Title: The Drivers' Hours and Tachographs (Amendment and Modification) Regulations 2025	De Minimis Assessment (DMA)
Date: 13/03/2025	**Stage**: Final
DMA No: DfTDMA377d	**Source of intervention**: International
Lead department or agency: Department for Transport	**Type of measure**: Secondary
Other departments or agencies: Driver & Vehicles Standards Agency	
Summary: Rationale and Options	**Contact for enquiries:** freight@dft.gov.uk

Cost of Preferred (or more likely) Option (in 2019 prices)		
Total Net Present Social Value	**Business Net Present Value**	**Net cost to business per year Business Impact Target Status**
£N/A	£N/A	£N/A

What is the problem under consideration? Why is government action or intervention necessary?

The purpose of this Statutory Instrument (SI) is to fully implement the UK's international obligations under the UK/EU Trade and Cooperation Agreement ("TCA"), which relates to obligations under the European agreement concerning the work of crews of vehicles engaged in international road transport ("AETR"); and the Interbus Agreement ("Interbus"). This SI will make two main changes to the assimilated drivers' hours and tachograph regulations to:

- Firstly, change the legal basis for drivers' hours and tachograph rules applicable to Public Service Vehicles (PSVs), registered in the UK and EU, and heavy goods vehicles (HGVs) and PSVs, registered outside of the UK and EU, on international transport journeys, from the assimilated regulations to the AETR;
- Secondly, clarify that drivers of HGVs on international transport journeys between the UK and EU will now need to produce 56 days of tachograph data instead of 28 days.

This would ensure consistency between domestic law (the assimilated drivers' hours and tachograph regulations) and the international obligations under the TCA, Interbus and AETR. It would also allow the Driver and Vehicle Standards Agency (DVSA) and Driver and Vehicle Agency NI (DVA) to properly enforce the rules, particularly against non-UK vehicles operating in the UK.

Option 0 - Do nothing

This would mean the UK would not be meeting its international obligations under the TCA, Interbus and AETR.

Option 1 - Make amendments to domestic legislation

This is the preferred option and would ensure consistency between domestic law (the assimilated drivers' hours and tachograph regulations) and the international obligations under the TCA, Interbus and AETR. It would also allow the DVSA and DVA to properly enforce the rules, particularly against non-UK vehicles operating in the UK.

I have read the De Minimis Assessment, and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the legislative changes.

Signed by the Minister responsible:	***Date:***
Lilian Greenwood	***26 March 2025***

Summary of Impacts – Explanatory Memorandum Impact Section

This SI will make urgent changes to Regulation (EC) 561/2006, as it has effect in the UK ("assimilated drivers' hours regulation")[1] and Regulation (EU) 165/2014, as it has effect in the UK ("assimilated tachograph regulation")[2], to fully implement the UK's obligations under the UK-EU Trade and Cooperation Agreement ("TCA")[3], which applies the rules under the Interbus Agreement (regulates passenger coach and bus services between the UK and 36 other European countries). The changes will ensure that the drivers' hours and tachograph rules applicable for Public Service Vehicle ("PSVs"), irrespective of country of registration, and Heavy Goods Vehicles ("HGVs"), registered other than in the UK or EU, used on international transport journeys between the UK and EU, are those under the European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport ("AETR")[4] rules.

This includes consequential changes as a result of the AETR rules applying instead of the assimilated regulations. It also clarifies that HGVs used on international transport journeys between the UK and EU need to produce 56 days of data on their tachograph card (including manual records), instead of 28 days.
These changes will not have a significant impact on operators or drivers as the assimilated drivers' hours and tachograph regulations and AETR rules are largely aligned and would only affect a small number of PSV operators who undertake international transport journeys between the UK and EU. The main difference is that the AETR does not include requirements related to the smart tachograph and still requires the digital tachograph, there could be some cost savings for operators who had yet to fit smart tachographs.

Rationale for DMA rating

These changes will not have a significant impact on operators or drivers as the assimilated drivers' hours regulation and AETR rules are largely aligned and would only affect a small number of PSV operators who undertake international transport journeys between the UK and EU. The main difference is that the AETR has not adopted the smart tachograph and still requires the digital tachograph. Although it should be noted that the smart tachograph (both generation 1 and 2) is compliant with tachograph requirements under the AETR rules and therefore there could be cost savings for operators.

