Minimum requirements on minimum breaks and daily and weekly rest periods in the occasional passenger transport sector

2023/0155(COD) - 12/12/2023 - Text adopted by Parliament, partial vote at 1st reading/single reading

The European Parliament adopted by 477 votes to 101, with 41 abstentions, **amendments** to the proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 561/2006 as regards minimum requirements on minimum breaks and daily and weekly rest periods in the occasional passenger transport sector.

The matter was referred back to the committee responsible for interinstitutional negotiations.

Breaks and rest periods

Members considered that drivers engaged in occasional road passenger transport services should be allowed to **split their obligatory break into two breaks of at least 15 minutes each** (as opposed to three in the Commission proposal) while respecting the total required minimum rest time of 45 minutes. More flexibility in the scheduling of these breaks, however, should not prevent drivers from having breaks longer than the required minimum duration or having additional breaks.

Drivers should therefore be able to postpone the start of their daily rest periods for a maximum period of **1 hour**, in cases where the driving period for that day has not exceeded 7 hours respectively and should postpone the start only when carrying out journeys of **6 days or longer**. For journeys of at least 6 days the drivers should be allowed to once **postpone their daily rest by 1 hour**. Such flexibility should not jeopardise road safety and should be limited during the period of the tour.

Digital journey form

In order to ensure effective and efficient enforcement, improved control measures and requirements should be established **taking full advantage of digital tools**. To allow for checks on the derogation to postpone the daily rest period and the possibility to postpone the weekly rest period for up to 12 consecutive 24 hour periods, a digital journey form should be electronically registered prior to the start of the journey in addition to the tachograph records and the printout from the recording equipment or the duty roster. The report stated that the digital forms should be **accessible in real time during roadside checks** and be solely used for controls of compliance and enforcement. For this purpose, the Commission should develop a multilingual interface on the basis of the Internal Market Information (IMI) system to allow operators to upload their digital journey forms.

The operator should ensure that the driver has at his or her disposal an electronic journey form and an obligation for the driver to keep and make available when requested at the roadside, and a copy of the electronic journey form submitted via the Internal Market Information System before the start of the journey.

Reporting and future changes

To ensure efficient and high-quality occasional passenger transport services as well as good working and driving conditions for drivers, the Commission should carry out an assessment report two years after the adoption of these new rules in order to study their effect on working conditions and the attractiveness of

the sector as well as to evaluate the enforcement of these rules. When relevant, the Commission should consider proposing new measures based on the findings of the report.

The Union and the Member States should promote cooperation with and between Social Partners and enforcement authorities, with the objective to contribute to the proper implementation of the provisions of this Regulation.

Lastly, the Commission should, by one year after this Regulation enters into force submit the legislative proposals it deems necessary to amend Regulation (EU) No 165/2014 of the European Parliament and of the Council and other relevant legislation in order to take into account the present Regulation in a way that smart tachographs offer, the options ‘regular passenger service’ and ‘occasional passenger service’ for the bus services option as appropriate for enforcement of this Regulation.