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|---|---------------------|
| <p>2017/0122(COD)</p> <p>COD - Ordinary legislative procedure (ex-codecision procedure) Regulation</p> | Procedure completed |
| <p>Minimum requirements on maximum daily and weekly driving times, minimum breaks and daily and weekly rest periods; positioning by means of tachographs</p> <p>Amending Regulation (EC) No 561/2006 2001/0241(COD) Amending Regulation (EU) 165/2014 2011/0196(COD)</p> <p>Subject</p> <p>3.20.05 Road transport: passengers and freight 3.20.06 Transport regulations, road safety, roadworthiness tests, driving licence 3.20.10 Transport undertakings, transport industry employees 4.15.03 Arrangement of working time, work schedules</p> | |

| Key players | | | |
|--|--|--|------------------|
| European Parliament | Committee responsible | Rapporteur | Appointed |
| | TRAN Transport and Tourism | VIRKKUNEN Henna (EPP) | 18/07/2019 |
| | | <p>Shadow rapporteur</p> <p>TAX Vera (S&D)</p> <p>NAGTEGAAL Caroline (Renew)</p> <p>CUFFE Ciarán (Greens /EFA)</p> <p>HAIDER Roman (ID)</p> <p>KONENÁ Kateina (GUE /NGL)</p> | |
| | Former committee responsible | Former rapporteur | Appointed |
| | TRAN Transport and Tourism | VAN DE CAMP Wim (PPE) | 30/06/2017 |
| | Former committee for opinion | Former rapporteur for opinion | Appointed |
| EMPL Employment and Social Affairs (Associated committee) | BACH Georges (PPE) | 03/10/2017 | |
| Council of the European Union | Council configuration | Meetings | Date |
| | Transport, Telecommunications and Energy | 3581 | 2017-12-05 |
| | Transport, Telecommunications and Energy | 3658 | 2018-12-03 |

| | | | |
|--|--|---------------------|------------|
| | Transport, Telecommunications and Energy | 3623 | 2018-06-07 |
| European Commission | Commission DG | Commissioner | |
| | Mobility and Transport | BULC Violeta | |
| European Economic and Social Committee | | | |
| European Committee of the Regions | | | |

| Key events | | | |
|-------------------|--|--|-------------------------|
| Date | Event | Reference | Summary |
| 31/05/2017 | Legislative proposal published | COM(2017)0277  | Summary |
| 15/06/2017 | Committee referral announced in Parliament, 1st reading | | |
| 05/12/2017 | Debate in Council | | |
| 14/12/2017 | Referral to associated committees announced in Parliament | | |
| 04/06/2018 | Vote in committee, 1st reading | | |
| 04/06/2018 | Committee decision to open interinstitutional negotiations with report adopted in committee | | |
| 07/06/2018 | Debate in Council | | |
| 07/06/2018 | Committee report tabled for plenary, 1st reading | A8-0205/2018 | Summary |
| 11/06/2018 | Committee decision to enter into interinstitutional negotiations announced in plenary (Rule 71) | | |
| 14/06/2018 | Results of vote in Parliament |  | |
| 14/06/2018 | Committee decision to enter into interinstitutional negotiations rejected by plenary (Rule 71); file to be put on the agenda of the following part-session | | |
| 03/07/2018 | Debate in Parliament | CRE link | |
| 04/07/2018 | Results of vote in Parliament |  | |
| 04/07/2018 | Matter referred back to the committee responsible for reconsideration | | |
| 27/03/2019 | Debate in Parliament | CRE link | |
| 04/04/2019 | Decision by Parliament, 1st reading | T8-0340/2019 | Summary |
| 04/04/2019 | Results of vote in Parliament |  | |
| 24/09/2019 | Committee decision to open interinstitutional negotiations after 1st reading in Parliament | | |
| 09/10/2019 | Committee decision to enter into interinstitutional negotiations announced in plenary (Rule 72) | | |
| 21/01/2020 | Approval in committee of the text agreed at early 2nd reading interinstitutional negotiations | PE646.925 PE646.933 | |
| 08/04/2020 | Council position published | 05114/2020 | Summary |
| 17/04/2020 | Committee referral announced in Parliament, 2nd reading | | |
| 08/06/2020 | Vote in committee, 2nd reading | | |
| 10/06/2020 | Committee recommendation tabled for plenary, 2nd reading | A9-0115/2020 | Summary |
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|------------|---|---|-------------------------|
| 08/07/2020 | Results of vote in Parliament |  | |
| 09/07/2020 | Decision by Parliament, 1st reading | T9-0185/2020 | Summary |
| 15/07/2020 | Final act signed | | |
| 15/07/2020 | End of procedure in Parliament | | |
| 31/07/2020 | Final act published in Official Journal | | |