The Department for Transport (DfT) has not published an Impact Assessment for this measure as the Equivalent Annual Net Direct Cost to Business (EANDCB) is not expected to exceed +/- £10m per year. Instead, light-touch internal analysis has been conducted, the findings of which are presented below.

The EANDCB is highly uncertain, there are likely to be familiarisation costs to those who operate internationally but cost savings where smart 2 tachographs are no longer required.

1.0 Policy Rationale

1. This SI will make urgent changes to Regulation (EC) 561/2006, as it has effect in the UK ("assimilated drivers' hours regulation")[5] and Regulation (EU) 165/2014, as it has effect in the UK ("assimilated tachograph regulation")[6], to fully implement the UK's obligations under the TCA and Interbus, that the drivers' hours and tachograph rules applicable for PSVs, irrespective of country of registration, and HGVs, registered other than in the UK or EU, used on international transport journeys between the UK and EU, should be the AETR rules. This includes consequential changes as a result of the AETR rules applying instead of the assimilated regulations. It also clarifies that HGVs used on international transport

[1] Regulation (EC) 561/2006: https://www.legislation.gov.uk/eur/2006/561/contents
[2] Regulation (EU) 165/2014: https://www.legislation.gov.uk/eur/2014/165/contents
[3] The Trade and Cooperation Agreement between the United Kingdom of Great Britain and Northern Ireland, of the one part, and the European Union and the European Atomic Energy Community, of the other part entered into on 30 December 2020: https://www.gov.uk/government/publications/ukeu-and-eaec-trade-and-cooperation-agreement-ts-no82021
[4] The AETR is a United Nations treaty which sets out the drivers' hours and tachograph rules for goods and passenger vehicles used for international transport journeys between the parties to the AETR. https://unece.org/fileadmin/DAM/trans/doc/2010/sc1/ECE-TRANS-SC1-2010-AETR-en.pdf
[5] Regulation (EC) 561/2006 as amended by Regulation (EU) 2020/1054 and the following domestic regulations: SI 2019/453; SI 2020/1658; 2021/135 and SI 2022/1260
[6] Regulation (EU) 165/2014 as amended by Regulation (EU) 2020/1054 and the following domestic regulations: SI 2019/453; SI 2020/1658; 2021/135; SI 2022/1260 and SI 2023/739

journeys between the UK and EU need to produce 56 days of data on their tachograph card (including manual records), instead of 28 days.

Policy background

2. In order for UK buses and coaches and HGVs to be able to operate services internationally by driving to, from and through other countries' territories, and for international operators to do the same in the UK, there need to be agreements in place with those countries to allow specified journeys to take place.

Assimilated drivers' hours and tachograph regulations

3. The drivers' hours rules are in place to protect road safety by limiting the time drivers spent at the wheel and thus helping reduce fatigue-related accidents; to ensure fair competition in the industry and to improve the working conditions of drivers.

4. The tachograph rules are in place to allow for proper enforcement of the drivers' hours rules.

5. As fundamental road safety measures, both the drivers' hours and tachograph regulations were assimilated as UK law by Section 3 of the European Union (Withdrawal) Act 2018, as amended, when the UK left the EU.

6. The assimilated drivers' hours regulation specifies the maximum driving times and minimum break and rest periods, for drivers of HGVs weighing over 3.5 tonnes and PSVs with 10 or more seats who are engaged in either the carriage of goods or passengers by road.

7. The assimilated tachograph regulation specifies the rules relating to the construction, installation, use, testing and control of tachographs used in road transport. Tachographs are devices fitted to vehicles (in-scope of the assimilated drivers' hours regulation) and used to record a driver's compliance with the assimilated drivers' hours regulation. There are currently four types of tachographs in circulation:

    - **Analogue** (fitted to vehicles registered from 1980) - tachograph recordings are made by a stylus cutting traces into a wax-coated chart. Three separate styluses mark recordings of speed, distance travelled and the driver's activity. The inner part of the chart is used by the driver to write details of their name, location of start of journey, end location, date and odometer readings. The reverse of the chart normally contains an area for recording manual entries and details of other vehicles driven during the period covered.

    - **Digital** (fitted in vehicles registered from 1 May 2006) tachographs work by storing digital data on the driver and vehicle in their own memory and separately on a driver's card.

    - **Smart 1** (fitted in vehicles registered from 15 June 2019) tachographs work the same as a digital tachograph, but also automatically record the location of the vehicle and allow for enforcement authorities to remotely interrogate the data.

