

Road transport: conditions to be complied with to pursue the occupation of road transport operator

2007/0098(COD) - 18/02/2019 - Follow-up document

The Commission presents the third report on the implementation of certain provisions of Regulation (EC) No 1071/2009 establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator.

The report covers the period from 1 January 2015 until 31 December 2016, and is synchronised with the report on the implementation of the social legislation relating to road transport, as required by Regulation (EC) No 1071/2009.

The Commission states that the quality and timeliness of submissions from Member States was highly variable, affecting the overall quality of the report. Due to some missing data on certain aspects of the Regulation, it could not provide for a complete analysis of implementation of the provisions of Regulation (EC) No 1071/2009. However, both the number of Member States having reported and the depth of the data reported have substantially improved in relation to the previous reporting period.

Requirements for authorisation - as permitted under the Regulation under certain conditions, several Member States impose national requirements that need to be satisfied in addition to the four requirements set out in the Regulation (stable and effective establishment, good repute, appropriate financial standing and requisite professional competence) in order to have access to the occupation of road transport operator. The report looks at the different ways in which each Member States checks compliance with the four requirements as well as in the number of checks carried out. Several enforcement authorities stress the difficulties encountered concerning checks of stable and effective establishment, which are considered to be more onerous than other checks, and the lack of administrative capacity to control all road transport undertakings registered in a given Member State.

Authorisations- as a result of the existence of different types of authorisations for undertakings to pursue the occupation of road transport sector, the data submitted by Member States can only be broadly compared. However, most Member States submitted a global number of authorised operators on 31 December 2016, which constitutes a point of reference for data on numbers of authorisations granted, suspended or withdrawn. Overall in the EU, there were 608 212 freight and 77 913 passenger transport operators. The vast majority of authorised undertakings are road hauliers. The percentage of authorised road hauliers compared to the overall number of authorised operators in the Member States having reported was 89% as of 31 December 2016 (88% as of 31 December 2014), whereas only 11% were passenger transport operators.

Authorisations granted – 278 092 authorisations were granted to pursue the occupation of operator in passenger (25 788) and goods (252 304) transport during the reporting period. Most of the authorisations granted in 2015 and 2016 concern road hauliers (91% overall) and only a small share of authorisations concern passenger transport operators (9%).

Authorisations withdrawn and suspended - the total number of authorisations withdrawn or suspended during the period 2015-2016 was 130 998, the highest number being in Spain (76 534)., which indicated that the main reason for withdrawal or suspension of authorisations was non-compliance with the four requirements on access to profession. However, the report states that withdrawals and suspensions of

authorisations across the EU were largely due to the expiry of the authorisation / Community licence, winding up of the company or on request by the operators in most of the Member States which reported on the reasons for such withdrawals and suspensions.

Certificates of professional competence – the total number of 477 761 certificates of professional competence were issued during the reporting period. The biggest share of certificates granted in the EU during this reporting period was in Spain (388 218), followed by the Netherlands (25 597), Romania (20 960), Poland (7 100) and France (6 616).

Declarations of unfitness were issued in ten of the reporting Member States, the highest number being in the United Kingdom (253).

Exchange of information - despite significant delays by some Member States, all Member States have now interconnected their national electronic registers of road transport undertakings. Several Member States noted that participation in the European Register of Road Transport Undertakings (ERRU) resulted in better cooperation and exchange of information between Member States and improved the effectiveness of their national electronic registers. A significant amount of information exchanges regarding serious infringements and good repute has been registered notably in Belgium, the Czech Republic, Germany, Estonia, Croatia, Italy, Latvia, Slovenia and Sweden. Most of these exchanges concern requests for checks of good repute sent to and received from other Member States. The report remarks that it is noteworthy that the volume of information exchanges has increased very significantly when compared to the previous reporting period.