



Mobility Package 01

The European Commission's Mobility Packages are a collection of three initiatives putting forward major changes to EU road transport rules. These proposals cover many aspects of our industry's activities, from social to regulatory, enforcement and technical issues.

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Access to the profession



The 'Access to the Profession' regulation defines the requirements necessary to do business as a road transport operator in the European Union carrying either goods or passengers. The main aim of the Mobility Package 1 proposal on these rules is to fight 'letterbox' companies.

Recognition as road transport operator requires that a company:

- has a stable and operational establishment in a Member State;
- is of good repute and has no record of infringing industry rules;
- has adequate financial means to operate;
- has necessary professional competence.

Access to the profession



Inclusion of light goods vehicles

Light goods vehicles (below 3.5 tonnes) are increasingly used to carry out international, long distance road freight transport deliveries.

Access to the profession should also be extended to companies which use only vehicles below 3.5 tonnes in international road freight transport.

Letterbox' companies

'Letterbox' companies are companies which use a simple mailing address, without having any other business presence. The European Commission's proposal aims at ensuring proper establishment of a company in a given EU country.

Some European countries operate with lists of criteria for identifying letterbox companies, which has proven to be effective. Similar criteria should be defined by the Commission at the EU level.



European Register of Road Transport Undertakings

The European Commission has set up the [European Register of Road Transport Undertakings](#) (ERRU) in order to facilitate the exchange of information on road transport operators among Member States.

Having a consistent format for this data makes comparison easier, would facilitate cooperation, and would make enforcement more efficient.

Full implementation of ERRU in all Member States should take priority.



Access to the market



The rules on access to the road haulage market lay down the conditions that companies, active in the road haulage sector and established in the EU and the European Economic Area, need to meet when they operate in international transport and in national markets other than their own.

Unclear EU rules and difficulties in enforcement have led EU countries to implement different national rules. Unaligned national rules are counterproductive to an efficiently functioning EU internal market for goods transport services.

Access to the market



Cabotage

'Cabotage' is the term used to describe situations where a foreign truck makes national journeys, loading and unloading on the territory of an EU Member State, right after an international trip from another Member State or from a country outside the EU.

Further liberalisation of cabotage will result in competition within local markets

Current EU rules allow for 3 cabotage operations within 7 days of presence on a host national territory. The new rules suggested in Mobility Package 1 propose a further liberalisation of cabotage by allowing for unlimited cabotage operations within 5 days of the international delivery, including in an EU neighbour country.

The European Commission's new cabotage proposal would result in more misalignment among EU countries' rules. Therefore, IRU does not support the further liberalisation of cabotage rights.



