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Clearer, fairer and more enforceable rules for truck drivers – Council agrees its position

The Council today agreed its position (general approach) on a **key reform of the road transport sector**, which includes **drivers' working conditions**, special **posting** rules for drivers in international transport, **access to the haulage market**, and improved **enforcement**. The reform is designed to ensure a balance between adequate working conditions for drivers and the freedom to provide cross-border services for operators. It will also provide clarity for the sector and put an end to divergent national interpretations of rules.

Today's agreement is about providing fairer rules for drivers and transport companies, and greater efficiency for national control authorities. Professional drivers will benefit from better working conditions, and companies operating across different member states gain from greater legal certainty and less red tape. Reaching an agreement on these proposals was a top priority for the Austrian presidency.

Norbert Hofer, Minister for Transport, Innovation and Technology of Austria, President of the Council

One key element for improving **enforcement** is having a reliable way to register when and where the truck has crossed a border and to localise loading and unloading activities. The second version of the **smart tachograph** will do all this automatically. All vehicles carrying out international transport operations would have to be fitted with this device by the end of 2024.

With regard to **cabotage** (transport companies' operations carried out within a national market outside their own country), the Council is maintaining the current rule allowing a maximum 3 operations in 7 days. The improved enforcement measures should make monitoring of compliance more efficient and effective. To prevent systematic cabotage, a 'cooling off' period of 5 days will be introduced before further cabotage operations can be carried out in the same country with the same vehicle.

The haulier would have to organise the drivers' work schedules in such a way that they are able to **return home** at least every four weeks - or, if the driver chooses to take two reduced weekly rests, after three weeks on the road.

To ensure adequate **working conditions** for drivers, the regular weekly rest must be spent outside the cabin.

The reform clarifies how professional drivers will benefit from the principle of the same pay for the same work at the same place. The general rule would be that if an operation is organised in such a way that the link between the driver's work and the country of establishment remains intact, the driver should be excluded from **posting** rules. This means that bilateral transport operations are explicitly excluded. On the way to the destination country and on the way back, one additional activity of loading/unloading is permitted in both directions without falling under the posting regime, or zero on the way out and up to two on the way back. Transit is also excluded. For all other types of operations, including cabotage, the full posting regime would apply from the first day of the operation.

The proposals are part of the first mobility package, presented by the Commission in June 2017.

The texts agreed today are the Council's position for negotiations with the European Parliament with a view to reaching agreement on the final texts.

Full texts of the Council's position ('general approach') will be made available on this webpage.

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