

Brussels, 30 January

Commercial road transport: an important step towards harmonised rules on enforcement

The European Commission adopted today a directive that establishes a common grading of the most common infringements to the so-called "social rules" in the road transport sector (those that govern driving hours and rest periods of professional drivers in the EU). Establishing a typology of infringements on the basis of their seriousness will put an end to the present situation, where the same infringement may be considered a minor infringement in one country and a more serious infringement in another country. This decision is the response of the Commission to concerns voiced by the road transport industry over the lack of harmonised rules in this area, which undermines fair competition and the smooth operation of businesses.

The new categorisation¹ distinguishes three levels of infringements: minor infringements, serious infringements and very serious infringements. The severity of an infringement depends on its influence on road safety. Actions that make monitoring compliance with social legislation impossible, such as fraud on the tachograph, are classified as very serious.

The new categories of infringements should serve as the basis for the risk rating systems that Member States are obliged to establish, according to the control directive², in order to better target checks on undertakings. Undertakings have to be rated according to their controls record and to the infringements committed. Those with a high risk rating will be checked more closely and more often.

As the common categorisation will also facilitate the exchange of information between Member States, undertakings committing infringements abroad will be controlled more closely by the Member State of establishment.

The text of the Commission directive amending the control directive can be found here:

http://ec.europa.eu/transport/road/social_provisions/social_provisions_en.htm

¹ It has been elaborated by the Commission with the assistance of the committee on social legislation relating to road transport, which comprises experts from the Member States and the social partners.

² Directive 2006/22/EC on minimum conditions for the implementation of Council Regulations (EEC) No 3820/85 and (EEC) No 3821/85 concerning social legislation relating to road transport activities, Article 9