Access to the market

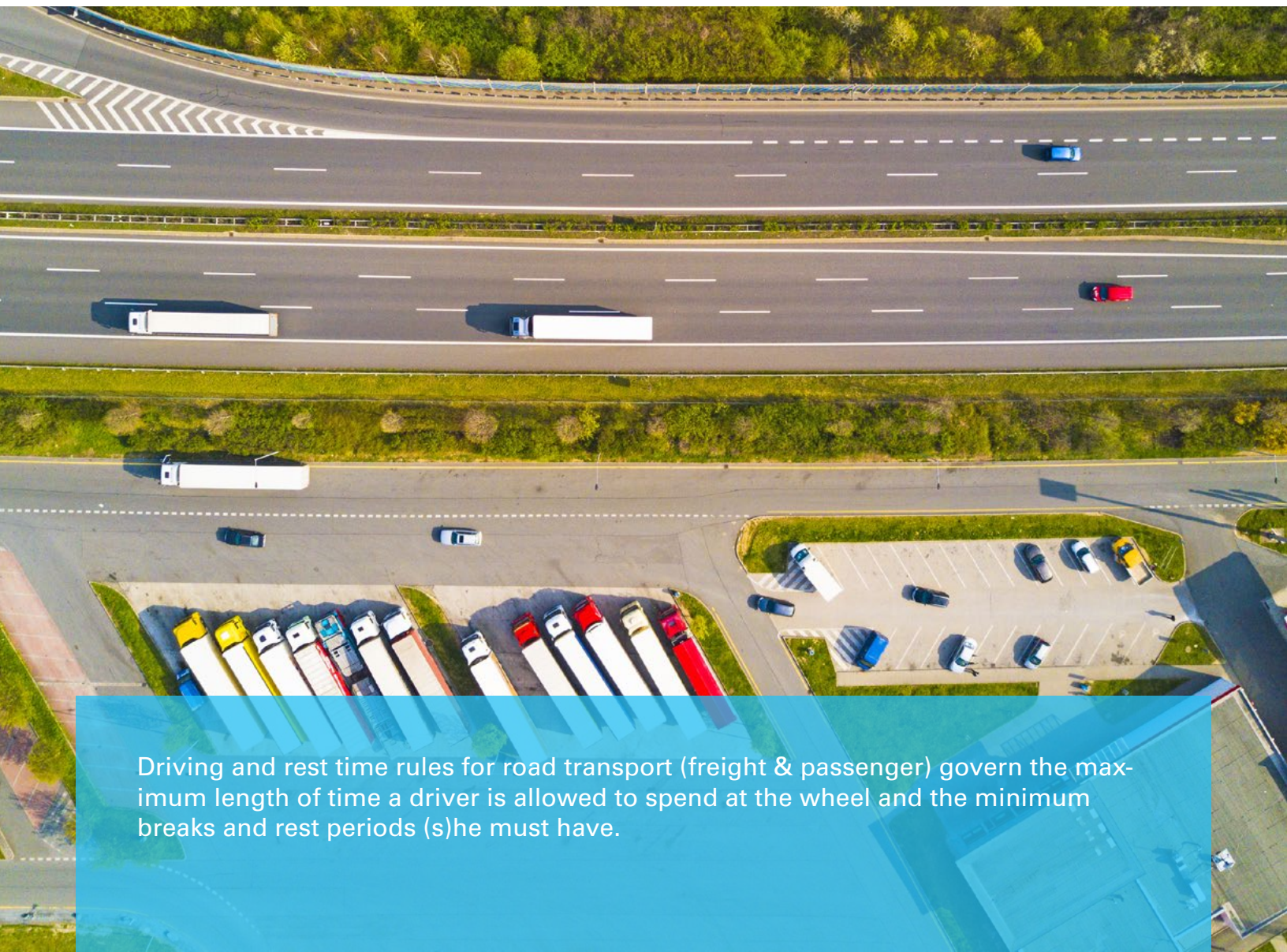


Difficult enforcement of the cabotage rules

With the new rules proposed on access to the market, truck drivers would be requested to carry 7 pieces of information for cabotage operations checks as evidence of load carried from abroad and of each cabotage operation. This is a missed opportunity to reduce the administrative burden on truck drivers. The solution could be to have on board a **consignment note**, in paper or electronic format (e-CMR), containing all the required information.

The European Commission also suggests a minimum number of cabotage checks. However, it will be difficult to determine which vehicles are engaged in cabotage operations and which are not. This could result in an increased number of unnecessary checks that would hinder the good functioning of the goods transport market. Targeted rather than systematic enforcement should be implemented.

Driving and rest time rules



Driving and rest time rules for road transport (freight & passenger) govern the maximum length of time a driver is allowed to spend at the wheel and the minimum breaks and rest periods (s)he must have.

Driving and rest time rules

Current rules

Daily breaks and rest

Regular breaks of at least 45 minutes and daily and weekly rests

1 week

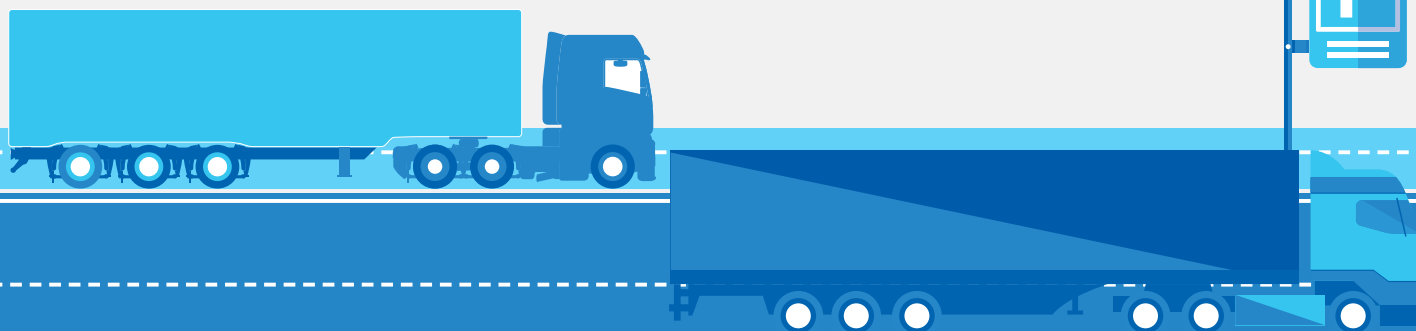
Reduced weekly rest period: Long distance truck drivers can spend reduced weekly rest in the cabin

