

Minimum requirements on maximum daily and weekly driving times, minimum breaks and daily and weekly rest periods; positioning by means of tachographs

2017/0122(COD) - 04/04/2019 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 394 votes to 236, with 5 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 561/2006 as regards on minimum requirements on maximum daily and weekly driving times, minimum breaks and daily and weekly rest periods and Regulation (EU) 165/2014 as regards positioning by means of tachographs.

The proposal under consideration is part of a legislative package ("Europe on the move" for clean, competitive and connected mobility), which aims to ensure fair competition, simplify existing rules, preserve the internal market and ensure respect for the rights of workers in the road transport sector.

The European Parliament's position adopted at first reading under the ordinary legislative procedure amended the Commission proposal as follows:

Scope

In order to ensure a European wide-level playing field in road transport, the Regulation will apply to all vehicles exceeding 2.4 tonnes engaged in international transport. It is proposed to define 'home' as the registered residence of the driver in a Member State.

Weekly rest for drivers

A transport undertaking shall organise the work of drivers in such a way that the drivers are able to spend at least one regular weekly rest period or a weekly rest of more than 45 hours taken in compensation for reduced weekly rest at home or another location of the driver's choosing before the end of each period of four consecutive weeks.

The driver shall inform the transport undertaking in writing no later than two weeks before such rest period, if it will be taken in a place other than the driver's home. When a driver chooses to take this rest at home, the transport undertaking shall provide the driver with the necessary means to return home.

In order to ensure satisfactory working conditions for drivers, the normal weekly rest period shall be spent outside the cabin of the vehicle. It should be taken in a quality accommodation suitable for both women and men, outside the cabin, with adequate sleeping facilities and sanitary facilities for the driver.

Where the work of a driver predictably includes activities for the employer other than his/her professional driving tasks, such as loading / unloading, finding parking space, maintaining the vehicle, route preparation etc, the time he/she needs to perform these tasks should be taken into account when determining both his/her working time, the possibility for adequate rest and pay.

Bus drivers should be able to take their breaks more flexibly, without extending their driving time or reducing the length of their breaks and rest periods.

Dedicated parking areas

Member States shall:

- ensure the availability of a sufficient number of safe parking areas adapted to drivers' needs. Dedicated parking areas shall provide all the equipment (sanitary, culinary, safety and other) necessary for rest in good conditions;
- ensure that random checks are carried out regularly to ensure that the characteristics of the parking areas comply with the criteria applicable to dedicated parking areas. Drivers shall be provided with information on safe rest and parking areas to enable better route planning;
- communicate to the Commission, no later than six months after the entry into force of the Regulation, the locations of the dedicated parking areas available in their territories and subsequently notify any changes to this information. The Commission shall list all publicly accessible dedicated parking areas on a single official website that would be regularly updated.

Actual driving times

Transport companies shall be prohibited from granting additional remuneration to drivers they employ or who are made available to them on the basis of speed of delivery if such remuneration encourages infringements of the Regulation.

Members proposed that the driver may depart exceptionally from the rules after a rest of 30 minutes, so as to be able to reach within two hours the employer's operational centre where the driver is normally based. This period of up to two hours shall be compensated by an equivalent period of rest taken in one go, by the end of the third week following the week in question.

Tachograph

In order to enhance cost-effectiveness of enforcement of the social rules, Members considered that the current and smart tachographs systems should be mandatory in international transport.