| Technical information | |
|---|---|
| Procedure reference | 2017/0122(COD) |
| Procedure type | COD - Ordinary legislative procedure (ex-codecision procedure) |
| Procedure subtype | Legislation |
| Legislative instrument | Regulation |
| | Amending Regulation (EC) No 561/2006 2001/0241(COD) Amending Regulation (EU) 165/2014 2011/0196(COD) |
| Legal basis | Treaty on the Functioning of the EU TFEU 091-p1 |
| Mandatory consultation of other institutions | European Economic and Social Committee European Committee of the Regions |
| Stage reached in procedure | Procedure completed |
| Committee dossier | TRAN/9/01263 |

| Documentation gateway | | | | |
|---|----------------------|------------------------------|------------|-------------------------|
| European Parliament | | | | |
| Document type | Committee | Reference | Date | Summary |
| Committee draft report | | PE615.412 | 19/12/2017 | |
| Amendments tabled in committee | | PE616.837 | 02/02/2018 | |
| Amendments tabled in committee | | PE618.309 | 27/02/2018 | |
| Amendments tabled in committee | | PE618.187 | 27/02/2018 | |
| Amendments tabled in committee | | PE618.151 | 24/04/2018 | |
| Committee opinion | EMPL | PE613.532 | 26/04/2018 | |
| Committee report tabled for plenary, 1st reading/single reading | | A8-0205/2018 | 07/06/2018 | Summary |
| Text adopted by Parliament, 1st reading/single reading | | T8-0340/2019 | 04/04/2019 | Summary |
| Committee letter confirming interinstitutional agreement | | PE646.925 | 23/01/2020 | |
| Text agreed during interinstitutional negotiations | | PE646.933 | 27/01/2020 | |
| Committee draft report | | PE650.439 | 17/04/2020 | |
| Amendments tabled in committee | | PE652.268 | 13/05/2020 | |
| Committee recommendation tabled for plenary, 2nd reading | | A9-0115/2020 | 10/06/2020 | Summary |
| Text adopted by Parliament, 2nd reading | | T9-0185/2020 | 09/07/2020 | Summary |
| Council of the EU | | | | |
| Document type | | Reference | Date | Summary |

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|-----------------------------------|----------------|------------|--|
| Council statement on its position | 01986/2020 | 07/04/2020 | |
| Council position | 05114/2020 | 08/04/2020 | |
| Draft final act | 00025/2020/LEX | 09/07/2020 | |

European Commission

| Document type | Reference | Date | Summary |
|--|--|------------|-------------------------|
| Document attached to the procedure | SWD(2017)0184  | 31/05/2017 | |
| Legislative proposal | COM(2017)0277  | 31/05/2017 | Summary |
| Document attached to the procedure | SWD(2017)0186  | 31/05/2017 | |
| Document attached to the procedure | SWD(2017)0185  | 31/05/2017 | |
| Document attached to the procedure | SWD(2017)0187  | 31/05/2017 | |
| Commission response to text adopted in plenary | SP(2019)443 | 12/06/2019 | |
| Commission communication on Council's position | COM(2020)0151  | 15/04/2020 | |

National parliaments

| Document type | Parliament /Chamber | Reference | Date | Summary |
|---------------|---------------------|---------------|------------|---------|
| Contribution | NL_CHAMBER | COM(2017)0277 | 13/07/2017 | |
| Contribution | PT_PARLIAMENT | COM(2017)0277 | 25/07/2017 | |
| Contribution | PL_SENATE | COM(2017)0277 | 02/08/2017 | |
| Contribution | FR_SENATE | COM(2017)0277 | 03/08/2017 | |
| Contribution | IT_SENATE | COM(2017)0277 | 04/08/2017 | |
| Contribution | RO_SENATE | COM(2017)0277 | 02/10/2017 | |
| Contribution | CZ_SENATE | COM(2017)0277 | 16/10/2017 | |
| Contribution | CZ_CHAMBER | COM(2017)0277 | 16/10/2017 | |
| Contribution | FR_ASSEMBLY | COM(2017)0277 | 13/03/2018 | |
| Contribution | FR_SENATE | COM(2017)0277 | 23/03/2019 | |

Other institutions and bodies

| Institution/body | Document type | Reference | Date | Summary |
|------------------|--|--------------|------------|---------|
| ESC | Economic and Social Committee: opinion, report | CES2852/2017 | 18/01/2018 | |

Additional information

| Source | Document | Date |
|---------------------|----------|------|
| EP Research Service | Briefing | |

Meetings with interest representatives published in line with the Rules of Procedure

Other Members

| Name | Date | Interest representatives |
|----------------|------------|------------------------------|
| THALER Barbara | 08/09/2023 | Wirtschaftskammer Österreich |

| Final act |
|--|
| Regulation 2020/1054 OJ L 249 31.07.2020, p. 0001 |

Minimum requirements on maximum daily and weekly driving times, minimum breaks and daily and weekly rest periods; positioning by means of tachographs

2017/0122(COD) - 31/05/2017 - Legislative proposal

PURPOSE: to adapt and clarify the social rules in the Union in road transport in order to improve the business and working conditions in the sector.