2 weeks

Every 2-week period, the maximum driving time is 90 hours

3 weeks

Before the end of each 3-week period, drivers must compensate any reduced weekly rest



IRU proposal

Daily breaks and rest

Safe and secure parkings across Europe at every 100 km, for their breaks, daily rest, and weekly rest

1 week

Weekly rest period: keep the current situation where drivers can spend the reduced weekly rest in the cabin

4 weeks

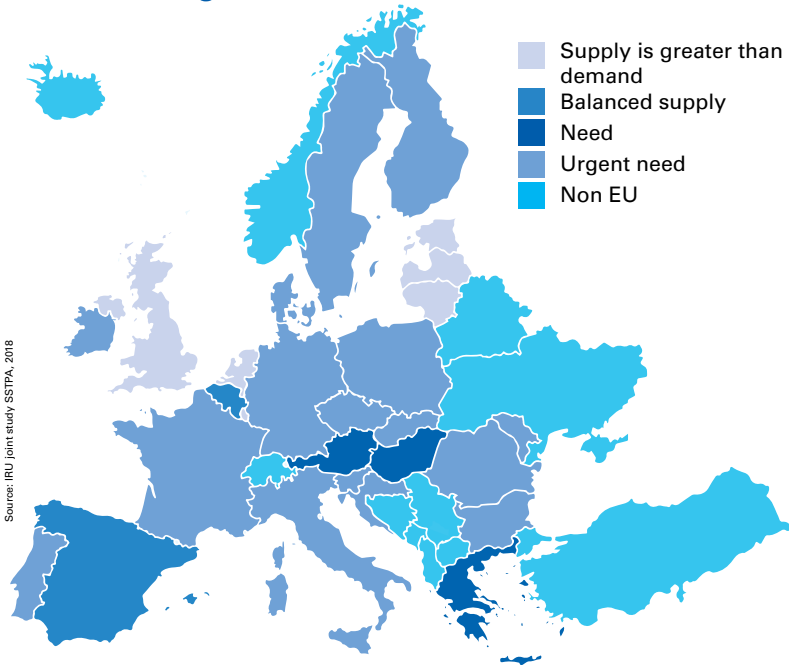
Before the end of a 4 weeks period: the driver must compensate any reduced weekly rest.

Return home

At the end of a 4-week period, drivers have the right and choice to return back to their country of residence or to the country of establishment of the company.

Driving and rest time rules

Truck Parking Areas in the EU - current situation



Safe and secure truck parking areas in Europe are top priority

Long distance truck drivers do not have access to nearly enough safe and secure parkings in Europe at which to spend their daily breaks and rest time.

IRU supports the building of safe and secure truck parking areas. These rest areas should be certified in terms of safety and security and should provide a minimum level of services; for example: toilets, shower, power sockets or vending machines. The IRU is contributing to the development of standards for safe and secure parking areas.

Rest in the cabin

IRU cares about drivers, customers and companies.

Long distance drivers deserve good working conditions, and labelled safe and secure parking areas at which to spend their daily breaks and rest time.

Regular weekly rest in the cabin should be allowed, if spent in a safe and secure parking.

Drivers must be able to spend their reduced weekly rest in the cabin, as is the case under the current rules.



Driving and rest time rules

Four-week reference period

Long distance drivers should have the right and choice to return home at four-week intervals, with some flexibility for drivers to combine regular and reduced weekly rest within these four weeks.

