

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

2023/0155(COD) - 13/03/2024 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 482 votes to 120, with 20 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 minimum requirements on minimum breaks and daily and weekly rest periods in the occasional passenger transport sector.

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

Aim

The proposed Regulation seeks to ensure fair competition and improve working conditions and road safety through the harmonisation of the rules on breaks and rest periods for drivers engaged in occasional road passenger transport services, and to ensure that Member States are able to impose penalties for infringements of tachograph rules detected on their territory irrespective of where those infringements were committed.

Flexibility in the scheduling of breaks for drivers

According to the amended text, more flexibility in the scheduling of breaks for drivers engaged in occasional road passenger transport services should not in any way cause more fatigue or stress for drivers. It should be ensured that drivers take breaks of the minimum duration necessary to enable them to rest properly and sufficiently.

Therefore, it is appropriate to set a minimum duration for each break. Drivers engaged in occasional road passenger transport services should be allowed to **split their mandatory break into two breaks of at least 15 minutes each** while respecting the total required minimum break of 45 minutes. More flexibility in the scheduling of those breaks, however, should not prevent drivers from having breaks longer than the required minimum duration or from having additional breaks.

Breaks and rest periods

Provided that road safety and the working conditions of the driver are not thereby jeopardised, a driver engaged in a single occasional passenger service with a duration of at least **six consecutive 24 hour periods** may take the daily rest period **once within a maximum of 25 hours** after the end of the previous daily rest period or weekly rest period, provided that the total accumulated driving time for that day has not exceeded seven hours. Complying with the same conditions, that derogation may be used twice in a single occasional passenger service with a duration of at least eight consecutive 24 hour periods.

Journey

For the purpose of roadside checks, until a digital journey form is available, the driver should carry on board the vehicle a completed journey form, containing the essential information. The driver should also carry on board the vehicle paper or electronic copies of such journey forms which cover the previous 28 days, and, from 31 December 2024, the previous 56 days.

For national services, the journey form for international services may be used, indicating its use for national service.

No later than 31 December 2026, the Commission should assess the **options for digitalising the journey** form for drivers engaged in occasional passenger services and, if appropriate, present to the European Parliament and the Council a legislative proposal regarding such digitalisation.

Report

By 31 December 2028, the Commission should draw up a report assessing the consequences of the provisions of this Regulation relating to the occasional passenger services sector in respect of road safety and social aspects, in particular the working conditions of drivers. The Commission should send that report to the European Parliament and the Council. If it considers it to be appropriate, the Commission should make relevant legislative proposals.

Penalties

A Member State should enable the competent authorities to impose a penalty on an undertaking and/or a driver for an infringement of this Regulation or of Regulation (EU) No 165/2014 detected on its territory and for which a penalty has not already been imposed, even where that infringement has been committed on the territory of another Member State or of a third country.