    - **Smart 2** and 'transitional' Smart 2 (fitted in vehicles registered for the first time from 21 August 2023, for vehicles used for international journeys between UK and EU, and from 21 February 2024 for vehicles used for domestic journeys) tachograph work in the same way as digital and Smart 1 tachographs, but also automatically record border crossings including between EU Member States and are more fraud resistant.

The AETR rules

8. The AETR is a United Nations treaty which, amongst other things, sets out the drivers' hours and tachograph rules for in-scope goods and passenger vehicles (i.e. goods vehicles weighing more than 3.5 tonnes and passenger vehicles with 10 or more seats) used for international transport journeys between the Parties to the AETR. There are currently 52 Parties, which include the UK, all 27 EU Member States and other European States and States of the former Soviet Union. The AETR rules have governed transport journeys between the UK and non-EU Member States since the UK became a Party in 1978.

Problem under consideration

Applicable drivers' hours and tachograph rules for PSVs used for international transport journeys between the UK and EU

9. In preparing for a no-deal exit from the EU, the assimilated drivers' hours and tachograph regulations were amended in 2019 via SI 2019/453, to remedy deficiencies arising from the withdrawal of the UK from the EU. In particular it reflected that the legal framework for road transport operations between the UK and the EU from Exit Day would be the AETR.

10. After the negotiation of the TCA in December 2020, the UK legislated for a continuity approach and amended the scope of the assimilated drivers' hours regulation (and thus the applicable tachograph regulation), via SI 2020/1658, from the AETR to the assimilated drivers' hours regulation for all vehicles used on international journeys between the UK and EU.

11. It has now been established with the European Commission that to meet obligations under the TCA and Interbus, PSVs used on international transport journeys between the UK and EU should be compliant with the AETR rules. This is due mainly to the difference in the approach taken in the TCA to the transport of passengers by road, versus the approach taken for the transport of goods by road.

12. The TCA title about the transport by road of goods requires the UK and EU to apply rules equivalent to those in place in the EU by the end of 2020, including the EU Mobility Package changes made in 2020, but not yet in force. These provisions included those related to the adoption of the smart tachograph 2 and the retrofitting dates for the old-style tachographs. The assimilated drivers' hours and tachograph regulations have been amended since 2020 to reflect changes required in the TCA. This instrument has not changed the policy in relation to the international transport of goods undertaken further to the TCA.

13. Since EU exit, road passenger transport services between the UK and EU further to Interbus and TCA have needed to follow the assimilated drivers' hours and tachograph regulations when in the UK. This instrument will change the UK legal basis for these transport services to AETR, so there is one set of rules in force for the whole of these international passenger transport journeys. Technical advice from EU officials has confirmed this new position is appropriate. The UK implemented a temporary enforcement position to permit these journeys, if they complied with AETR rules but do not meet the requirements of the assimilated drivers' hours and tachograph regulations, pending this statutory instrument coming into force.

14. The AETR rules still require the fitment and use of a digital tachograph and do not include any retrofitting requirements. The smart tachographs are compatible with the AETR rules and provide advantages including making fraud more difficult.

15. Although the main provisions, such as maximum driving limits and minimum break and rest requirements, in the AETR are aligned with both the assimilated and EU drivers' hours and

tachograph rules, the AETR does not include any of the EU Mobility Package changes made in 2020. See **Table below** for a summary of the differences:

Rule	**Assimilated Drivers' Hours Rules (Regulation (EC) 561/2006, as it has effect in the UK)**	**AETR Rules, preferred option**
Daily Driving Limit	9 hours (can be extended to 10 hours twice a week)	Same as assimilated drivers' hours rules
Weekly Driving Limit	56 hours	Same as assimilated drivers' hours rules
Fortnightly Driving Limit	90 hours	Same as assimilated drivers' hours rules
Breaks	45 minutes break after 4.5 hours of driving (can be split into 15 and 30 minutes)	Same as assimilated drivers' hours rules
Daily Rest Period	Regular daily rest period of 11 continuous hours (can be reduced to 9 hours up to three times a week)	Same as assimilated drivers' hours rules
Weekly Rest Period	Regular weekly rest period of 45 continuous hours (can be reduced to 24 hours every second week) must be taken after working for up to 6 consecutive 24-hour periods	Same as assimilated drivers' hours rules
12 day rule derogation on weekly rest	A driver engaged in a single occasional passenger service of international carriage of passengers may postpone the weekly rest period for up to 12 consecutive 24-hour periods following a previous regular weekly rest period under certain conditions	Same as the assimilated drivers' hours rules
Interruption for ferry or train	Can interrupt a regular daily or a reduced weekly rest by a maximum of 1 hour across 2 movements to load on or get off a ferry or train.	Can only interrupt a regular daily rest, not a reduced weekly rest, by a maximum 1 hour.
Compensation for Reduced Rest	Must be compensated by an equivalent rest period taken en bloc before the end of the third week following the week in question	Same as assimilated drivers' hours rules

