by any route, for journeys or parts of journeys carried out for hire or reward within the territory of the Community, as laid down in Regulation (EC) No 1072/2009 of the European Parliament and of the Council of 21 October 2009 on common rules for access to the international road haulage market and in accordance with the general provisions of this licence.</p>		
Particular remarks:		
.....		
This licence shall be valid from		to
Issued in		on
..... ⁽³⁾		
<p>⁽¹⁾ The distinguishing signs of the Member States are: (B) Belgium, (BG) Bulgaria, (CZ) Czech Republic, (DK) Denmark, (D) Germany, (EST) Estonia, (IRL) Ireland, (GR) Greece, (E) Spain, (F) France, (I) Italy, (CY) Cyprus, (LV) Latvia, (LT) Lithuania, (L) Luxembourg, (H) Hungary, (MT) Malta, (NL) Netherlands, (A) Austria, (PL) Poland, (P) Portugal, (RO) Romania, (SLO) Slovenia, (SK) Slovakia, (FIN) Finland, (S) Sweden, (UK) United Kingdom.</p> <p>⁽²⁾ Name or business name and full address of the haulier.</p> <p>⁽³⁾ Signature and seal of the issuing competent authority or body.</p>		

- The third country driver attestation
 - Several road goods transport undertakings use drivers from third countries. If the driver is neither a long-term resident nor holds the nationality of the Member State of establishment of the employing undertaking, the driver should hold a driver attestation in compliance with *Article 5 of Regulation (EC) No 1072/2009* (see *Annex 2* for the number of driver attestations issued).

Distinguishing sign of the Member State ⁽¹⁾ issuing the attestation	Name of the competent authority or body																				
<p>DRIVER ATTESTATION No ...</p> <p>for the carriage of goods by road for hire or reward under a Community licence</p> <p>(Regulation (EC) No 1072/2009 of the European Parliament and of the Council of 21 October 2009 on common rules for access to the international road haulage market)</p> <p>This attestation certifies that on the basis of the documents presented by:</p> <p>.....⁽²⁾</p> <p>the following driver:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2">Name and forename</td> </tr> <tr> <td>Date and place of birth</td> <td>Nationality</td> </tr> <tr> <td colspan="2">Type and reference number of identity paper</td> </tr> <tr> <td>Date of issue</td> <td>Place of issue</td> </tr> <tr> <td colspan="2">Driving licence number</td> </tr> <tr> <td>Date of issue</td> <td>Place of issue</td> </tr> <tr> <td colspan="2">Social security number</td> </tr> </table> <p>is employed, in accordance with the laws, regulations or administrative provisions and, as appropriate, the collective agreements, in accordance with the rules applicable in the following Member State, on the conditions of employment and of vocational training of drivers applicable in that Member State to carry out road transport operations in that State:</p> <p>.....⁽³⁾</p> <p>Particular remarks</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>This attestation shall be valid from</td> <td>to</td> </tr> <tr> <td>Issued in</td> <td>on</td> </tr> <tr> <td colspan="2" style="text-align: center;">.....⁽⁴⁾</td> </tr> </table>		Name and forename		Date and place of birth	Nationality	Type and reference number of identity paper		Date of issue	Place of issue	Driving licence number		Date of issue	Place of issue	Social security number		This attestation shall be valid from	to	Issued in	on ⁽⁴⁾	
Name and forename																					
Date and place of birth	Nationality																				
Type and reference number of identity paper																					
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..... ⁽⁴⁾																					
<p>⁽¹⁾ The distinguishing signs of the Member States are: (B) Belgium, (BG) Bulgaria, (CZ) Czech Republic, (DK) Denmark, (D) Germany, (EST) Estonia, (IRL) Ireland, (GR) Greece, (E) Spain, (F) France, (I) Italy, (CY) Cyprus, (LV) Latvia, (LT) Lithuania, (L) Luxembourg, (H) Hungary, (MT) Malta, (NL) Netherlands, (A) Austria, (PL) Poland, (P) Portugal, (RO) Romania, (SLO) Slovenia, (SK) Slovakia, (FIN) Finland, (S) Sweden, (UK) United Kingdom.</p> <p>⁽²⁾ Name or business name and full address of the haulier.</p> <p>⁽³⁾ Name of the haulier's Member State of establishment.</p> <p>⁽⁴⁾ Signature and seal of the issuing competent authority or body.</p>																					

- The conditions for *own account transport* are laid down in *Article 1.5 (d)*. They are:
 - the goods carried are the property of the undertaking or have been sold, bought, let out on hire, or hired, produced, extracted, processed, or repaired by the undertaking.
 - the purpose of the journey is to carry the goods to or from the undertaking or to move them, either inside or outside the undertaking for its own requirements.
 - motor vehicles used for such carriage are driven by personnel employed by, or put at the disposal of, the undertaking under a contractual obligation.
 - the vehicles carrying the goods are owned by the undertaking, have been bought by it on deferred terms or have been hired provided that in the latter case they meet the conditions of *Directive 2006/1/EC* on the use of vehicles hired without drivers for the carriage of goods by road.
 - such carriage is no more than ancillary to the overall activities of the undertaking.

- The use of vehicles hired without driver
 - Road goods transport undertakings can use vehicles hired without driver for international carriage on the conditions laid down by EU rule ²¹ the vehicle is registered or put into circulation in compliance with the laws of any Member State The hire contract cannot be accompanied by a service contract concluded with the same undertaking covering driving or accompanying personnel. it should be driven by staff working for the undertaking hiring the vehicle.
 - The hired vehicle is at the sole disposal of the undertaking using it during the period of the hire contract.
 - It must be used in compliance with *Regulation (EC) No 1071/2009* and *Regulation (EC) No 1072/2009*.
 - It can be used for cabotage and combined transport operations.
 - Proof of compliance with the rules (contract of hire and the employment contract of the driver) should be available and shall be presented either on paper or electronically during a roadside inspection.



FIGURE 13 - EXAMPLES OF LIGHT COMMERCIAL VEHICLES ABOVE 2.5 TONNES, USED IN INTERNATIONAL GOODS TRANSPORT FOR HIRE AND REWARD

²¹ Directive 2006/1/EC on the use of vehicles hired without driver for the carriage of goods by road, amended by Directive (EU) 2022/738

7.2 Article 1.5 (ca) – Scope

7.2.1 Text and explanation of the article

“[...]from 21 May 2022: carriage of goods in vehicles the permissible laden mass of which does not exceed 2.5 tonnes.”: This provision is linked to Article 1.5 (c) extends the scope of undertakings required to have a community licence to those only operating vehicles with a gross vehicle weight of at least 2.5 tonnes in international transport. The undertakings operating mixed fleets will need to have certified true copies of the Community licence for the vehicles between 2.5-3.5 tonnes.

