



Brussels, 6<sup>th</sup> of June 2018

Dear Minister,

In view of the ongoing discussions and the upcoming Council meeting on the social and market aspects of the Mobility Package I, we, the road transport and logistics companies in Denmark, Sweden, Norway, Germany, France, Netherlands, Belgium and Italy would like to highlight the following points:

[In our joint statement from June 2017](#) we argued that the main objective for revising the rules for the internal market for road transport should be to create sound and fair competition between operators in the EU. But we also made it clear that to reach that goal we need:

- clear, uniform and unambiguous rules and interpretation of EU legislation
- effective, proportionate, uniform, cooperative and harmonized enforcement
- a better work environment with good infrastructure of high quality for drivers, secured parking places with decent sanitation services, terminals, loading stations.

Even though today's situation seems to be difficult to find compromises, we firmly believe in common EU rules to avoid a patchwork of national schemes, unnecessary administrative burdens and legal uncertainty as well as unfair competition for hauliers.

We, therefore, favor agreements taking into consideration the following aspects:

#### Posting

- *We favor a solution that accepts the general approach by the **Commission proposal** as a starting point and which includes international transport in the “lex specialis” directive.*
- *We support approaches on targeted checks on compliance with the **working time directive** at the premises, better **exchange of information** between member states with a tighter time schedule to deal with enforcement requests from another Member state, the inclusion of the transport leg in a **combined transport** operation in the posting directive and the request for a **posting declaration** for each transport operation.*
- *We disagree strongly with any rule which excludes a large part of the road transport activities from the “posting” directive.*

#### Driving and rest time

- *We agree with the requirements for a transport operator to enable drivers to **return home** regularly to combat driver's nomadism (enhances a better work-life-balance). We support rules prohibiting drivers from taking the regular weekly rest in the **cabin** unless they are taken in secured parking areas (improves the social standards of drivers) fulfilling high and verifiable criteria and only in relation with a “return home” after 3 weeks. We agree with more flexible rules on **breaks, additional two hours of driving** in exceptional cases when returning “home” (increases the driver's comfort to reach home and spend rest periods at home), support an ambitious and differentiated introduction of the “**Smart tachograph**”, ideally avoiding the introduction of the 1<sup>st</sup> generation to start directly with the 2<sup>nd</sup> generation of the “**Smart tachograph**”.*

### Access to market and profession

- *We disagree with any liberalization of cabotage operations until a convergence of social standards is achieved and underline the temporary nature of cabotage operations. The new rules must emphasize this temporary nature of cabotage. We warmly welcome the inclusion of vehicles from 2,4t, better use of **ERRU** by enforcement authorities and adding “cabotage” and “fair competition” to the criteria concerning the loss of **good repute**.*
- *We suggest a more precise wording to differentiate better between the freedom to provide service and the need to establish in a country from which the main activities start.*

Sincerely,



JA. VMSB.7E.BEFLN.7.02.02

The French road haulage association (FNTR) defends the interests of 5.000 companies representing in France more than 250.000 direct jobs in transport and logistics.



The full members of Nordic logistics Association represent 14.000 road transport operators in Denmark, Norway and Sweden.



The Dutch Association for Transport and Logistics (TLN) is the largest organisation in the Dutch road transport and logistics sector with 5000 members.



The German Road Haulage Association (BGL) is the largest German organisation representing 7.000 companies in the transport and logistic sector.



The Belgian Association for Transport and Logistics (Febetra) is the largest organisation in the Belgian road transport and logistics sector.



The Conftrasporto is the largest Italian road transport and logistics confederation with 15.000 members.