Return to Base/Home	Operators must schedule drivers to return to base or drivers home every 4 weeks to have a regular weekly rest	Not required. A driver can work indefinitely away from home with no requirement to return home for regular weekly rest
Accommodation for weekly rest	Regular weekly rest periods and any weekly rest period of more than 45 hours shall be taken in suitable gender-friendly accommodation with adequate sleeping and sanitary facilities. Any costs for accommodation outside the vehicle shall be covered by the employer.	Not required. Driver responsible for finding and paying for accommodation for weekly rest.
Reaching a suitable stopping place	In unforeseen circumstances, provided that road safety is not jeopardised and to enable the vehicle to reach a suitable stopping place, a driver may depart from the assimilated drivers' hours rules to the extent necessary to ensure the safety of persons, the vehicle or its load.	Same as assimilated drivers' hours rules
Reaching the employer's operational centre or driver's home	In exceptional circumstances, provided that road safety is not jeopardised, depart from the EU daily and weekly driving time limits to reach the employer's operational centre or the driver's home to take their weekly rest, by 1 or 2 hours with conditions.	Not allowed. A driver is not allowed to exceed driving limits to reach home or base to take their regular weekly rest in any circumstances.

16. This SI will have the effect (unlike the previous policy) of not requiring UK or EU operators to retrofit tachographs when operating on international road passenger journeys between the UK and EU, as there are no retrofitting requirements in the AETR. This SI will also clarify that goods and passenger vehicles registered outside of the UK and EU will also need to comply with the AETR and not the assimilated rules, when on international journeys between the UK and EU.

Effects of this SI

17. The SI will make the following changes:

Assimilated drivers' hours regulation

- Amends the scope in Article 2 so that PSVs (registered in UK and EU) and PSVs and HGVs (registered outside UK and EU) that are being used for international transport journeys need to apply the AETR rules;

- Amends the definition of 'regular passenger services' and 'special regular passenger services' in Article 4(n) and 4(na) so that 'special regular passenger services' also need to meet the

conditions of a ‘regular passenger service’. In addition, to specifying that these ‘special regular services’ include the transport of workers between home and work, and the transport of school pupils and students to and from their educational institution.

- Removes the definition of ‘occasional passenger services’ in Article 4(nb)

- Removes Article 8(6a) to remove the 12-day rule derogation given to a driver engaged in a "single occasional passenger service of international carriage of passengers”. This is because no international passenger journeys will fall within scope of the assimilated drivers’ hours regulation once this SI comes into force. The derogation exists under the AETR rules.

Assimilated tachograph regulation

- Modifies Article 36 to clarify that the 56 days record keeping requirement would be applicable for in-scope goods vehicles (i.e. goods vehicles weighing over 3.5 tonnes and from 1 July 2026 some 2.5 to 3.5 tonne goods vehicles) on international journeys between the UK and EU. This requirement has applied since 31 December 2024, and this SI puts it on legislative footing.

Assimilated infringement regulation (Regulation (EU) 2016/403, as it has effect in the UK)[7]

- Removes the three infringements in table 1 referring to the 12-day rule derogation (Article 8(6a) of the assimilated drivers’ hours regulation).

- Amends the two infringements in table 2 referring to the requirement to produce 28 days of data (Article 36 of the assimilated tachograph regulation) to include 56 days where applicable.

Rationale for intervention

18. There is no other option but to make amendments to the assimilated drivers’ hours and tachograph regulations to ensure that the UK meets its international obligations under the TCA, Interbus and the AETR. The changes relate to the UK’s relationship with the EU and in particular the carriage of passengers and goods by road between the UK and EU.