7.2.2 Identification of potential offences

- The certified true copy of the Community licence is not on board a vehicle carrying an international load or doing cabotage.
- The certified true copy does not comply with the model in *Annex II of Regulation (EC) No 1072/2009*.
- The certified true copy does not comply with the security features in *Annex I of Regulation (EC) No 1072/2009*.
- Systematic cabotage in a host Member State.

7.2.3 What to check at the roadside and how?

- The certified true copy of the Community licence in paper format which must be available on board a motor vehicle above 2.5 tonnes used for international hire and reward transport of goods by road. Operations are only considered cabotage if they are carried out by road goods transport undertakings not established in a host Member State. The information on the number of certified true copies of the Community licence available to a transport undertaking is available in the ERRU.
- If the driver claims the transport is for own account, compliance with the conditions for own account should be checked.
- The load and waybills linked to the load should be verified to establish the nature of the operation.
- Use of a file with all the existing formats of the certified true copy of the Community licence.
- Verification of availability of a Community licence in the premises of the road goods transport undertaking. This might entail contacting the Member State of establishment of the undertaking via official channels.

7.2.4 Outcome:

- **In scope**
 - Continue with a check of the nature of the transport operation such as international, national, cabotage.
 - Check the availability of the third country driver attestation where relevant.
- **Out scope**
 - Continue with a check of compliance with rules not related to *Regulation (EC) No 1072/2009*, such as those relating to the use of hired vehicles without driver.

7.2.5 Notes: See Section 7.1 above.

7.3 Article 8.2a – Cabotage – cooling-off period

7.3.1 Text and explanation of the article

“Hauliers are not allowed to carry out cabotage operations, with the same vehicle, or, in the case of a coupled combination, the motor vehicle of that same vehicle, in the same Member State within four days following the end of its cabotage operation in that Member State.”

This amendment adds a further requirement to the main conditions allowing cabotage. It introduces the cooling-off period after cabotage in a host Member State during which no cabotage is allowed in that Member State. The cooling-off period is calculated on the same basis as the other time limits as explained in *Section 7*.

Example: the cooling-off period shall start from 00:00 on the day following the last unloading of the goods on the last cabotage operation. If the last unloading took place at 12:00 on 1 January, the cooling-off period starts at 00:00 on 2 January, the following day. This means that a new cabotage operation may not start in that host Member State before 00:00 on the fifth day, 6 January.

It should be noted that when the cooling-off period ends on a Saturday, Sunday or public holiday, an additional working day is also added to the period. Example: the last cabotage unloading happens in a host Member State on a Wednesday. The cooling-off period for that Member State starts at 00:00 on the Thursday and should end at 23:59 on the Sunday. But as it ends on the Sunday, the cooling-off is prolonged with one working day and cabotage can happen again in that Member State from the next Tuesday.

Figure 14 illustrates a case where, following a complete unloading of the goods from an international carriage, one cabotage operation is undertaken in the host Member State. At midnight, following the last unloading of the cabotage operation, the cooling-off period of four days starts for that Member State. Cabotage is still possible in other Member States during those four days.

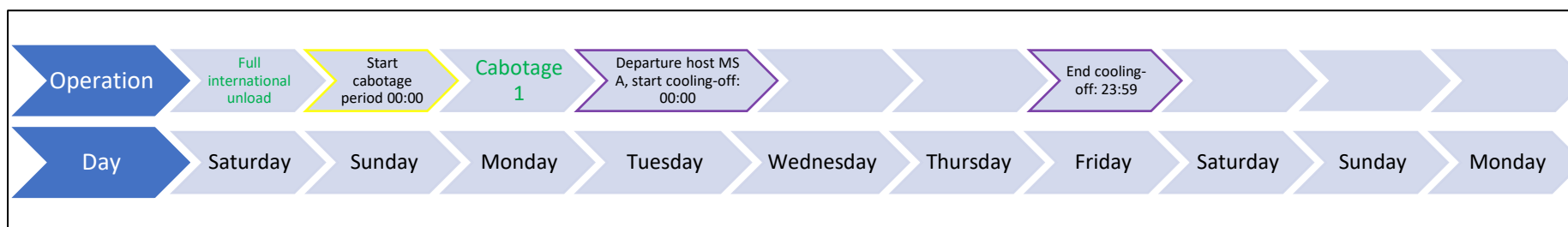


FIGURE 14 - COOLING-OFF PERIOD

During this ‘cooling off’ period it is possible to perform cabotage operations in another Member State. It is also possible to carry out one or several cross-border operations from or to the Member State where cabotage took place (respectively to or from another Member State or a third country) within the preceding four days, or to transit through or stay in the Member State where cabotage took place without performing cabotage operations.

Under *Article 8*, hauliers are required to produce clear evidence of all operations that were carried out during the period of four days preceding the international carriage into the host Member State in the event that the motor vehicle has been in the territory of that host Member State within this period of four days.

The four-day cooling-off period is calculated from midnight after the last unloading of the cabotage operation in a host Member State. A vehicle combination carries out one cabotage operation in Member State A on a Monday and leaves Member State A on the same Monday, the cooling-off period starts at 00:00 on the Tuesday and ends on the Friday at 23:59. Example: the four-day period shall be counted from 00:00 on the day before the last unloading of the cargo of the incoming international cargo transport and four days backwards. If the last unloading took place at 12:00 on 6 February, the transport operations carried out on the territory of a host Member State during the period 00:00 on 2 February.

7.3.2 Identification of potential offences

- Fewer than four days have elapsed since cabotage operations were last carried in a host Member State with the same motor vehicle.
- Evidence proving compliance as listed in *Article 8.3* cannot be provided for the international operations to and from a host Member State during a cooling-off period.
- Systematic cabotage with no respect of the cooling-off period.

7.3.3 What to check at the roadside and how?

- Is the road goods transport part of an international combined transport operation? If the host Member State does not apply the derogation of using quantitative restrictions on road legs of the international combined transport, no checks on cabotage rules shall be carried out. If the host Member State applies the derogation and applies identical restrictions, compliance with *Article 8.2* shall be checked. If the Member State applies different quantitative restrictions (see *Annex 2*), the same checks shall be carried out as below, but the dedicated time limits applied *mutatis mutandis*.
- Start and end of the cooling-off period using tachograph records. For example, a loaded vehicle combination carries from Member State A to Member State B and after full unloading of the incoming goods on the Friday, carries out one cabotage operation in Member State B on the Saturday and leaves Member State B. The same vehicle combination carries out another cabotage operation in Member State B on the next Monday. This is not allowed; the cooling-off period only ends on the Tuesday at midnight.
- Transport activity during the cooling-off period using tachograph records, consignment notes or equivalent documents.
- Border-crossing information in the tachograph data.

7.3.4 Outcome:

- ***In scope:*** Continue with a check of other aspects relating to the cabotage rules such as proof of the incoming loaded journey, respect of the number of cabotage operations,

respect of the time limits, availability of evidence to prove compliance with the rules, compliance with combined transport rules, etc.

