



**COUNCIL OF
THE EUROPEAN UNION**



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Council adopts road transport package

The Council adopted three regulations that seek to modernise, replace and merge provisions governing road transport operators and access to the road transport markets, following a second-reading agreement with the European Parliament under the codecision procedure.

Access to the international road haulage market*

The regulation on common rules for access to the international road haulage market seeks to simplify and harmonise further the current rules by consolidating and merging regulations 881/92, 3118/93 and directive 2006/94/EC on access to the road transport market ([3658/09](#) and [12681/09 ADD1](#)).

The main objective is to eliminate legal uncertainty for Community hauliers and adapt legislation to market needs.

P R E S S

The issue of cabotage foresees:

- to allow for three cabotage operations within seven days, following an international journey. These operations may be also performed in transited member states as long as they are limited to one operation within three days per member state;
- in order to avoid a possible heavy disturbance of a national market, certain existing safeguard provisions will be re-introduced in the text, allowing member states to introduce protective measures in case of serious disturbances of the national transport market;
- addition of provisions underlining the temporary character of cabotage operations which should not lead to market disturbances;
- addition of a provision on reporting, asking the Commission to include in its assessment report on the possible further opening of domestic transport markets an evaluation of the control mechanism envisaged in this proposal;
- the Commission assessment report will be presented in 2013.

The occupation of road transport operator*

The regulation establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator ([3657/09](#), [12680/09 ADD 1](#)), is aimed at introducing stricter rules on admission to the occupation of road haulage operator or road passenger transport operator and modernising the image of the road transport industry.

It clarifies the existing legal provisions and supplements them so as to strengthen overall consistency and to guarantee effective and uniform application throughout the EU.

More specifically, it includes the following provisions:

- Companies intending to carry out transport operations have to designate a "transport manager" who must provide proof of high-quality professional competence (140 hours of training and an examination). This person has to manage effectively and continuously the transport activities of an undertaking;
- In order to combat the phenomenon of "letter-box companies", transport undertakings must have an office and an operating centre at the member state of establishment;

- Member States must cooperate in the task of monitoring undertakings operating in several member states; for this purpose, the national competent authorities have to set up and interconnect electronic registers containing infringements and penalties imposed to transport companies and transport managers.

The new rules replace directive 96/26 on admission to the occupation of road haulage operator and road passenger transport operator and mutual recognition of diplomas, certificates and other evidence of formal qualifications intended to facilitate for these operators the right to freedom of establishment in national and international transport operations.

Access to the international market for coach and bus services

The regulation on common rules for access to the international market for coach and bus services is aimed at revising and consolidating the current legislative framework (regulations 684/92 and 12/98) by clarifying the scope, simplifying procedures and establishing a standardised format for the Community licence and certified copies ([3656/09](#) and [12679/09 ADD1](#)).

A number of substantial changes are to be made to regulation 684/92 on common rules for the international carriage of passengers by coach and bus¹ and to regulation 12/98 laying down the conditions under which non-resident carriers may operate national road passenger transport services within a member state². In particular, the new rules foresee the introduction of the so-called "12-day rule" which allows coach and bus drivers of occasional bus services to accumulate their compulsory weekly leave and take it only after 12 consecutive working days. The rule would therefore allow coach drivers to take their compulsory weekly rest at the beginning of the 12-days period and at the end of it. This means that tour operators could put two-week itineraries together, not having to bring in relief drivers to operate in many tours and not having to arrange for drivers to take rest days far from home.

In the interests of clarity and simplification, the aforementioned regulations are recasted and incorporated into one single regulation.

¹ OJ L 74, 20.3.1992, p. 1.

² OJ L 4, 8.1.1998, p. 10.