Policy objective

19. The specific aims of this policy are to implement fully the UK’s obligations under the TCA, Interbus and the AETR.

Options considered

- **Option 0 - Do nothing**

  This would mean the UK would not be meeting its international obligations under the TCA, Interbus and AETR. Domestic law would not adequately reflect the agreements between the UK and EU. The lack of clarity in the law will make the arrangements unenforceable, allowing operators (UK and non-UK) to ignore the rules without repercussions. This could also leave the UK open to challenge by the European Commission for an alleged breach of international obligations.

- **Option 1 - Make amendments to domestic legislation**

  This is the preferred option and would ensure consistency between domestic law (the assimilated drivers’ hours and tachograph regulations) and the international obligations under the TCA,

[7] Regulation (EU) 2016/403: https://www.legislation.gov.uk/eur/2016/403

Interbus and AETR. It would also allow the DVSA and DVA to properly enforce the rules, particularly against non-UK vehicles operating in the UK.

2.0 Rationale for De Minimis Rating

20. This is a low impact policy; we expect the net impact to business to fall below the de minimis threshold of £10m equivalent annual net direct cost to business.

3.0 Costs and Benefits

21. As there will be minimal substantive changes to the requirements on drivers and operators as a consequence of this SI, as the assimilated and AETR rules are largely aligned (and would only affect a small number of PSV operators who undertake international transport journeys) there should be minimal impact.

Option 0 – Do Nothing

22. This would mean the UK would not be meeting its international obligations under the TCA, Interbus and AETR. Domestic law would not adequately reflect the agreements between the UK and EU. The lack of clarity in the law will make the arrangements unenforceable, allowing operators (UK and non-UK) to ignore the rules without repercussions.

Option 1 - Make amendments to domestic legislation

23. This SI will make two main changes:

    Clarify that drivers of HGVs on international transport journeys between the UK and EU will now need to produce 56 days of tachograph data instead of 28 days.

    Change the scope of the applicable drivers' hours and tachograph rules for passenger service vehicles on international transport journeys between the UK and EU from the assimilated regulations to the AETR rules.

Summary
Tachograph Record Keeping Requirements:

2023/24	HGV Operator Licenses	HGVs Licensed (International)
UK[8] (exc NI)	9,650 (international only)	88,500
NI[9]	5,000 (all)	11,500

24. There are approximately 14,650 operators and 99,500 vehicles that hold international HGV operator licences. We do not know the number of UK based drivers and vehicles that would be in scope of the AETR rule changes as we do not know how many of these actually operate internationally. For example, it was estimated that 16,000 HGVs enter via the Port of Dover and Channel Tunnel each day, this also includes HGVs registered in other countries.[10]

[8] Traffic Commissioner Annual Report 2023-24: https://www.gov.uk/government/publications/traffic-commissioners-annual-report-2023-to-2024
[9] DfIs Driver and Vehicle Agency Data https://www.infrastructure-ni.gov.uk/sites/default/files/2024-12/dfi-driver-vehicle-operator-and-enforcement-statistics-2024-25-q2-report.pdf
[10] https://committees.parliament.uk/writtenevidence/91290/html/#:~:text=Taken%20together%2C%20the%20Port,entire%20UK%20journey%20in%20Kent.

25. Licensees will need to familiarise themselves with the tachograph record keeping requirements and ensure drivers are compliant through disseminating this information and training. However, as an international licence costs the same as a national licence, and affords greater flexibility, it's likely that operators will apply for international licenses in case of future international work but may currently solely operate within the UK.

26. To comply with our commitments in the TCA, drivers of HGVs registered in the UK or EU on international transport journeys between the UK and EU will now need to produce 56 days of tachograph data instead of 28 days.

27. The assimilated drivers' hours and tachograph regulations require all drivers of in-scope vehicles operating in the UK to keep a full set of records of their activities (i.e., driving, other work, periods of availability, breaks, rest, annual leave and sick leave) for the current day and the previous 28 days. This requires drivers to manually record all activities (including when they are away from the vehicle for long periods of time) using either the manual inputs on a digital/smart tachograph or by making a manual record on a record sheet (from analogue tachographs) or printout (from digital/smart tachographs).

28. The change for HGVs being used on international journeys will mean they now need to produce 56 days of data (including manual records) instead of 28 days. This could put an added burden on occasional drivers who are away from their vehicle doing other duties instead of driving, as it could take them longer to manually record the data. However, we assume that there would be very few occasional drivers driving HGVs on international journeys. For those driving more frequently, they are currently recording their data to be kept for the 28 days, keeping records for an additional 28 days is not expected to have an impact.