- **Out scope:** Continue with a check of compliance with rules not related to *Regulation (EC) No 1072/2009*.

7.3.5 Notes

- The cooling-off period does not apply to undertakings established in the UK and Northern Ireland doing cabotage in an EU Member State in the framework of the EU-UK TCA.

7.4 Article 8.3, first paragraph – cabotage – cooling-off period

7.4.1 Text and explanation of the article

“National road haulage services carried out in the host Member State by a non-resident haulier shall only be deemed to comply with this Regulation if the haulier can produce clear evidence of the preceding international carriage and of each consecutive cabotage operation carried out. If the vehicle has been in the territory of the host Member State within the period of four days preceding the international carriage, the haulier shall also produce clear evidence of all operations that were carried out during that period”.

This amendment adds the proof of compliance evidence that must be presented for the transport activities carried out during a cooling-off period in case the vehicle has been in that host Member State during that period.

Evidence must be made available upon request from an authorised inspector for:

- the incoming international carriage.
- every individual cabotage operation.
- carriage operations during a cooling-off period.

The evidence must contain:

- (a) the name, address, and signature of the sender (or consignor).
- (b) the name, address, and signature of the haulier (the actual carrier of the goods).
- (c) the name and address of the consignee as well as his signature and the date of delivery once the goods have been delivered.
- (d) the place and the date of taking over of the goods and the place designated for delivery.
- (e) the description in common use of the nature of the goods and the method of packing, and, in the case of dangerous goods, their generally recognised description, as well as the number of packages and their special marks and numbers.
- (f) the gross mass of the goods or their quantity otherwise expressed.
- (g) the number plates of the motor vehicle and trailer.

It should be noted that the “generally recognised description, as well as the number of packages and their special marks and numbers” should not only be provided for dangerous goods but for all types of goods.

7.4.2 Identification of potential offences

- Evidence proving compliance as listed in *Article 8.3* cannot be provided by the driver or the transport undertaking during the roadside check.
- Evidence is incomplete.
- Evidence is not readable.

7.4.3 What to check at the roadside and how?

- The items listed under *Article 8.3* can best be verified by checking the consignment note or equivalent jointly with the tachograph records.

7.4.4 Outcome

- ***In scope:*** Continue with a check of other aspects relating to the cabotage rules such as proof of the incoming loaded journey, respect of the number of cabotage operations, respect of the time limits, availability of evidence to prove compliance with the rules, road legs of combined transport, etc.
- ***Out scope:*** Continue with a check of compliance with rules not related to *Regulation (EC) No 1072/2009*.

7.4.5 Notes

- The cooling-off period does not apply to undertakings established in the UK and Northern Ireland doing cabotage in an EU Member State in the framework of the EU-UK TCA.

7.5 Article 8.4 a – evidence to prove compliance by electronic means

7.5.1 Text and explanation of the article

“Evidence referred to in paragraph 3 shall be presented or transmitted to the authorised inspecting officer of the host Member State on request and within the duration of the roadside check. It may be presented or transmitted electronically, using a revisable structured format which can be used directly for storage and processing by computers, such as an electronic consignment note (e-CMR) under the Additional Geneva Protocol to the Convention on the Contract for the International Carriage of Goods by Road (CMR) concerning the Electronic Consignment Note of 20 February 2008. During the roadside check, the driver shall be allowed to contact the head office, the transport manager or any other person or entity in order to provide, before the end of the roadside check, any evidence referred to in paragraph 3”.

This amendment provides further specifications about how the proof of compliance should or can be provided during a roadside check. Evidence to prove compliance with the cabotage rules can be provided on paper, by electronic means or both. It is essential that any evidence is provided in a format that easily accessible or readable for any authorised inspector.

7.5.2 Identification of potential offences

- Evidence proving compliance as listed in *Article 8.3* cannot be provided by the driver or the transport undertaking during the roadside check.
- Evidence is incomplete.
- Evidence is not readable.

7.5.3 What to check at the roadside and how?

The items listed under *Article 8.3* can best be verified by checking the consignment note (in paper or electronic format) or equivalent jointly with the tachograph records.

7.5.4 Outcome

- ***In scope:*** Continue with a check of other aspects relating to the cabotage rules such as proof of the incoming loaded journey, respect of the number of cabotage operations, respect of the time limits, availability of evidence to prove compliance with the rules, compliance with combined transport rules, etc.
- ***Out scope:*** Continue with a check of compliance with rules not related to *Regulation (EC) No 1072/2009*.

7.6 Article 8.5 – cabotage – scope

7.6.1 Text and explanation of the article

“Any haulier entitled in the Member State of establishment to carry out the road haulage operations for hire or reward specified in points (a) to (ca) of Article 1(5) in accordance with that Member State’s legislation shall be permitted, under the conditions set out in this Chapter to carry out, as the case may be, cabotage operations of the same kind or cabotage operations with vehicles in the same category”.

This amendment further specifies the possibilities for transport undertakings to do cabotage for hire and reward in case of universal mail services, carriage of vehicles that need repairing or carriage with vehicles not exceeding 2.5 tonnes. This amendment is connected to the amendment to *Article 1.5*.

7.6.2 Identification of potential offences

- Systematic cabotage in a host Member State.

7.6.3 What to check at the roadside and how?

- If the driver claims the transport is for own account, compliance with the conditions for own account should be checked.
- Evidence that the haulier is entitled in the Member State of establishment to carry out the road haulage operations for hire or reward specified in points (a) to (ca) of *Article 1(5)*.
- Verification of the load and waybills linked to the load to establish the nature of the operation.
- Verification of the information listed in *Article 8.3* together with the tachograph data.
- Border-crossing information in the tachograph data.

7.6.4 Outcome

- ***In scope:*** Continue with a check of other aspects relating to the cabotage rules such as proof of the incoming loaded journey, respect of the number of cabotage operations, respect of the time limits, availability of evidence to prove compliance with the rules, compliance with the combined transport rules, etc.
- ***Out scope:*** Continue with a check of compliance with rules not related to *Regulation (EC) No 1072/2009*, such as those relating to the use of hired vehicles without driver.

7.6.5 Notes: See Section 7.1

7.7 Article 10.7 – application of quantitative restrictions to the road legs of combined transport

7.7.1 Text and explanation of the article

“In addition to paragraphs 1 to 6 of this Article and by way of derogation from Article 4 of Directive 92/106/EEC, Member States may, where necessary to avoid misuse of the latter provision through the provision of unlimited and continuous services consisting in initial or final road legs within a host Member State that form part of combined transport operations between Member States, provide that Article 8 of this Regulation apply to hauliers when they carry out such initial and/or final road haulage legs within that Member State. With regard to such road haulage legs, Member States may provide for a longer period than the seven-day period provided for in Article 8(2) of this Regulation and may provide for a shorter period than the four-day period provided for in Article 8(2a) of this Regulation. The application of Article 8(4) of this Regulation to such transport operations shall be without prejudice to requirements following from Directive 92/106/EEC. Member States making use of the derogation provided for in this paragraph shall notify the Commission thereof before applying their relevant national measures. They shall review those measures at least every five years and shall notify the results of that review to the Commission. They shall make the rules, including the length of the respective periods, publicly available in a transparent manner”.

