

Statement on the DfT's interpretation of Road Transport Cabotage Rules

In the road haulage industry, cabotage is where an operator registered in one country picks up and delivers a load within another country.

Within the EU, such cabotage operations are only legal if they are conducted on a temporary basis¹. In practice, the DfT's view² is that:-

- cabotage operations must not be;
 - permanent,
 - frequent, regular or continuous, and
- cabotage operations must;
 - involve the vehicle(s) in question leaving the UK at least once per month
 - be entirely *ad hoc*, casual and circumstantial, and
 - be at infrequent intervals

In order to be considered legal, enforcers would need to be satisfied that a cabotage operation met these criteria.

By way of illustration, if a foreign-based operator appeared to have:

- some form of standing contract for road freight operations within the UK,
- otherwise repeatedly performed cabotage operations for the same company or industry, and/or
- its own premises in the UK,

this would suggest to enforcers that the operation was not casual or circumstantial and that it might, therefore, be illegal.

The cabotage rules are enforced in the UK by VOSA (and DVTA in Northern Ireland), with reference to the criteria referred to above.

VOSA will normally write to foreign operators suspected of illegal cabotage operations explaining the apparent problem and asking the offender to cease or alter their operations. The foreign operators in question are given a short period to respond - typically just a week.

Member States are required to assist one another in the enforcement of the cabotage rules³. The UK can report apparent breaches of the rules to the competent authority in the foreign operator's home

¹ see European Regulation [3118/93/EEC](#). Also note that, until 2009 there are various additional restrictions on cabotage operations involving operators established in the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland and Slovakia.

² the Department wrote to the European Commission and to EU Member States on 6th September 2002 explaining how the UK would interpret “temporary”. This interpretation was supported by the European Commission’s subsequent “*Interpretative Communication on the temporary nature of road cabotage in the movement of freight*” ([2005/C 21/02](#)) which was published in the Official Journal of the EU on 26th January 2005.

³ see Article 8(1) of Regulation [3118/93/EEC](#)

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country. The UK expects all Member States to co-operate fully in enforcing the provisions of the Regulation and to take appropriate actions where necessary.

In addition, if VOSA have clear evidence of a breach of the cabotage rules, they can detain a vehicle⁴.

VOSA has stepped up investigations this year and has had a number of successful operations. This has led to some foreign operators leaving the UK, others tailoring their operations to become legal and others regularising the situation by acquiring an Operator's Licence. VOSA will remain vigilant to any suspected breaches of the cabotage rules.

If you are aware of an apparent breach of the cabotage rules, you are encouraged to report it to VOSA's Intelligence Hotline on 0870 60 60 440.

Department for Transport

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⁴ see the Goods Vehicles (Enforcement Powers) Regulations 2001 ([SI 2001/3981](#))