

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

2023/0155(COD) - 02/05/2024 - Final act

**PURPOSE:** 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.

**LEGISLATIVE ACT:** Regulation (EU) 2024/1258 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 and as regards Member States' power to impose penalties for infringements of Regulation (EU) No 165/2014 committed in another Member State or in a third country.

**CONTENT:** the revised regulation consists of targeted amendments to the 2006 regulation aiming to introduce a certain **well-defined flexibility**, by way of derogation and at the driver's discretion, into the provisions on breaks and rest periods for professional drivers engaged in occasional passenger transport, such as tour buses. The regulation aims to better adapt this sector to its specific rhythm of work and to ensure a better service for passengers.

More flexible rules on the scheduling of breaks and rest periods of drivers engaged in occasional road passenger transport services should in no way jeopardise the safety of drivers or road safety, increase the level of fatigue of drivers or lead to a deterioration in working conditions. Such flexibility should therefore not alter the current rules on total minimum breaks, on maximum driving periods per day and per week, on maximum fortnightly driving time and on maximum working time in accordance with applicable law, including Directive 2002/15/EC of the European Parliament and of the Council.

## *Flexibility in the scheduling of breaks for drivers*

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;
- may postpone the daily rest period by **1 hour**, provided that the total accumulated driving time for that day has not exceeded 7 hours, and that this option is exercised once during a journey with a duration of at least 6 days, or twice during a journey of at least 8 days;
- may postpone the weekly rest period for up to **12 consecutive days** following a previous regular weekly rest period.

To ensure a uniform definition of occasional passenger services, the regulation clarifies that the definition set out in Regulation (EC) No 1073/2009 of the European Parliament and of the Council covers both **national and international services**.

## *Reinforced control framework*

For roadside checks, until a **digital journey form** is available, drivers should:

- carry on board the vehicle a completed journey form, containing the information required for the journey;
- 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 in terms of feasibility, cost-effectiveness and its impact on enforceability and working conditions of drivers and, if appropriate, present to the European Parliament and the Council a legislative proposal regarding such digitalisation.

That assessment should cover the development of a digital journey form containing the information required to allow such information to be electronically registered prior to the start of the journey in a multilingual interface to which operators have access.

### ***Report***

No later than 31 December 2028, the Commission should draw up a report assessing the consequences of the provisions of this Regulation relating to the occasional passenger transport services sector with regard to road safety and social aspects, in particular drivers' working conditions.

### ***Infringements***

The revised regulation specifies that infringements to tachograph rules committed on another member state's territory can be prosecuted in the Member State of detection.

ENTRY INTO FORCE: 22.5.2024.