This amendment makes it possible for Member States to derogate in case of abuse of Article 4 of Directive 92/106/EEC to apply Article 8 of the Regulation to the road legs of a combined transport operation. A Member States can allow a longer period than seven days and a shorter cooling-off period.

Combined transport, as covered by EU rules, is the transport of goods between Member States where the road goods vehicle, trailer, semi-trailer, with or without tractor unit, swap body or container of 20 feet or more uses the road on the initial and/or final leg of the journey and, on the other leg, rail or inland waterway or maritime services where this section exceeds 100 km as the crow flies and make the initial and/or final road transport leg of the journey: between the point where the goods are loaded and the nearest suitable rail loading station for the initial leg, and between the nearest suitable rail unloading station and the point where the goods are unloaded for the final leg, within a radius not exceeding 150 km as the crow flies from the inland waterway port or seaport of loading or unloading²². A road leg of a combined transport operation can be within the territory of a single Member State or involve several Member States.

Directive 92/106/EEC leaves it to the road goods transport operator to decide on the suitability of the rail loading station. A loading station whose use does not permit the operator to conduct a combined transport operation that matches the contractual requirements, under conditions that economically allow the operator to substitute road-only transport by combined transport, cannot be considered ‘suitable’.

In this light, the term ‘nearest suitable rail loading station’ within the meaning of *Directive 92/106/EEC* cannot be understood as referring exclusively to geographical aspects of “nearest”. Instead, it also has an operational dimension. Thus, the suitability of a rail loading station

²² Article 1, Directive 92/106/EEC

depends on the availability of equipment for necessary transshipment and for the loading unit used, quality of the service provided defined through the opening hours and administrative structures available such as customs and veterinary controls, but also on the rail service provided in the terminal in terms of destinations available, frequency of the trains, reliability of that service and the cost of that service.

Although sometimes nearer suitable terminals are technically available near the destination of loading or unloading in a Member State, in practice their use may not be available as terminal operators, railway operators, railway owners have concluded long term contracts.

In case a Member State does not apply the quantitative restrictions to the national road legs of an international combined transport journey, the road goods transport undertaking will have to prove compliance with the provisions of *Directive 92/106/EEC* if those journeys are not to be considered as cabotage.

7.7.2 Identification of potential offences

- If in a Member State not applying the derogation, a checked vehicle combination claims to be involved in intra-EU combined transport but cannot provide the necessary evidence to prove this and cannot provide alternative evidence to prove compliance with the cabotage rules, especially in terms of number of operations and time limits to be respected.
- If in a Member State applying the derogation by applying the quantitative restrictions to the road legs that do not cross a border of a combined transport operation, cabotage rules are not complied with (see above *Article 8 (2)*).
- If in a Member State applying the derogation for combined transport road legs by applying different quantitative restrictions:
 - no evidence can be given that the vehicle combination is doing road legs in intra-EU combined transport, or
 - if that Member State has extended the cabotage period to X days, more than X days have elapsed since the last loaded incoming international operation in that Member State.
 - If that Member State has reduced the cooling-off period to 1-3 days and less than that number of days have elapsed since the last road leg of combined transport that does not cross a border in that Member State.

7.7.3 What to check at the roadside and how?

- The certified true copy of the Community licence in paper format which must be available on board a motor vehicle above 2.5 tonnes used for international hire and reward transport of goods by road. The information on the number of certified true copies of the Community licence available to a road goods transport undertaking is available in ERRU.
- If the driver claims the transport is for own account, compliance with the conditions for own account should be checked, including where relevant in case of combined transport road legs, the special conditions for own-account transport in *Article 9 of Directive 92/106/EEC* complementing the rules in *Regulation (EC) No 1072/2009*.
- If the road transport operation is part of international combined transport.
- If it is carried out by road goods transport undertakings not established in a host Member State.
- Compliance with *Article 1 of Directive 92/106/EEC* (see above)

- Verification of the load and waybills and other documentation provided by the organisers linked to the operation to establish the nature of the operation.
- Border-crossing information in the tachograph data.
- In case of final road leg, tickets on non-road modes of transport or stamp from a terminal.
- Verification of distances of road legs
- If the host Member State does not apply the derogation of using quantitative restrictions on road legs of international transport, no checks on cabotage rules shall be carried out.
- If the host country applies the derogation and applies identical restrictions, compliance with *Article 8.2* shall be checked, see above. If the Member State applies different quantitative restrictions (see *Annex 2*), the same checks shall be carried out as for cabotage, but the dedicated time limits applied *mutatis mutandis*.

7.7.4 Outcome

- ***In scope:*** Continue with a check shared liability.
- ***Out scope:*** Continue with a check of compliance with rules not related to *Regulation (EC) No 1072/2009*, such as those relating to the use of hired vehicles without driver.

7.7.5 Notes: See *Section 7.1 above*.

7.8 Article 14 a – shared liability

7.8.1 Text and explanation of the article

“Member States shall lay down rules on sanctions against consignors, freight forwarders, contractors and subcontractors for non-compliance with Chapters II and III, where they knew, or, in the light of all relevant circumstances ought to have known, that the transport services that they commissioned involved infringements of this Regulation”.

This amendment introduces a provision for shared liability between the transport undertaking, shippers, intermediaries, main and subcontractors.

7.8.2 Identification of potential offences

- Non-compliance with the national liability rules of the actors in the logistics chain.

7.8.3 What to check at the roadside and how?

- Verification of the information listed in *Article 8.3* together with the tachograph data.
- Request for information relating to intermediaries, main contractors, and subcontractors.
- Any evidence provided by the driver and the transport undertaking pointing to shared liability.

7.8.4 Outcome

- ***In scope***
- ***Out scope:*** Continue with a check of compliance with rules not related to *Regulation (EC) No 1072/2009*, such as those relating to the use of hired vehicles without driver.

7.8.5 Notes

- The driver and transport undertaking should always be able to provide proof if they claim not to be the sole liable for an infringement.

Annex 1 – Questions and answers of the European Commission

The European Commission provided [questions and answers on the cabotage rules as applicable from 21 February 2022](#). The questions and answers do not commit the European Commission. Only the Court of Justice of the European Union is competent to authoritatively interpret Union law.

