Use of vehicles hired without drivers for the carriage of goods by road

2017/0113(COD) - 14/01/2022 - Council position

The Council adopted its position at first reading with a view to the adoption of a directive of the European Parliament and of the Council amending directive 2006/1/EC on the use of vehicles hired without drivers for the carriage of goods by road.

The proposal aims to promote the use of hired vehicles by removing some or all of the possibilities for Member States to restrict their use under Directive 2006/1/EC.

Member States may currently restrict the use of hired vehicles above 6 tonnes used for own account operations and they may restrict, on their respective territories, the use of vehicles, which an undertaking has hired outside its country of establishment. The proposal amends Directive 2006/1/EC on the use of vehicles hired without drivers for the carriage of goods by road with the aim of widening access to the market for hired goods vehicles and reducing the complexity of the rules.

Minimum rental period

The Council's position is based on a two-track solution, linking the minimum hire period to national rules for registration of hired vehicles.

Member States would be free either to allow **only 30 consecutive days** for the use of hired vehicles with foreign number plates (for Member States with a registration requirement after 30 days or less) or to grant **two months** of use of such vehicles (for Member States with more ‘generous’ registration rules).

Member States would now only be able to introduce restrictions for their own companies, whereas the current Directive allows them to introduce restrictions on the hiring of vehicles for foreign companies. According to the Council's position, there will now be a minimum period of use (30 days) which all Member States have to grant, and during which they cannot ask for national registration of such vehicles.

Limitation of hiring possibility to 25% of vehicles ‘at the disposal of’ the undertaking

With regard to the possibility of limiting the percentage of vehicles registered in another Member State in relation to the national road transport fleet, the Council's position stipulates that the Member State of establishment of the road transport undertaking may limit the number of hired vehicles that an undertaking may use provided that the minimum number of authorised vehicles corresponds to at least 25% of the goods vehicle fleet at the disposal of the undertaking either on 31 December of the year preceding the use of the hired vehicle or on the day when the undertaking begins to use the hired vehicle, as determined by the Member State.

Own account operations

The Council's position allows Member States to restrict the use of hired vehicles for own account transport only in the case of vehicles registered in another Member State, irrespective of their weight.

Monitoring and control

The Council also adopted rules obliging hauliers to register hired vehicles, including those hired in a Member State other than the Member State of establishment, in the national electronic registers of road transport undertakings.

In order to avoid a disproportionate administrative burden, information on hired vehicles should not be notified each time a vehicle is hired, provided that this information is available and accessible in the Member State carrying out the roadside checks.

Transposition and reporting

The deadline for transposition is 14 months after the date of entry into force of the Directive. At the latest four years after this date, the Commission will present a report on the implementation and effects of the Directive.

This report will contain information on the use of vehicles hired in a Member State other than the Member State of establishment of the undertaking hiring the vehicle. In particular, it will examine the impact on road safety, on the environment, on tax revenues and on the enforcement of the cabotage rules. On the basis of this report, the Commission will determine whether it is necessary to propose additional measures.