Drivers should be able to combine reduced rests and compensations more flexibly, to be taken before the end of the fourth week, and consisting of up to four to five days, at home or at a place of driver's choice. This solution is also good for businesses from peripheral Member States, which will have enough time to complete their trips and return home, or at a place of driver's choice.



Smart Tachograph

IRU supports introducing the smart tachograph as early as possible, given a reasonable and economically-viable transitional period.

IRU supports a much speedier introduction of the *second-generation Smart Tachograph*. This technology is designed to allow automatic registration of border crossings, facilitating drivers' work and improving efficiency in enforcement.

Driving and rest time rules

Coach tourism derogations

Coach tourism differs from other transport activity in terms of driving patterns. Coach drivers follow a “tourism pace,” meaning there are more breaks for passengers, more stops along the way, and a combination of longer trips (at the beginning and end of tours) and shorter trips (during tours). Overall, coach drivers spend much less time driving than other professional drivers.

Drivers in this sector should be granted more flexibility, particularly for long tours, during tourist seasons and on late-night cultural trips.

IRU suggests a 12-day derogation, applicable at national level, along with the possibility to extend, twice per week, the duty time of drivers by one hour.



Posting of workers



The Posting of Workers Directive aims at regulating the working conditions of employees providing services in a European Union country other than the one in which their employer is established.

The European Commission has recognised that the nature of the road transport sector requires special rules designed for the posting of workers.

A number of EU Member States have already adopted measures in this area, but this has resulted in a patchwork of unharmonised and uncoordinated national legislation across the EU.

Compliance with this regulatory patchwork presents a special challenge to operators and drivers who cross multiple countries.

The proposal for an EU Directive on posting of workers in the road transport industry is meant to:

- Minimise the administrative burden on drivers and operators
- Apply clear and uniform rules at the EU level in order to avoid inefficiencies caused by the current patchwork of national rules.

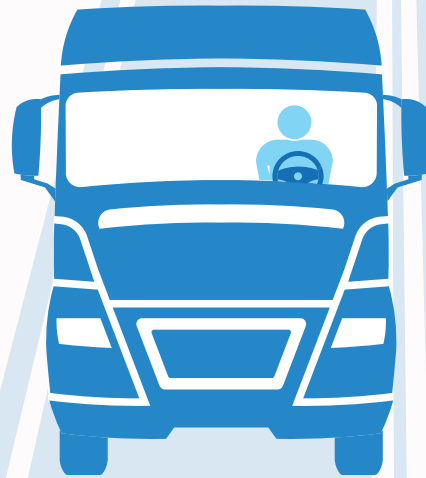
Posting of workers

Need for adequate and transparent information for drivers

Member States must provide road transport operators with transparent and adequate information on the particular terms and conditions on posting which apply within their borders.

Drivers should not have to shoulder this administrative burden, as it requires carrying on board a wealth of documentation, translated into several languages, in order to ensure compliance with the different European countries regulations.

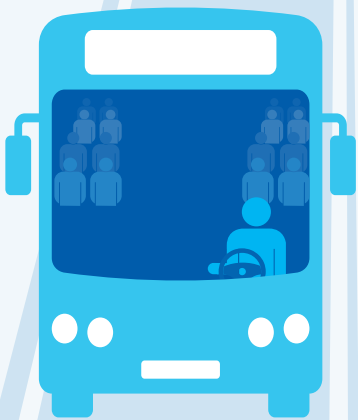
Digital solutions based on a “single window” principle could be a good alternative to pre-declare drivers and provide evidence during roadside checks (one-stop-shop platform).