Incoming international carriage

1. When can a haulier perform cabotage?

According to *Article 8(2), first subparagraph*: A haulier for hire or reward who is a holder of a Community licence and whose driver, if he or she is a national of a third country, holds a driver attestation, is only allowed to start performing cabotage operations in a Member State if he or she has previously carried out an international carriage, i.e. cross-border transport. This carriage may have its origin in a different Member State or in a third country.

2. Must all goods carried in the context of an incoming international transport have been delivered in order to start performing cabotage operations?

According to *Article 8(2), first subparagraph*: All goods carried in the course of the incoming transport preceding the cabotage operations must have been delivered in order to start performing those cabotage operations. In case the incoming carriage consists of several consignments, cabotage can only start once all consignments have been delivered. The prior international loaded operation therefore has to be fully unloaded to permit cabotage operations in the host Member State.

Cabotage can start immediately after the last unloading of the goods carried in the international transport, including on the day of unloading.

3. Does a transport of empty containers, pallets or packaging account for an international carriage?

According to *Article 8(2), first subparagraph*: When empty containers, pallets or packaging are transported under the coverage of a transport contract (such as a consignment note) from one Member State to another, the carriage should be considered as a carriage of goods by road for hire or reward accounting for an international carriage. This is because in those cases, the transport of the empty containers, pallets or packaging is either the object or forms an integral part of the transport contract.

Reciprocally, when empty containers, pallets or packaging are not transported under the coverage of a transport contract the carriage, in principle, should not be considered as a carriage of goods by road for hire or reward. However, if those empty containers, pallets or packaging are owned by the haulier, and if the international carriage complies with the conditions for own account carriage under *Article 1(5)(d) of Regulation (EC) No 1072/2009*, the carriage should be considered as an incoming international carriage and the haulier is permitted to carry out cabotage operations following that international carriage.

The concept of “cabotage operation”

4. Can there be several loadings and/or unloading points in a cabotage operation?

According to *Article 8(1), 8(2) and 8(2a)*: Up to 3 cabotage operations following an international carriage can be performed, at the maximum. A cabotage operation can in principle involve several loading points, several delivery points or even several loading and delivery points.

The number of loading and/or unloading points in a cabotage operation can however be limited by Member States by excluding operations with both multiple loading points and multiple unloading points, so as to ensure compliance with the restrictions on time and number of operations imposed on cabotage under *Regulation (EC) No 1072/2009*²³.

The implementing measures of Member States need to comply with the principle of proportionality. Allowing non-resident hauliers to carry out cabotage operations with an unlimited number of loadings points and an unlimited number of unloading points could render meaningless the limitations on the maximum number of cabotage operations and could run counter to the temporary nature of cabotage as allowed under *Regulation (EC) No 1072/2009*. At the same time, establishing excessively restrictive limitations on the number of loading and unloading points could go, depending also on the number of consignment notes allowed for a single cabotage operation, beyond what is necessary to attain the objective pursued by that Regulation with regard to cabotage¹⁷.

The measures implemented by Member States can vary on this issue and the precise national rules should always be checked. In any case, the definition of the cabotage operation needs to ensure that its temporary nature is preserved at all times.

5. Can there be several consignment notes for a single cabotage operation?

According to *Article 8(1), 8(2) and 8(2a)*: A cabotage operation can include one or more consignment notes¹⁷.

The measures implemented by Member States can vary on this issue and the precise national rules should be checked. In any case, the definition of the cabotage operation needs to ensure that its temporary nature is preserved at all times.

In that context, it is to be noted that allowing non-resident hauliers to carry out cabotage operations with an excessive number of consignment notes could render meaningless the limitations on the maximum number of cabotage operations, and could run counter to the temporary nature of cabotage as allowed under *Regulation (EC) No 1072/2009*¹⁷.

6. Does the transport of empty container, pallets or packaging account for a cabotage operation?

According to *Article 8(1), 8(2) and 8(2a)*: When empty containers, pallets or packaging are transported on a temporary basis in a host Member State, in conformity with *Regulation (EC) No 1072/2009*, under the coverage of a transport contract (such as a consignment note), the

²³ [Judgment of the Court of 12 April 2018, Case C-541/16](#) – *Commission v Denmark*, paragraphs 49-61.

carriage should be considered as a cabotage operation. This is because in those cases, the transport of the empty containers, pallets or packaging is either the object or forms an integral part of the transport contract.

When empty containers, pallets or packaging are transported with no coverage of a consignment note, that carriage, in principle, should not be considered as a carriage of goods by road for hire or reward. In that context, the concept of ‘cabotage operations’ is defined in *Article 2(6)*, for the purposes of *Regulation (EC) No 1072/2009*, as ‘national carriage for hire or reward carried out on a temporary basis in a host Member State’. It results that when empty containers, pallets or packaging, which are owned by the carrier, are transported with no coverage of a consignment note or of any other transport contract, such transport should not account for a cabotage operation.

7. Which vehicle should be considered for the purpose of the cabotage operation in the case of a coupled combination?

Referring to *Article 8(2), first subparagraph* and *Article 8(2a)*, and according to *Article 2(1) of Regulation (EC) No 1072/2009*, for the purposes of that Regulation, a ‘vehicle’ means either a motor vehicle registered in a Member State, or a coupled combination of vehicles the motor vehicle of which at least is registered in a Member State, used exclusively for the carriage of goods.

The motor vehicle should always be the one taken into consideration for the purpose of cabotage, including in the case of a coupled combination. The cabotage operations can only be performed with the motor vehicle that has performed the international carriage under *Article 8(2), first subparagraph* of the Regulation. This motor vehicle should therefore have been involved in a delivery of goods as part of an incoming international carriage to be able to perform cabotage operations. Nevertheless, such cabotage operations may be performed with another trailer.

The motor vehicle carrying out the cabotage operations is prohibited from carrying out cabotage operations in the same Member State within 4 days following the end of its cabotage operation in that Member State under *Article 8(2a)*.

Timeframe of cabotage

8. When does the 7-day period start and end and how is it calculated?

According to *Article 8(2), first subparagraph*: "Days" as contained in the Regulation refers to calendar days and not just to a period of 24 hours. Therefore the overall period of 7 days referred to in *Article 8(2)* starts from 0h00 of the day following the performance of the incoming international carriage. The cabotage operation must consequently end, at the latest, at 23h59 of the seventh day.

In practice, that means that if the incoming international carriage is performed at any time on a given Monday, the cabotage operations must end at the end of the following Monday.

Because calendar days are the ones considered, in Member States where the period includes public holidays or days in which traffic is limited or forbidden, the possibility to perform

cabotage operations may, in practice, be more limited in time (see however below question 11 on how public holidays are considered).

9. How is the 7-day period calculated when the incoming international carriage or cabotage operations contain several unloading operations?

According to *Article 8(2)*, first subparagraph: Where the incoming international carriage contains several unloading operations, the performance of the incoming international carriage refers to the last unloading. The rule should be identical for the end of the cabotage operations: the last unloading in the course of the final cabotage operation must take place at 23h59 of the seventh day following the day of the last unloading of the incoming international carriage, at the latest.

