

ROAD GOODS CARRIERS' HANDBOOK

Administrative and/or penal sanctions against foreign carriers in case of missing or non complying documents accompanying an international road transport operation

UNITED KINGDOM

Information provided by: Road Haulage Association (RHA)

1. ENFORCING AUTHORITIES

In United Kingdom¹, foreign road vehicles may be checked by: Vehicle Inspectorate, Police, Health and Safety Executive, Department of Agriculture, Food and Rural Affairs, Local Trading Standards Offices.

2. SANCTIONS IN CASE OF MISSING OR NON-COMPLYING DOCUMENTS

2.1 Foreign carrier's documents

2.1.1 EU Licence, ECMT Authorisation, Bilateral or Transit Transport Authorisation

- person(s) sanctioned: driver
- sanctions: offence communicated to the competent authority in the vehicle's country of registration
- compromise settlement: no information
- other measures: no information

2.1.2 ADR permit

- person(s) sanctioned: driver
- sanctions: fine from £ 1,000 up to £ 15,000
- compromise settlement: none
- other measures: report from DGSA

2.2 Driver's Documents (foreign vehicle)

2.2.1 Proof of ID

- person(s) sanctioned: driver
- sanctions: entry prohibited into Great Britain
- compromise settlement: no information
- other measures: no information

2.2.2 Driving permit

- person(s) sanctioned: driver, principal
- sanctions: fine of up to £ 1,000 (Class 3 offence)
- compromise settlement: no information
- other measures: no information

2.2.3 AETR record sheet, tachograph discs, digital tachograph?

- person(s) sanctioned: driver, carrier
- sanctions: in case of missing tachograph not complying with regulations from verbal warning to fine of £ 5,000 (Class 5 offence) (Transport Act 1968)

¹ c.f. hereafter the details of the fines system

- compromise settlement: prison sentence of up to 2 years in case of record forgery
 no information
 • other measures: vehicle immobilisation
- 2.2.4 ADR training certificate
- person(s) sanctioned: driver, carrier
 - sanctions: fine of £ 1,000 up to £ 15,000
 - compromise settlement: no information
 - other measures: no information
- 2.2.5 Document from employer certifying driver's employment
- This document is not obligatory in the United Kingdom
- 2.3 Foreign vehicle's documents**
- 2.3.1 Registration certificate (grey card)
- person(s) sanctioned: driver
 - sanctions: fine of up to £ 2,500 for failure to produce document within 7 days
 - compromise settlement: no information
 - other measures: no information
- 2.3.2 Regular technical inspection
- person(s) sanctioned: driver
 - sanctions: fine of up to £ 2,500
 - compromise settlement: no information
 - other measures: no information
- 2.3.3 ECMT technical certificate
- person(s) sanctioned: no information
 - sanctions: no information
 - compromise settlement: no information
 - other measures: no information
- 2.3.4 Compulsory nationality plate
- (EU vehicles travelling on EU territory and bearing the European symbol as well as their country's initials as per EC Regulation 2411/98 are not required to display their country's distinguishing sign at the rear of the vehicle as foreseen by the UN Conventions on road traffic)
- person(s) sanctioned: driver
 - sanctions: no information
 - compromise settlement: no information
 - other measures: no information
- 2.3.5 ADR certificate of approval
- person(s) sanctioned: carrier
 - sanctions: fine from £ 1,000 up to £ 15,000
 - compromise settlement: no information
 - other measures: no information
- 2.3.6 ATP certificate of compliance
- person(s) sanctioned: carrier
 - sanctions: fine from £ 1,000 up to £ 15,000
 - compromise settlement: no information
 - other measures: no information
- 2.3.7 Hired vehicles

- person(s) sanctioned: driver, carrier
- sanctions: fine
- compromise settlement: no information
- other measures: no information

2.4 Transport documents on board foreign vehicles

2.4.1 Consignment note / CMR international consignment note

Not obligatory

2.4.2 Loading list (groupage)

Not obligatory

2.4.3 ADR transport document, consignor's declaration, ADR security instructions

- person(s) sanctioned: driver, carrier, consignor
- sanctions: fine from £ 1,000 up to £ 15,000
- compromise settlement: no information
- other measures: no information

2.4.4 Container packing certificate

- person(s) sanctioned: driver, carrier, person responsible for packing the container
- sanctions: fine from £ 1,000 up to £ 15,000
- compromise settlement: no information
- other measures: no information

2.4.5 Transfrontier movement of waste document (Basel Convention) (Note: The Transfrontier Waste Shipment Regulations Amendment have specifically targeted the Transporter where there is a misdeclaration on the type of Waste being transported for shipment. The consultation for this has only recently closed so further details are not forthcoming).

- person(s) sanctioned: driver, carrier, consignor
It may be remembered that the immediate sanction is against the driver who doesn't get shipped if he is unable to present the correct documents. Ultimately the driver may be prosecuted if the Authorities are unable to serve a summons on the carrier or consignor
- sanctions: fine from £ 1,000 up to £ 15,000
- compromise settlement: no information
- other measures: no information

2.5 Excess load of foreign vehicle

- person(s) sanctioned: driver, operator
- sanctions: immediate or delayed probation - prosecution
- compromise settlement: no information
- other measures: no information

2.6 Third-party insurance

- person(s) sanctioned: driver, carrier
- sanctions: fine from £ 100 up to £ 400
- compromise settlement: no information
- other measures: no information

2.7 Obligation to produce required documents

- person(s) sanctioned: driver, carrier, principal
- sanctions: depending on circumstances

- compromise settlement: no information
- other measures: no information

2.8 Obligation to submit to a decision to immobilise the vehicle

- person(s) sanctioned: driver
- sanctions: fine of £ 5.000
- compromise settlement: no information
- other measures: no information

3. APPEALS AGAINST SANCTIONS

3.1 Appeals against sanctions pronounced by enforcing agents (police, customs, other)

- authority with which the appeal should be lodged: no information
- time-limit to lodge an appeal: no information

3.2 Appeals against sanctions pronounced by an authority reviewing fines (minor offences)

- authority with which the appeal should be lodged: no information
- time-limit to lodge an appeal: no information

3.3 Appeals against sanctions pronounced by a court reviewing misdemeanours (serious offences subject to penal sanctions)

- authority with which the appeal should be lodged: no information
- time-limit to lodge an appeal: no information

4. SANCTIONS IN CASE OF INCORRECT LOADING OR STOWAGE

- person(s) sanctioned: no information
- sanctions: no information
- compromise settlement: no information
- other measures: no information

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