Road transport: harmonisation of social legislation, driving times, breaks and rest periods for drivers

2001/0241(COD) - 05/11/2002

The committee adopted the report by Helmut MARKOV (EUL/NGL, D) amending the Commission proposal under the codecision procedure (1st reading). The main amendments were as follows: - the Commission's concept of a "flexible week" (defined as "the period of time between the end of one weekly rest period and the beginning of the next weekly rest period") should be replaced with a fixed calendar week as defined in Directive 2002/15/EC on the organisation of working time for persons performing mobile road transport activities (i.e. the period between 00.00 hours on Monday and 24.00 hours on Sunday). The committee argued that, if a calendar week is used, it is easier to enforce the rules and protect employees from weekend work; - Article 1 should be amended to ensure that improved monitoring and enforcement and the promotion of safe working practices are specifically mentioned as being among the objectives of the regulation; - the Commission's definition of a "regular daily rest period" (any uninterrupted period of at least 12 hours per day) should be made more flexible: the committee wanted it to be possible for the daily rest to be taken in two periods, the first of at least three hours and the second of at least nine hours. Other amendments also sought to ensure a more flexible organisation of rest periods, such as splitting the 30-minute breaks during driving time into breaks of 15 minutes each; - introduction of a new definition of "driving time", meaning the duration of the activity in which the driver controls the vehicle as an active road user, plus the time needed for the driver to make his way to the place of assignment or to the vehicle if that journey is made in a vehicle driven by the driver himself, but excluding the journey from his place of residence to his place of work; - the new legislation should apply to entire journeys made by vehicles from third countries which are not contracting parties to the AETR agreement, in order to prevent distortions of competition; - all vehicles used for courier and express delivery services should be covered by the regulation because accidents involving these vehicles are increasing sharply; - exemptions to the scope of the directive should be extended to include, for example, vintage or historic vehicles, vehicles used for transporting humanitarian aid and specialised breakdown vehicles operating within a 100km radius of their base (as opposed to a 50 km radius as proposed by the Commission); - the Commission should submit a proposal providing for vehicles covered by the regulation to be fitted with a digital tachygraph by a specified date. The new proposal should also provide for roadside checks on driving times to be extended to cover the check day and the preceding 27 days, whether vehicles are fitted with a digital tachograph or conventional recording equipment, and for roadside checks to cover not only daily driving times, rest periods and breaks, but also weekly rest periods in accordance with the regulation.