10. How is the 4-days “cooling-off” period calculated?

According to *Article 8(2a)*, a haulier is not allowed to carry out cabotage operations, with the same vehicle, in the same Member State within four days following the end of its cabotage operation in that Member State. The purpose of this provision is to avoid that consecutive international carriages allow hauliers to carry out cabotage operations in a way that creates a permanent or continuous activity. Accordingly, this provision is without prejudice to the right to carry out three consecutive cabotage operations in the host Member State in the seven days that follow an incoming international carriage, provided that four days have passed since the last unloading in the previous period of cabotage operations carried out in that Member State.

The cooling off period of 4 days applies each time a cabotage operation is completed and the vehicle leaves the host Member State, regardless of whether only one or more cabotage operations have been performed before the vehicle leaves the Member State in question. It results that the cooling off period starts applying individually for each Member State in which cabotage took place, even if only one cabotage operation occurred in that Member State.

During this ‘cooling off’ period it is however possible to perform cabotage operations in another Member State. It is also possible for a haulier to carry out one or several cross-border operations from or to the Member State where cabotage took place (respectively to or from another Member State or a third country) within the preceding 4 days, or to transit through or stay in the Member State where cabotage took place without performing cabotage operations.

In practice, if a haulier performs a cabotage operation in Member State A following an international transport, then performs another cabotage operation in Member State B, it cannot perform a cabotage operation in Member State A within four days following the end of its cabotage operation in Member State A. After the cabotage operation in Member State B, it may transit through both Member States A and B, and it may perform new international carriages towards those Member States. However, in the latter case, it will not be allowed to perform new cabotage operations in Member State A or B until four days following the unloading of the last cabotage operation occurred in that Member State A or B.

The cooling off period starts from the end of the cabotage operation preceding the exit from the Member State concerned. When there are several unloading points within a single cabotage operation, the last unloading should be the one taken into consideration. Also in this case it is calendar days that should be considered, not just a period of 24 hours. Therefore, the counting of the 4 days cooling off period starts from 0h00 of the day following the performance of the

last cabotage operation in the Member State concerned – or of the last unloading where there are multiple unloading points – and ends at 23h59 of the fourth subsequent day.

In practice, that means that if the last cabotage operation is performed at any time on a given Monday, the cooling off period ends at the end of the following Friday, and cabotage operations can resume on Saturday from 0h00.

The table below shows the practical application of the rule across the days of the week, possibly with public holidays, considering the rules on public holidays and weekends explained below under the question *11*.

Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri
C	X	X	X	X	C						
	C	X	X	X	X	X	X	C			
		C	X	X	X	X	X	C			
		C	(ph)	X	X	X	X	C			
			C	X	X	X	X	C			
			C	(ph)	X	X	X	X	C		
				C	X	X	X	X	C		
				C	X	X	(ph)	X	X	C	
					C	X	X	X	X	C	
						C	X	X	X	X	C

C: cabotage operation / (ph): public holiday

FIGURE 15 - PRACTICAL APPLICATION OF THE RULE ACROSS THE DAYS OF THE WEEK

11. How are public holidays and weekends taken into account as regards the calculation of the periods set out in *Regulation No 1072/2009*?

According to *Articles 8(2) and 8(2a)* and to the EU rules on the calculation of periods, dates and time limits²⁴, if the last day of a period expressed in days is a public holiday, Sunday or Saturday, the period ends with expiry of the last hour of the following working day. Moreover, any period of two days or more shall include at least two working days.

As a result, if after performing an international transport to a Member State a haulier enters into another Member State on a Thursday, the period of three days foreseen in *Article 8(2)*, second subparagraph of *Regulation (EC) No 1072/2009* starts at 00h00 of Friday, and would end at 23h59 of Sunday. But as the last day of that period is a Sunday, the period is considered to end at 23h59 of the next working day, namely Monday.

If, additionally, the Friday following the entry of that haulier into another Member State is a public holiday in that Member State, the period is further extended to Tuesday at midnight, given the fact that any period of two days or more must include at least two working days, and public holidays, Saturdays and Sundays are not considered as working days.

Finally, if after performing an international transport to a Member State, a haulier enters into another Member State on a Tuesday, but Friday is a public holiday in that Member State, the

²⁴ [Regulation \(EEC, Euratom\) No 1182/71](#) of the Council of 3 June 1971 determining the rules applicable to periods, dates and time limits.

same period of three days foreseen in *Article 8(2)*, second paragraph ends at 23h59 of the next working day, which will be Monday.

The same rules apply to the period of 7 days referred to in *Article 8(2)*, first subparagraph (see questions 8 and 9), and to the 4 days ‘cooling off’ period under *Article 8(2a)* (see question **10**).

However, the rule according to which if the last day of the period is a public holiday, Sunday or Saturday, the period ends with expiry of the last hour of the following working day does not apply to periods calculated retroactively such as the period of four days preceding the international carriage set under *Article 8(3)* during which the haulier should provide clear evidence of all operations carried out (see question **16**). This period falls under the exemption for periods calculated retroactively from a given date or event under *Article 3(4)*, second subparagraph of *Regulation No 1182/71*.

Cabotage in another Member State

12. Can cabotage take place in more than one Member State?

According to *Article 8(2)*, *second subparagraph*: Within the 7 day-period set out in the first subparagraph of *Article 8(2)*, up to 3 cabotage operations can be performed, at the maximum. A haulier may decide to carry out one, two or all three cabotage operations in Member States other than the one of the incoming international transport. Hauliers can then either perform cabotage in one Member State only or in one or more Member States, but only one cabotage in each Member State that is not the Member State of the incoming international transport (see below the reply to question **13**).

As an example, if the haulier has performed an international carriage into France, it can then perform a cabotage operation in France, then go to Germany to perform one more cabotage, and then go to Belgium to perform a last cabotage operation. It can also return to France unladen to perform a second cabotage operation there but only provided that the 4 days cooling off period have been respected.

13. How many cabotage operations can be performed by a haulier in a Member State other than the one of the incoming international transport?

According to *Article 8(2)*, *second subparagraph*, no more than one cabotage operation is allowed in a given Member State which is not the Member State of the incoming international transport.

14. What is meant by the 3-day limit for the cabotage operation in a Member State other than the one of the international incoming transport?

According to *Article 8(2)*, *second subparagraph*, each cabotage operation performed in a Member State other than the one of the incoming international transport has to be carried out within 3 days of the unladen entry of the haulier into that Member State and within the 7 day-period set out in the first subparagraph of *Article 8(2)*.

As regards the calculation of the 3 day-period the same explanations given above under Section III for the 7 day-period applies.