PROPOSED ACT: Directive of the European Parliament and of the Commission.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with Council.

BACKGROUND: **driving and resting times of drivers** are regulated under EU law. [Regulation \(EC\) No 561/2006](#) (the 'Driving Time Regulation') and [Regulation \(EU\) 165/2014](#) on tachographs are part of a wider effort to improve the working conditions of drivers, ensure fair competition between operators and improve the road safety of European roads.

An evaluation the effectiveness and efficiency of the implementation of the existing set of Union social rules in road transport, identified **certain deficiencies in the existing legal framework**. Unclear and unsuitable rules on weekly rest, resting facilities, breaks in multi-manning and the absence of rules on the return of drivers to their home, lead to diverging interpretations and enforcement practices in the Member States.

The objective of this proposal is to rectify the identified shortcomings and to help **improve the working and business conditions** in the sector in order to make the road transport sector fair, efficient and socially accountable.

IMPACT ASSESSMENT: the preferred option is a combination of two policy options: the first focused on strengthening enforcement, whilst the second established sector-specific criteria for posting workers in road transport and provides for specific enforcement measures.

The impacts of the preferred option include improving the working and resting conditions of drivers (decrease in fatigue index by 28% and in periods away from home by 43% for EU-13 drivers and by 16% for EU-15 drivers).

CONTENT: the proposal introduces a **limited number of modifications** to Regulation (EC) No 561/2006 on driving time and Regulation (EU) No 165/2014 on tachographs.

Driving time: the main amendments proposed are as follows:

- private individuals using vehicles which would fall within the scope of Regulation (EC) No 561/2006, to carry **private belongings** for their own purposes, are not obliged to record their driving times and rest periods and are therefore not obliged to have or use a tachograph or a driver's card;
- there is a **uniform definition** of the notion of 'non-commercial' carriage;
- drivers will have to record all tasks **other than driving** and also record any periods of availability; this will effectively monitor a driver's working patterns;
- drivers may **arrange for their weekly rest periods in a more flexible manner** over a period of four consecutive weeks, while ensuring that compensation for a reduced weekly rest is taken together with a regular weekly rest within three weeks. Any compensation for a reduced weekly rest must be attached to a regular weekly rest of at least 45 hours;
- a driver is **not allowed to take a weekly rest of 45 hours or more in a vehicle**. An employer is obliged to provide a driver with adequate accommodation with appropriate sleeping and hygiene facilities if drivers are not able to take a weekly rest at a private place of their choice;
- transport undertakings must organise the drivers' work in such a way that they are able to **return to their home** for a weekly rest at least once within three consecutive weeks;

- drivers may **postpone** the start of their weekly rest to reach their home provided that they comply with the daily and weekly driving time limits and with the required minimum duration of a weekly rest period;
- temporary **exceptions** from the general rules granted by Member States in urgent cases must be appropriately justified by the exceptional circumstances and the urgency involved in addressing them;
- Member States must **inform the Commission** about their national rules on driving times, breaks and rest periods applicable to the bus drivers exempted from the Regulation;
- **national penalties** imposed for infringing the Regulation should be proportionate to the seriousness of the infringement, as classified in relevant Union legislation.

Tachygraph: the proposed amendments aim to improve the features of 'smart' tachographs to make it possible to more **precisely position vehicles used for cross-border transport operations**.

The proposal adds an obligation on drivers to record in a tachograph the position of their vehicle after having crossed a border, at the earliest suitable stopping place.

Minimum requirements on maximum daily and weekly driving times, minimum breaks and daily and weekly rest periods; positioning by means of tachographs

2017/0122(COD) - 04/04/2019 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 394 votes to 236, with 5 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 561/2006 as regards on minimum requirements on maximum daily and weekly driving times, minimum breaks and daily and weekly rest periods and Regulation (EU) 165/2014 as regards positioning by means of tachographs.

The proposal under consideration is part of a legislative package ("Europe on the move" for clean, competitive and connected mobility), which aims to ensure fair competition, simplify existing rules, preserve the internal market and ensure respect for the rights of workers in the road transport sector.