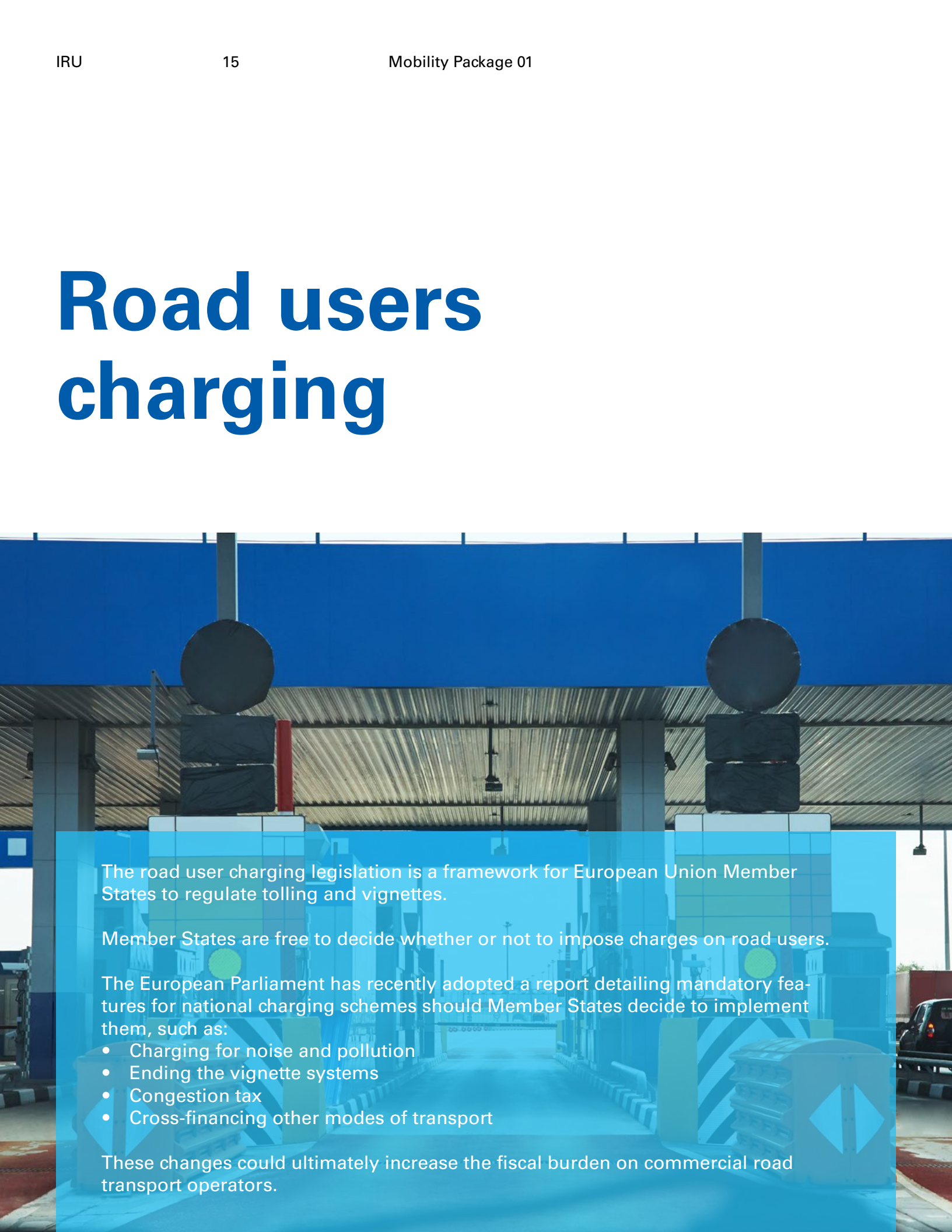
Need for specific derogations for passenger transport

The transport of passengers by bus and coach is a different activity from freight that is governed by separate market access rules. It is therefore necessary to distinguish between commercial road freight transport and passenger transport in the legislation.

Only occasional cabotage operations carried out by foreign transport operators should be covered by the posting rules.



Road users charging



The road user charging legislation is a framework for European Union Member States to regulate tolling and vignettes.

Member States are free to decide whether or not to impose charges on road users.

The European Parliament has recently adopted a report detailing mandatory features for national charging schemes should Member States decide to implement them, such as:

- Charging for noise and pollution
- Ending the vignette systems
- Congestion tax
- Cross-financing other modes of transport

These changes could ultimately increase the fiscal burden on commercial road transport operators.

Road users charging

Commercial road freight transport already pays its way

In the existing Eurovignette framework, trucks already cover more than 130% of their infrastructure and external costs via taxes, charges and duties. The revision of the eurovignette directive must not result in an increase of the fiscal burden on commercial road transport operators.

