# Road transport, working time: enforcing social legislation (implem. Regulations (EEC) No 3820 /85 and (EEC) No 3821/85/EEC, repeal. Directive 88/599/EEC)

2003/0255(COD) - 20/04/2004 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a resolution drafted by Helmuth MARKOV (EUL/NGL, D) making several amendments to the proposal: - Parliament inserted a new clause on the scope of the directive and the vehicles coming within the scope; - in so far as this is not already the case, Member States shall, not later than 1 January 2005, provide authorized inspecting officers with all necessary legal powers to enable them correctly to discharge their inspection obligations as required by the Directive; - where the Commission had proposed that not less than 30% of the working days checked should be checked at the roadside, Parliament wanted to change this figure to 15%. And it added that at least 50% of inspections on the premises of companies should be conducted in very small undertakings; - in order to counteract discrimination, records shall be kept of the Member State of origin of vehicles, drivers and undertakings subjected to roadside inspections; - hospitality and parking areas and other safe locations along motorways and service areas could be used as checkpoints; - Parliament agreed with the committee that the margin set by the Commission for exceeding the maximum weekly working time of 60 hours (20% or more) was too generous and would encourage widespread abuse of the maximum driving periods. It therefore proposed that it should be an offence to exceed the 60-hour maximum working week by a margin of 10% or more; - offences equally apply to self-employed drivers and drivers of goods vehicles with a permissible maximum weight exceeding 3.5 tonnes inclusive of trailer or semi-trailer; - within three years, the Commission shall submit a proposal for a directive on the harmonisation of the sanctions.