

Road transport: conditions to be complied with to pursue the occupation of road transport operator

2007/0098(COD) - 25/09/2014 - Follow-up document

In accordance with Regulation (EC) No 1071/2009, the Commission presented its first report on the implementation by Member States of certain provisions concerning the **access to the occupation of road transport operator** in the Member States from 4 December 2011 to 31 December 2012.

The main findings of the report are as follows:

Data submission: despite the obligation to report contained in this Regulation at the point in time when this report was drafted six Member States, namely Belgium, Denmark, Finland, Germany, Luxembourg and Portugal, did not submit their national reports. Some Member States had a serious delay in providing their data by the deadline of 30 September 2013. In a number of reports certain necessary information was not provided, thus making it problematic to carry out a comprehensive analysis.

Due to a large amount of missing data, the **Commission report does not provide for a full analysis of implementation of provisions of Regulation (EC) No 1071/2009**. For the purpose of consistency of national submissions and in order to assist the national competent authorities with fulfilling their reporting obligation in the future, a **standard reporting form** should be established by the Commission in cooperation with Member States.

The analysis of data on pursuit of the occupation of road transport operator enabled the following conclusions to be made.

Good repute, financial standing and professional competence: this part consists of a presentation of national requirements, organization of checks, level of compliance and difficulties encountered, on the basis of information submitted by Member States. Due to the fragmentary nature of the reports by Member States, this overview is **not comprehensive** in scope.

Data on national systems for awarding access to the occupation was presented by Austria, France, Italy, Slovakia and the Czech Republic. Two Member States, namely Austria and Slovakia imposed national requirements that need to be satisfied in parallel with conditions set out in Regulation (EC) No 1071/2009.

Six Member States, namely Cyprus, Estonia, Ireland, Lithuania, Malta and Slovenia indicated that there was a high compliance rate of road transport undertakings operating in the sector.

Authorisations: it stems from data provided that most Member States do not report on authorisation in the sense of Chapter III of Regulation 1071/2009. Due to a lack of information about national systems in regard to authorisations, quantitative data submitted by Member States **do not give a clear picture on numbers of undertakings pursuing the occupation of road transport operator**.

Several Member States submitted a global number of authorised operators on 31 December 2012, which constitutes a point of reference for data on numbers of authorisations granted, suspended or withdrawn. The Czech Republic has almost 95 600 authorised operators, Italy about 81 000, the United Kingdom more than 53 500, Sweden around 18 000, the Netherlands almost 11 700, Ireland 5 800, Lithuania 4 500 and Slovakia 2 800. Hungary notified of slightly more than 45 000 valid licences.

On the basis of this data, it appears that the **vast majority of authorised undertakings are road hauliers**.

- **Authorisations granted:** the highest quantities of authorisations were granted in Italy (81 000 for both passenger and goods transport) and Spain (almost 31 000 for both passenger and goods transport). These figures can be compared to 10 000 granted authorisations for passenger and goods transport in France. The proportion of authorisations for road haulage is in all cases at least two times higher (Ireland) and up to almost seventy times as high (Spain) as authorisations granted for passenger transport.
- **Authorisations withdrawn and suspended:** the highest number of withdrawals of authorisations was reported in Spain and amounted to almost 37 600 for withdrawals were due to failure to provide proof of meeting the conditions needed for an authorisation to be granted, on the request of an applicant or cease of operations. France had a second highest number of withdrawals of authorisations for passenger and goods transport, which equalled to 4 700, followed by Slovakia with 1 200, Sweden with 965, the Czech Republic with 956 and Slovenia with 599 withdrawals. At the other end of the scale, Greece reported 222 withdrawals for passenger and goods transport, Poland (68), Latvia (58), Hungary (33), Italy (31). The number of authorisations for passengers and goods transportation that was withdrawn was greater than the number of authorisations granted only in three Member States, namely Slovakia, Spain and the Netherlands.
- **Certificates of professional competence:** more than 52 thousand certificates of professional competence issued. The biggest share of certificates granted in the European Union during this reporting period belonged to Romania and amounted to 31.5% of the total number of certificates granted and reported by Member States, followed by France (11%), Spain (11%), Italy (8%), the Czech Republic (8%), Sweden (6%) and Poland (5%).
- **Transport managers declared unfit:** most Member States who submitted data on number of declarations of unfitness, stated that there was not a single case recorded during the reporting period for both passenger and goods transport.
- **Exchange of information:** the establishment of the European Register of Road transport Undertakings (ERRU) was envisaged as a next step to facilitate cooperation between the national authorities for the purpose of further enhancement of cross-border enforcement of the European road transport legislation. On the basis of data provided, it can be noted that **the system of administrative cooperation between Member States has not been accomplished**. The Commission supports further enhancement of the administrative cooperation that strengthens consistent and effective implementation across all EU Member States.

For the next reporting period, 2013-2014, all Member States are called upon to:

- **comply with the reporting obligation** in order to allow for a full-fledge report and to avoid infringement procedures under Article 258 of Treaty on the Functioning of the European Union;
- **prepare an outline of their national systems for authorisations** in order to allow for a more reliable and a better quality overview at the European level.