Trucking companies will not be able to invest in cleaner technologies and more efficient transport operations if extra user charges are levied.

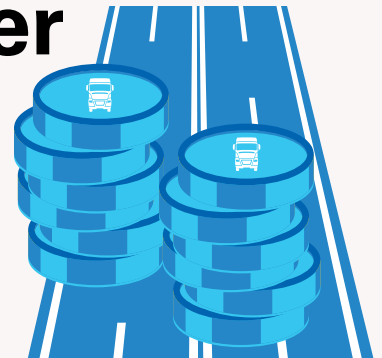
Trucks are a central pillar to economic development, especially within cities. Alternative options to avoid congestion should be offered to the road freight transport sector, such as the use of infrastructure during off-peak periods rather than subjecting them to congestion charge.

Costs attributable to European HGVs on motorways :

19.1 billion EUR per year

Revenues from tax, charges and duties of HGVs:

24.3 billion EUR per year



Revenues from road user charging should be earmarked and reinvested into road transport via two channels

- Improve current road infrastructure, including the creation of safe and secure parking areas, alternative fuel stations and ITS infrastructure
- Support further decarbonisation of the sector through incentives and benefits, including deployment of cleaner and safer vehicle technology

Road users charging

Member States must retain their freedom on road user charging

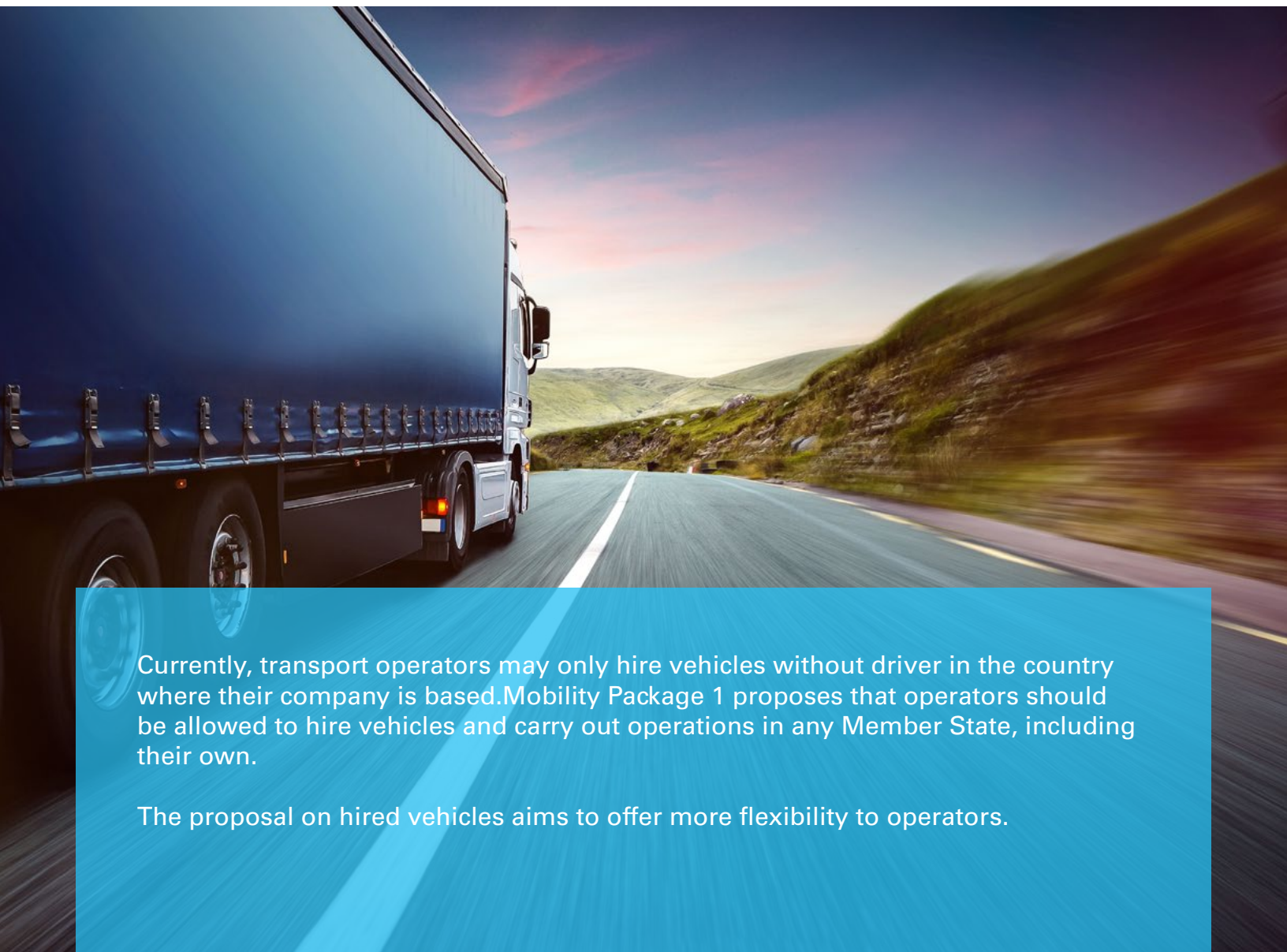
IRU opposes the phasing-out of vignette systems as suggested by the European Parliament.