29. Requiring records for 56 days, instead of 28, will enable enforcement action to be taken for offences committed over a longer period. This could encourage greater compliance and safety benefits through complying with drivers' hours rules.

Change of applicable drivers' hours and tachograph rules for PSVs used on international transport journeys:

2023/24	PSV Operator Licenses	PSVs Licensed (International)
UK (exc NI)[11]	1,700 (international only)	36,500
NI[12]	200 (all)	4,240

30. There are approximately 1,900 licensees and 41,000 vehicles that hold international passenger operator licences. We do not know the number of UK based drivers' and vehicles that would be in scope of the AETR rule changes as we do not know how many of these actually operate internationally.

31. There are approximately 41,000 internationally licensed PSV vehicles that would be required to have a digital tachograph, if operating internationally. However, as an international licence costs the same as a national, and affords greater flexibility, it's likely that operators will apply for international licences in case of future international work but may currently solely operate within the UK. We do not know the number of UK based drivers and vehicles who would be in scope of the AETR rule changes.

32. For example, in 2023 approximately 50,000 coaches departed the UK to the EU, via seaports and Le Shuttle[13]. Assuming 50% are UK based, and depart the UK every fourth day, there could be as few as 275 UK-registered PSVs operating internationally who would need to apply these drivers' hours and tachograph rule changes.

[11] Traffic Commissioner Annual Report 2023-24: https://www.gov.uk/government/publications/traffic-commissioners-annual-report-2023-to-2024
[12] DfIs Driver and Vehicle Agency Data https://www.infrastructure-ni.gov.uk/sites/default/files/2024-12/dfi-driver-vehicle-operator-and-enforcement-statistics-2024-25-q2-report.pdf
[13] DfT Port Freight Statistics and getlink-se_urd-2023_f_c-s-web.pdf

33. The impact of the changes to the applicable drivers' hours and tachograph rules for PSVs are expected to be minimal. The table below shows where the assimilated drivers' hours rules and the AETR rules differ and why the impact is expected to be minimal.

Rule	**Assimilated Drivers' Hours Rules (Regulation (EC) 561/2006, as it has effect in the UK)**	**AETR Rules**	**Expected Impact**
Interruption for ferry or train	Can interrupt a regular daily or a reduced weekly rest by a maximum of 1 hour across 2 movements to load on or get off a ferry or train.	Can only interrupt a regular daily rest, not a reduced weekly rest, by a maximum 1 hour.	Minimal impact, could have slight negative impact on scheduling if operators were previously utilising these break interruptions and must reschedule services to comply.
Return to Base/Home	Operators must schedule drivers to return to base or drivers home every 4 weeks to have a regular weekly rest	Not required. A driver can work indefinitely away from home with no requirement to return home for regular weekly rest	Minimal impact, could have slight positive impact on businesses operating costs if not having to return drivers to base or home, and slight negative welfare impacts on drivers
Accommodation for weekly rest	Regular weekly rest periods and any weekly rest period of more than 45 hours shall be taken in suitable gender-friendly accommodation with adequate sleeping and sanitary facilities. Any costs for accommodation outside the vehicle shall be covered by the employer.	Not required. Driver responsible for finding and paying for accommodation for weekly rest.	Minimal impact, could have slight positive impact on operators' costs of not having to pay for accommodation, slight negative welfare impact on drivers who will have to pay for their accommodation; as they cannot take a 45 hour weekly rest in their vehicle.
Reaching the employer's operational centre or driver's home	In exceptional circumstances, provided that road safety is not jeopardised in exceptional circumstances, depart from the EU daily and weekly driving time limits to reach the employer's operational centre or the driver's home to take their weekly rest, by	Not allowed. A driver is not allowed to exceed driving limits to reach home or base to take their regular weekly rest in any circumstances.	Minimal impact, could have slight negative operating impacts for operators in exceptional circumstances, as well as a slight negative impact on drivers who could have taken the extra time to reach home.

	1 or 2 hours with conditions.		However, there could be a slight positive impacts on road safety.

34. Overall Impacts of Drivers Hours Changes:

    Operators:
    There may be slight negative impact on scheduling if operators were previously utilising break interruptions regularly and must reschedule services to comply. There could be positive impacts from operators no longer having to pay for accommodation and no longer having to return drivers to base.

    Drivers:
    There may be slight negative impact on driver welfare as there would no longer be a requirement to return to home base for the weekly break. There also could be negative driver welfare impacts from changing the requirement so that the employer isn't liable for weekly accommodation costs.