The European Parliament's position adopted at first reading under the ordinary legislative procedure amended the Commission proposal as follows:

Scope

In order to ensure a European wide-level playing field in road transport, the Regulation will apply to all vehicles exceeding 2.4 tonnes engaged in international transport. It is proposed to define 'home' as the registered residence of the driver in a Member State.

Weekly rest for drivers

A transport undertaking shall organise the work of drivers in such a way that the drivers are able to spend at least one regular weekly rest period or a weekly rest of more than 45 hours taken in compensation for reduced weekly rest at home or another location of the driver's choosing before the end of each period of four consecutive weeks.

The driver shall inform the transport undertaking in writing no later than two weeks before such rest period, if it will be taken in a place other than the driver's home. When a driver chooses to take this rest at home, the transport undertaking shall provide the driver with the necessary means to return home.

In order to ensure satisfactory working conditions for drivers, the normal weekly rest period shall be spent outside the cabin of the vehicle. It should be taken in a quality accommodation suitable for both women and men, outside the cabin, with adequate sleeping facilities and sanitary facilities for the driver.

Where the work of a driver predictably includes activities for the employer other than his/her professional driving tasks, such as loading / unloading, finding parking space, maintaining the vehicle, route preparation etc, the time he/she needs to perform these tasks should be taken into account when determining both his/her working time, the possibility for adequate rest and pay.

Bus drivers should be able to take their breaks more flexibly, without extending their driving time or reducing the length of their breaks and rest periods.

Dedicated parking areas

Member States shall:

- ensure the availability of a sufficient number of safe parking areas adapted to drivers' needs. Dedicated parking areas shall provide all the equipment (sanitary, culinary, safety and other) necessary for rest in good conditions;

- ensure that random checks are carried out regularly to ensure that the characteristics of the parking areas comply with the criteria applicable to dedicated parking areas. Drivers shall be provided with information on safe rest and parking areas to enable better route planning;

- communicate to the Commission, no later than six months after the entry into force of the Regulation, the locations of the dedicated parking areas available in their territories and subsequently notify any changes to this information. The Commission shall list all publicly accessible dedicated parking areas on a single official website that would be regularly updated.

Actual driving times

Transport companies shall be prohibited from granting additional remuneration to drivers they employ or who are made available to them on the basis of speed of delivery if such remuneration encourages infringements of the Regulation.

Members proposed that the driver may depart exceptionally from the rules after a rest of 30 minutes, so as to be able to reach within two hours the employer's operational centre where the driver is normally based. This period of up to two hours shall be compensated by an equivalent period of rest taken in one go, by the end of the third week following the week in question.

Tachograph

In order to enhance cost-effectiveness of enforcement of the social rules, Members considered that the current and smart tachographs systems should be mandatory in international transport.

Minimum requirements on maximum daily and weekly driving times, minimum breaks and daily and weekly rest periods; positioning by means of tachographs

2017/0122(COD) - 07/06/2018 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Transport and Tourism adopted the report by Wim van de CAMP (EPP, NL) on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 561/2006 as regards on minimum requirements on maximum daily and weekly driving times, minimum breaks and daily and weekly rest periods and Regulation (EU) 165/2014 as regards positioning by means of tachographs.

The Committee on Employment and Social Affairs, exercising its prerogatives as an associate committee under [Rule 54 of the Rules of Procedure](#) of the European Parliament, also gave its opinion on this report

The proposal is part of a package of legislative measures (Europe on the move", for clean, competitive and connected mobility), the aim of which is to guarantee fair competition, simplify existing rules, preserve the internal market and ensure that the rights of road transport workers are respected. The committee recommended that the position of the European Parliament adopted at first reading in the ordinary legislative procedure amend the Commission proposal as follows:

Scope: in order to ensure a European wide-level playing field in road transport, the Regulation will apply to all vehicles exceeding **2.4 tonnes** engaged in international transport.

It is proposed to define '**home**' as the registered residence of the driver in a Member State.

Weekly rest period of drivers: in any four consecutive weeks a driver shall take at least: (i) our regular weekly rest periods, or (ii) two regular weekly rest periods of at least 45 hours and two reduced weekly rest periods of at least 24 hours; or (iii) three regular weekly rest periods of at least 45 hours and one reduced weekly rest period of at least 24 hours.

A transport undertaking shall organise the work of drivers in such a way that the drivers are able to spend at least one regular weekly rest period or a weekly rest of more than 45 hours taken in compensation for reduced weekly rest **at home or another location of the driver's choosing** before the end of each period of three consecutive weeks.