Member States must remain free to choose between vignettes or tolls in accordance with their specific needs, constraints and objectives.

Initial investment and maintenance costs for electronic tolling systems are much higher than those for vignette systems. Cost increases for Member States will be passed on to road users and, as a consequence, increase the fiscal burden on commercial road transport operators.



Hired vehicles



Currently, transport operators may only hire vehicles without driver in the country where their company is based. Mobility Package 1 proposes that operators should be allowed to hire vehicles and carry out operations in any Member State, including their own.

The proposal on hired vehicles aims to offer more flexibility to operators.

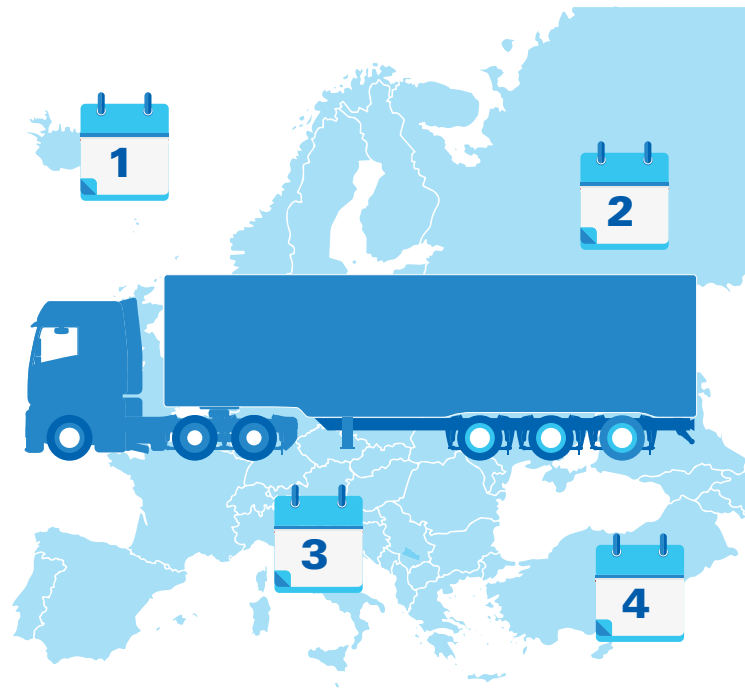
Hired vehicles

The four months rule

To ensure short-term demand is met, EU countries are given the option of introducing limits on the use of hired vehicles in their country, provided that they allow it for at least four consecutive months.

However, this “four-month rule” leaves too much space for interpretation by Member States and creates a complicated patchwork of rules for drivers and operators.

The rule for use of hired vehicles without driver should be aligned in each European country to *four months maximum* per year to provide clarity and legal certainty for transport operators.



Enforcement

Roadside controls might become more complicated, especially for cabotage; considering that it is a hired vehicle from an EU country other than where the company is registered and that the driver for that vehicle is operating outside his host country.

Because this is not the current EU norm, information about rule changes should be readily available for control authorities, in order to prevent delays and unnecessary roadside checks.

It is essential that the information on every vehicle hired is properly entered into the European Register of Road Transport Undertakings, and made easily accessible to all Member States.



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