    Society:
    Overall, there could be road safety benefits by reducing break interruptions and driving limits. This however would be minimal as the changes are minor.

35. In addition to the above differences, the AETR rules require the fitment and use of a digital tachograph, and not a smart tachograph as the assimilated rules currently require. There is no requirement to retrofit a smart tachograph 2 into vehicles with a digital or analogue tachograph from 31 December 2024, if the vehicle will be used for international transport journeys. Any PSV already fitted with a smart tachograph is compliant with the digital tachograph requirements under the AETR rules so there is no need for them to change their tachograph.

36. Assuming all PSV operators were compliant with the assimilated rules, then all these operators will be compliant with AETR rules and there would be no additional cost to fitting a digital tachograph as the smart tachographs are compliant.

37. Industry were notified on 17 December 2024 that the applicable rules for PSVs would be changed to the AETR, and that DVSA and DVA would not be enforcing the retrofitting date of 31 December 2024 for PSVs fitted with an analogue or digital tachograph. Operators of PSVs will no longer need to meet the smart 2 retrofit requirements and can continue to use a digital tachograph on international journeys between the UK and EU. This could save PSV operators £1,500 per vehicle[14] for those who have not yet fitted a smart 2 tachograph.

38. We do not know the proportion of operators / vehicles who have a digital, or smart, tachograph fitted but assume that the majority of vehicles in circulation in the UK would have at least a digital tachograph fitted, as these were implemented in 2006 into all new vehicles.

39. Those that have previously operated in the EU are expected to already be compliant with the AETR rules, as they would have had to comply with the drivers' hours and tachograph regulations. Further reducing the impact of these changes.

Transition Costs

40. There are expected to be transition costs from the above changes. These include organisations taking time to familiarise themselves with the applicable rules. This might include updated training to their staff on which journeys fall under the AETR rules, and what those rules include, so drivers can understand the rest period and break changes. However, drivers currently travelling through a country which is a party to the AETR should already be familiar with the AETR rules, because if a vehicle goes through an AETR country during an international journey the whole journey falls under the AETR rules.

[14] Estimated cost from DVSA of buying and retrofitting a smart 2 tachograph

41. If all international license operators (16,550) face two hours of familiarisation costs by one employee, taking the 'freight transport by road' median hourly pay gross of £15.07, there would be c.£500,000 of familiarisation costs (pay only)[15]. This is likely a significant overestimation, as we expect those who hold international licenses don't necessarily travel internationally, and those that do currently should already be familiar with the AETR rules.

Unmonetised Benefits

42. Compared to the do-nothing option, this legislation will enable the UK to undertake full enforcement action against non-compliant operators that breach these market access arrangements. Enforcement against non-compliant operators is important to ensure fair competition for UK operators delivering services both domestically and internationally. Without the legislation, the UK could also not undertake enforcement action against non-compliant international operators that breach our market access arrangements. It would also allow the DVSA and DVA to properly enforce the rules, particularly against non-UK vehicles operating in the UK. The drivers' hours rules are in place to protect road safety by limiting the time drivers spent at the wheel and thus helping reduce fatigue-related accidents; to ensure fair competition in the industry and to improve the working conditions of drivers.

Risks and unintended consequences

43. Due to the lack of data, there is a high degree of uncertainty around the expected impact of the SI. On balance, it is expected to be under £10m a year but it is not possible to quantify the anticipated costs or benefits or unintended consequences.

44. There could also be a slight impact on welfare, for example scheduled return to base and accommodation requirements changing, although this is expected to be minimal.

Wider impacts

45. This regulation is highly limited in scope and is not expected to have significant wider impacts due to the minimal expected direct impacts. Business or consumer activity is not expected to change, and so no transmission mechanisms exist to give rise to wider impacts.

Small and Micro Business Assessment

46. The current assimilated and AETR rules apply to all in-scope vehicles regardless of size of operator as these are road safety measures. The change to legislation to comply with AETR rules will again apply to all operators.

Review status: Please classify with an 'x' and provide any explanations below.

	Sunset clause		Other review clause		Political commitment		Other reason	X	No plan to review

As the SI is being made under the EU Future Relationship Act 2020, no review clause is required. The legislation will be monitored alongside the Future Relationship Act 2020, together with the TCA and Interbus agreements.

[15] Hourly Pay Gross, 2024, ONS Earnings and Working Hours, Non-Seasonally Adjusted