



RHA Campaign

**For a Road Haulage Land
Transport Agreement between
the UK and the EU**

Road Haulage Association

13 November 2017

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Introduction

1. In May the RHA asked members for views on a proposed Land Transport Agreement between the United Kingdom and the European Union to govern international road haulage after the United Kingdom exits the Union.
2. The Association has considered the feedback from members and is now proposing to Government that the United Kingdom should seek to enter into a Land Transport Agreement with the EU. The focus of the RHA is on an agreement for international road haulage, however it should be recognised that rail transport and passenger transport by road may also benefit from bespoke land transport agreements.

The International Road Haulage Sector

3. Currently access to the market and the occupation for all international commercial road haulage by HGV's is authorised by the EU wide "community licence" system. Domestic commercial road haulage in the UK is also governed by the same rules¹.
4. This system facilitates international road haulage throughout the EU. Hauliers with a "community licence" established in any EU Member State are permitted to undertake any international road haulage in the EU – the international road haulage market in the EU is fully liberalised.
5. The European system allows cabotage, that is the legal right of road haulage operators based in one EU Member State to undertake domestic road haulage in the territory of another Member State. Maintaining some cabotage arrangements might be desirable, however we do not believe this is as vital as obtaining an agreement for international road haulage.
6. There are numerous other EU and International agreements that cover obligations in respect of road haulage. These include rules covering drivers hours, tachographs, vehicle standards, roadworthiness standards and the like. Some are EU based, others are subject to other international agreements. For the purpose of international road haulage we would expect these agreements to maintain after the UK exits the EU.

¹ As per Regulations EC 1071/2009 and EC 1072/2009. (Passenger transport is regulated by EC 1073/2009)



RHA Proposal

Part 1 – Driver and vehicle standards

For the purpose of international road haulage the EU rules governing vehicles and drivers such as drivers hours, tachographs, vehicle standards and roadworthiness standards will apply to UK vehicles and drivers operating in the EU, and to EU vehicles and drivers operating in the UK.

7. This will commit the UK sector to accept EU and other internationally agreed rules for UK vehicles entering the EU. These rules may change over time. Compliance would apply equally to UK and EU road haulage operators.

Part 2 – International operator licencing

We propose that the UK and EU enters into a Land Transport Agreement for international road haulage that maintains the basic structure of the current community licence system. This Land Transport Agreement would allow UK operators with an international operator's licence to undertake unlimited international road haulage to, from and through all EU Member States, it would allow operators from all EU Member States with community licences to undertake unlimited international road haulage to, from and through the UK.

8. The administrative details on how the agreement will be put into effect will need to be determined, but a similar model already exists between the EU and Switzerland. The simplest way would be that the UK continues to issue UK Community Licences as now. If this is not acceptable a mutual recognition of UK and EU international operators licences may be a suitable way forward. Such an arrangement should permit international road haulage regardless of the State where goods are originating or destined.
9. A Land Transport Agreement would allow transit through the UK and the EU for all international road haulage activity. The agreement must allow cross trade to continue (for example, a Romanian or Irish operator would be able to collect goods in the UK and deliver them to Germany, and a UK operator would be able to collect goods in Germany and deliver them to France or Ireland).
10. We propose that the Land Transport Agreement allows transit to and from third countries. (So vehicles are not impeded if travelling outside the EU).
11. In broad terms, this model follows the arrangement that is in place currently between the EU and Switzerland. It is likely to be the case that proposal 1 above would be needed for proposal 2 to be acceptable to all parties.
12. The RHA is proposing that any arrangement to allow cabotage should fall outside of the UK – EU Land Transport Agreement. This would allow the UK to retain the right to allow cabotage by EU operators for the transport of specified goods or bilaterally with any other State if it wished.

Part 3 – Extra definition of international movements

We propose that the land transport agreement makes provision for movements by operators who are undertaking special transports such as the movements of circuses, concert tours, film crews and similar where the goods transported are used temporarily in EU member states or the UK and the goods are re-exported after use. Such movements should be defined as international movements under the Land Transport Agreement so they are not mixed up with cabotage rules.

13. The RHA is putting this proposal forward to accommodate the particular needs of a number of entertainment sectors in the UK and the EU that need to move equipment around other States. While not significant in volume, it would be very useful to allow these cultural and business activities to continue without significant added bureaucracy.
14. Such operations are distinct from cabotage as the goods are not originating in the country where haulage is taking place between two sites.

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