

# Transport operator: mutual recognition of diplomas, free establishment

1997/0029(SYN) - 04/02/1997 - Legislative proposal

**OBJECTIVE:** to pursue the harmonization process concerning access to the profession of road transport operator by removing elements of distortion of competition. **SUBSTANCE:** the Commission proposes amending directive 96/26/EC in order to: - indicate the scope of application of the directive for the professional carriage of goods and passengers by road: the new requirements will apply to all professional road haulage operators, irrespective of the size of the vehicles used; - stress that the good repute requirements of the operator are not satisfied if there are convictions of one serious criminal offence or of certain repeated minor offences; infringements of the rules relating to the protection of the environment and professional liability are added as transport related infringements. Another significant amendment concerns the requirements of financial standing: - the amount of available capital and reserves is increased to at least ECU 9 000 when only one vehicle is used and ECU 5 000 for each additional vehicle; - road haulage undertakings operating vehicles with a permissible payload which does not exceed 3.5 tonnes or the permissible total laden weight of which does not exceed 6 tonnes need to have for these vehicles a financial standing of at least ECU 9 000 when only one vehicle is used and ECU 700 per 500 kg of the maximum authorized weight for each additional vehicle. - undertakings using vehicles able to transport more than nine but less than 20 people must have a financial standing of at least ECU 9 000 when only one vehicle is used and ECU 250 for each seat for each additional vehicle; The proposal for a directive also makes provision for: - the obligation for road transport operators to have the necessary knowledge for both national and international transport operations; - deletion of the provision to exempt from the examination road transport operators who provide proof of at least five years practical experience in order to ensure that transport operators are subject from the entry into force of the directive to the same tests; - the introduction of transitional arrangements for Austria, Finland and Sweden; - the requirement for all road transport undertakings to satisfy all the requirements of good repute and financial standing not later than 1 January 2000; - a check every five years on observance of the provisions of the directive by road transport operators; - the up-dating of the list of subjects required and the detailed definition of the system of the examination in order to ensure that knowledge is assessed in a uniform manner.