The table below shows the practical application of the rule across the days of the week, possibly public holidays, considering the rules on public holidays and weekends explained above under the question *11*.

Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed
E	X	X	C						
	E	X	X	C					
	E	X	X	(ph)	X	X	C		
	E	(ph)	X	C					
		E	X	X	X	X	C		
		E	(ph)	X	X	X	C		
			E	X	X	X	C		
			E	(ph)	X	X	X	C	
				E	X	X	X	C	
					E	X	X	C	
						E	X	X	C

E: Entry into the MS / C: Last day of possible cabotage operation / (ph): public holiday

FIGURE 16 - PRACTICAL APPLICATION OF THE RULE ACROSS THE DAYS OF THE WEEK

Documents

15. How is the provision of Article 8 (4) to be read saying that no additional document is required?

According to *Article 8(4)*, hauliers are required to keep documentation of every carriage carried out in connection with their cabotage operations. This must comprise all the details listed in *Article 8(3)*, second subparagraph. These details are contained in the consignment note or bill of lading, normally in the CMR format. No additional document is required in order to prove that the cabotage rules have been respected.

This provision, however, does not mean that control authorities cannot use other evidence required by road transport legislation, e.g. the tachograph data, to establish whether a cabotage operation is carried out according to the rules.

The elements contained in the second subparagraph of *Article 8(3)* must be presented or transmitted to the authorised inspecting officer of the host Member State on request and within the duration of the roadside check. Documents can be presented or transmitted electronically, for example using an electronic consignment note (e-CMR). During the roadside check, the driver is allowed to contact the head office, the transport manager or any other person or entity in order to provide, before the end of the roadside check, any necessary evidence.

16. How should the rule on the period of four days preceding the international carriage to provide clear evidence of all operations carried out during that period be understood?

According to *Article 8(3)*, hauliers are required to produce clear evidence of all operations that were carried out during the period of four days preceding the international carriage into the host Member State in the event that the vehicle has been in the territory of that host Member State within this period of four days.

This requirement is only applicable when the haulier is performing a cabotage operation in the host Member State. The rule therefore only applies when the vehicle is carrying out national road haulage services in the host Member State, and has been in that same host member state within a period of four days preceding the incoming international carriage.

In these cases, hauliers should produce evidence comprising all the details listed in *Article 8(3)*, second subparagraph. The value of the evidence produced is assessed by the national authorities concerned. It is to be noted that the registration of border crossing by the smart tachograph version 2 can be used to determine the presence of the truck in a given Member State.

The four days referred to in the second subparagraph of *Article 8(3)* are calendar days. Therefore, if the vehicle has left the host Member State on, for example, 6 June and is now re-entering the same host MS on 10 June, the haulier is re-entering the same host Member State within 4 days and must produce, when performing a cabotage operation in the host Member State, clear evidence of all operations that were carried out during this period of four days.

Other

17. Do cabotage rules apply to combined transport operations?

According to *Article 10(7)*, where it is necessary to avoid the misuse - through the provision of unlimited and continuous initial or final road legs within a Member State - of *Article 4 of Council Directive 92/106/EEC concerning combined transport*, Member States have the possibility, after notifying the Commission, to apply the cabotage rules to road legs of a combined transport operation as defined in *Directive 92/106/EEC*, provided these road legs do not cross a border. When adopting those measures, Member States can apply a longer period than the 7 days provided for in *Article 8(2) of Regulation (EC) No 1072/2009* and a shorter cooling-off period than the 4 days provided for in *Article 8(2a) of that same Regulation*.

Annex 2 – Specific national provisions applicable for cabotage operations in EU Member States

Member State	Number of loading/unloading operations during a cabotage operation	Number of consignment notes allowed per one cabotage operation	Application of cabotage rules to the non-border crossing first and/or road last leg of a combined transport operation
Austria	N/A	N/A	N/A
Belgium	Only one consignment note is allowed per cabotage operation. However, every cabotage operation can have an unlimited number of loading and unloading points.		The decision lies with the Belgian regions.
Bulgaria	N/A	N/A	N/A
Croatia	N/A	N/A	N/A
Republic of Cyprus	N/A	N/A	N/A
Czech Republic	N/A	N/A	The Czech government decided not to apply quantitative restrictions to the first and last domestic road legs of a combined transport operation.
Denmark	<p>Several loading, and unloading places are allowed for a single cabotage operation, but they cannot be combined. The number of cabotage operations is determined based on the smallest number of loading or unloading places, examples:</p> <ul style="list-style-type: none"> • 2 loading places and 5 unloading places = 2 cabotage operations • 3 loading places and 10 unloading places = 3 cabotage operations • 5 loading places and 2 unloading places = 2 cabotage operations 		<p>The Danish government decided to apply the cabotage rules to the first and last domestic road legs of a combined transport operation. The four-day cooling-off and seven-day periods apply to these operations.</p> <p>Misuse of <i>Article 4 of Directive 92/106/EEC</i> has not however been shown.</p>

Estonia	N/A	N/A	The Estonian government decided not to apply quantitative restrictions to the first and last domestic road legs of a combined transport operation.
Finland	N/A	N/A	The Finnish government decided to apply quantitative restrictions to the first and last domestic road legs of a combined transport operation. The four-day cooling-off and seven-day periods apply to these operations. The new rules have been applied since 1 February 2022. Misuse of <i>Article 4 of Directive 92/106/EEC</i> has not however been shown.
France	N/A	N/A	Until further notice, the French government decided not to apply quantitative restrictions to the first and last domestic road legs of a combined transport operation.
Germany	N/A	N/A	Until further notice, the German government decided not to apply quantitative restrictions to the first and last domestic road legs of a combined transport operation.
Hungary	N/A	N/A	The Hungarian government decided to apply quantitative restrictions to the first and last domestic road legs of a combined transport operation. The four-day cooling-off and seven-day periods apply to these operations. Misuse of <i>Article 4 of Directive 92/106/EEC</i> has not however been shown.
Ireland	N/A	N/A	The Irish government decided not to apply quantitative restrictions to the first and last domestic road legs of a combined transport operation.
Italy	N/A	N/A	N/A
Latvia	N/A	N/A	N/A
Lithuania	<ul style="list-style-type: none"> • Several loading places are allowed if there is only one unloading place. • Several unloading places are allowed if there is only one loading place. 		The Lithuanian government decided not to apply quantitative restrictions to the first and last domestic road legs of a combined transport operation.

