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) - 13/04/2005 - Text adopted by Parliament, 2nd reading

The European Parliament adopted a resolution drafted by Helmuth MARKOV (GUE/NGL, DE) making several amendments to the Council's common position, the principal ones being the following:

- Parliament incorporated Directive 2002/15/EC on the organisation of the working time of persons performing mobile road transport activities;

- a stronger co-ordinating enforcement body should be designated, acting as a national centre for enforcement, with responsibility for overseeing and implementing a coherent national enforcement strategy and achieving European interoperability of monitoring systems in consultation with other relevant competent authorities;

- checks will begin with 1% and will increase to 2 % from 1 January 2007 and to 3 % from 1 January 2009;

- from 1 January 2011 (instead of 2013) this minimum percentage may be increased to 4 % by the Commission;

- not less than of the total number of the working days checked shall be checked at the roadside and not less than 50 % (instead of 25%) of the total number of the working days shall be checked at the premises of undertakings;

- there are amendments on matters which have to be checked at the road;

- if infringements are repeatedly detected, they shall be more heavily penalised;

- where a Member State becomes aware of an infringement of Regulations 3820/85/EEC or 3821/85/EEC or of Directive 2002/15/EC committed on the territory of another Member State, it shall bring it to the attention of that Member State to enable the latter to impose penalties;

-there is inserted a list of serious infringements, such as exceeding the maximum daily, six-day or fortnightly driving time limits by a margin of 20 % or more;

- the Commission shall submit a proposal for a directive on the harmonisation of penalties on serious infringements.