	<ul style="list-style-type: none"> The number of consignment notes should correspond to the number of loading of unloading places. 		
Luxembourg	N/A	N/A	N/A
Malta	N/A	N/A	N/A
Netherlands	N/A	N/A	N/A
Poland	The Polish legislation does not provide specifications on the number of loading and unloading places per single cabotage operation or on the number of consignment notes accepted per single cabotage operation		The Polish government decided not to apply quantitative restrictions to the first and last domestic road legs of a combined transport operation.
Portugal	N/A	N/A	N/A
Romania	N/A	N/A	The Romanian government decided to apply quantitative restrictions to the first and last domestic road legs of a combined transport operation. The four-day cooling-off and seven-day periods apply to these operations.
Slovakia	N/A	N/A	The Slovakian government decided to apply quantitative restrictions to the first and last domestic road legs of a combined transport operation. The four-day cooling-off and seven-day periods apply to these operations.
Slovenia	N/A	N/A	N/A
Spain	N/A	N/A	N/A
Sweden	One cabotage operation must not include other than 1. one loading point and one unloading point, 2. several loading points and one unloading point, if the unloading takes place at the final consignee specified on the consignment note, or		The Swedish government decided to apply quantitative restrictions to the first and last domestic road legs of a combined transport operation. The four-day cooling-off and seven-day periods apply to these operations. <i>Misuse of Article 4 of Directive 92/106/EEC has not however been shown.</i>

	3. one loading point and several unloading points, if the loading takes place at the original consignor specified on the consignment note.	
Iceland	N/A	N/A
Liechtenstein	N/A	N/A
Norway		The Norwegian government decided to apply quantitative restrictions to the first and last domestic road legs of a combined transport operation. The four-day cooling-off and seven-day periods apply to these operations.

TABLE 2 - SPECIFIC NATIONAL PROVISIONS APPLICABLE FOR CABOTAGE OPERATIONS IN EU MEMBER STATES

Annex 3 – Driver attestations

Number of driver attestations issued in ...											
	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	Change 20-21
EU27	28.059	27.163	33.621	46.505	74.832	108.233	133.657	153.735	143.258	185.611	29,6%
BE	72	100	120	125	125	103	128	171	238	499	109,7%
BG	19	16	8	26	49	97	328	637	471	600	27,4%
CZ	797	631	455	530	561	533	2.301	3.601	3.515	4.431	26,1%
DK	0	0	0	0	0	0	1	1	0	2	-
DE	1.184	1.223	956	714	832	708	732	1.006	665	729	9,6%
EE	245	101	166	152	225	424	666	1.023	856	1.254	46,5%
IE	7	5	0	1	0	0	0	0	0	5	-
EL	13	8	5	9	6	8	7	12	9	16	77,8%
ES	5.893	5.212	4.994	5.803	6.678	7.748	8.999	11.407	10.890	14.050	29,0%
FR	135	112	132	127	111	114	78	121	59	67	13,6%
HR	0	13	10	20	53	144	851	1.511	1.987	3.148	58,4%
IT	1.406	1.214	1.275	663	749	548	643	536	384	430	12,0%
CY	3	0	0	1	2	1	0	1	2	2	0,0%
LV	1.130	1.541	2.144	2.239	2.654	2.869	4.098	7.676	5.760	6.651	15,5%
LT	3.259	3.650	6.715	6.959	9.866	13.626	24.428	29.898	29.604	39.493	33,4%
LU	35	29	32	21	31	26	46	37	49	74	51,0%
HU	189	152	194	314	550	858	691	667	1.394	1.828	31,1%
MT	32	26	22	31	18	43	30	64	67	19	-71,6%
NL	101	53	37	15	16	25	11	8	4	13	225,0%
AT	805	384	374	242	217	149	112	152	84	84	0,0%
PL	5.353	5.641	9.255	20.765	41.391	65.192	72.390	73.694	67.359	89.878	33,4%
PT	823	718	610	664	627	614	590	828	813	1.181	45,3%
RO	13	13	3	10	17	58	15	37	139	71	-48,9%
SI	5.876	5.755	5.461	6.418	8.973	12.332	13.345	16.533	15.072	16.684	10,7%
SK	249	296	347	360	844	1.801	3.013	3.920	3.462	4.146	19,8%
FI	355	227	302	277	222	208	151	194	372	253	-32,0%
SE	65	43	4	19	15	4	3	0	3	3	0,0%

Number of driver attestations in circulation at the end of ...											
	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	Change 20-21
EU27	44.316	41.822	41.605	51.666	75.520	107.614	150.253	199.419	228.054	277.159	21,5%
BE	208	141	114	99	72	94	83	126	186	340	82,8%
BG	88	119	89	131	101	156	265	572	910	1.197	31,5%
CZ	1.068	981	727	813	1.121	835	2.321	3.697	4.165	4.490	7,8%
DK	3	3	3	3	1	3	1	2	2	4	100,0%
DE	2.462	3.040	2.886	2.578	2.562	2.380	2.430	2.317	1.919	2.026	5,6%
EE	429	377	357	309	394	636	1.045	1.498	1.655	2.100	26,9%
IE	17	7	0	1	1	0	0	0	0	5	-
EL	14	13	14	10	12	15	12	26	15	36	140,0%
ES	10.599	9.875	8.321	8.292	9.124	10.513	11.768	13.486	14.731	15.859	7,7%
FR	372	329	287	318	199	317	321	326	289	272	-5,9%
HR	0	7	10	20	53	117	813	1.463	1.934	3.056	58,0%
IT	5.064	4.737	4.098	4.080	4.439	3.533	3.677	3.263	3.438	2.711	-21,1%
CY	12	12	12	13	15	16	16	17	7	5	-28,6%
LV	4.020	2.852	1.433	1.769	2.136	2.444	3.311	6.731	5.924	6.741	13,8%
LT	2.277	2.762	3.895	6.636	13.481	22.331	39.591	54.462	67.418	81.928	21,5%
LU	45	33	33	28	29	31	48	39	37	57	54,1%
HU	259	240	251	353	490	522	1.549	2.216	1.758	2.138	21,6%
MT	32	26	22	22	12	19	48	34	28	23	-17,9%
NL	187	138	145	78	54	32	25	23	18	67	272,2%
AT	2.114	1.876	1.590	1.289	1.040	761	563	458	469	365	-22,2%
PL	4.221	4.771	6.809	13.238	26.624	46.138	67.891	89.093	103.154	132.265	28,2%
PT	3.607	3.033	3.148	3.162	2.692	2.907	2.303	2.046	2.145	2.478	15,5%
RO	71	44	31	72	55	81	96	142	125	197	57,6%
SI	5.776	5.254	6.056	7.169	9.212	11.234	8.638	12.489	12.802	13.396	4,6%
SK	391	344	474	452	856	1.810	2.847	4.269	4.259	4.707	10,5%
FI	758	711	761	687	694	653	591	624	663	692	4,4%
SE	222	97	39	44	51	36	0	0	3	4	33,3%

TABLES 3 AND 4 - DRIVER ATTESTATIONS IN ROAD FREIGHT TRANSPORT 2012-2021

Sources

- Relevant EU Directives and Regulations as published in the EU Official Journal.
- “*New rules for the EU road transport sector*”, European Commission, DG MOVE, website, 2022.