The driver shall inform the transport undertaking in writing no later than two weeks before such rest period, if it will be taken in a place other than the driver's home. When a driver chooses to take this rest at home, the transport undertaking shall provide the driver with the necessary means to return home.

Where the work of a driver predictably includes activities for the employer **other than his/her professional driving tasks**, such as loading / unloading, finding parking space, maintaining the vehicle, route preparation etc., the time he/she needs to perform these tasks shall be taken into account when determining both his/her working time, and the possibility for adequate rest and pay.

Bus drivers should be able to take their breaks more flexibly, without extending their driving time or reducing the length of their breaks and rest periods.

Dedicated parking areas: the Commission's proposal introduces a ban on weekly rests in a vehicle of overall 45 hours or more, expanding it to include the reduced weekly rest. Members required employers to provide drivers with adequate accommodation featuring appropriate sleeping and hygiene facilities, whenever drivers are unable to take a weekly rest at a private place of their choice.

Members proposed, however, to introduce a **derogation to the general rules banning rest in vehicles**, so that a driver may take regular weekly rest periods and reduced weekly rest periods in any parking areas that are self-certified as Dedicated Parking Areas (DPA).

Dedicated parking areas should have all of the facilities necessary for good resting conditions, that is to say sanitary, culinary, security and others.

Member States must ensure that random checks are regularly carried out to verify that the characteristics of parking areas comply with the criteria applicable to dedicated parking areas. Drivers will be provided with information on safe stopping and parking areas to allow for better route planning. Member States will be encouraged to **support the creation of safe and adequate parking areas** and to make the necessary investments.

Actual driving times: Members proposed that the driver may depart exceptionally from the rules after a rest of 30 minutes, so as to be able to reach within two hours the **employer's operational centre** where the driver is normally based. This period of up to two hours shall be compensated by an equivalent period of rest taken in one go, by the end of the third week following the week in question.

Tachograph: in order to enhance cost-effectiveness of enforcement of the social rules, Members considered that the current and smart tachographs systems should be mandatory in international transport.

Minimum requirements on maximum daily and weekly driving times, minimum breaks and daily and weekly rest periods; positioning by means of tachographs

2017/0122(COD) - 08/04/2020 - Council position

The Council adopted its position at first reading with a view to the adoption of a Regulation of the European Parliament and of the Council amending Regulation (EC) No 561/2006 as regards minimum requirements on maximum daily and weekly driving times, minimum breaks and daily and weekly rest periods and Regulation (EU) No 165/2014 as regards positioning by means of tachographs.

This proposal was presented as part of the first mobility package. Its objective is to harmonise the rules on driving times, breaks and rest periods in the road transport sector and the enforcement of these provisions through the use of tachographs in order to prevent distortions of competition, improve road safety and ensure good working conditions for drivers in the European Union.

The Council's position at first reading reflects the compromise reached in the negotiations between the Council and the European Parliament. It includes the following main elements:

Application to light commercial vehicles

The Council's position includes light commercial vehicles within the scope of the regulation, including vehicles with trailers or semi-trailers, with a maximum permissible mass exceeding 2.5 tonnes and which are used in international transport for hire or reward. These vehicles shall also fall within the scope of Regulation (EU) No 165/2014 and shall be equipped with intelligent tachographs.

The Commission shall use a transitional period (until 1 July 2026) to adopt implementing acts laying down detailed provisions on the data, functions and installation of tachographs for light commercial vehicles within 18 months of the entry into force of the amending Regulation, so that the production of the necessary equipment and its installation in vehicles can be organised during the remainder of the period.

Organisation of weekly rest period

The Council's position maintains the rule that a driver must, in two consecutive weeks, take at least two regular weekly rest periods, or one regular weekly rest period and one reduced weekly rest period of at least 24 hours.

However, some flexibility has been introduced for drivers engaged in international long-distance haulage. These drivers may, outside the Member State of establishment, take two consecutive reduced weekly rest periods, provided that they take at least two regular weekly rest periods in four consecutive weeks. In this case, after two consecutive reduced weekly rest periods have been taken, the next weekly rest period would be preceded by a rest period to compensate for the two reduced rest periods.

For the purposes of carrying out checks on rest periods on the road during a four-week period, the period for keeping the supporting documents on board the vehicle has been set at 56 days.

Prohibition of rest in the cabin

The Council's position confirms that the regular weekly rest periods (at least 45 hours) taken in compensation for previous reduced weekly rest periods shall not be taken in a vehicle. They shall be taken in suitable gender-friendly accommodation with adequate sleeping and sanitary facilities. Any costs for accommodation outside the vehicle shall be covered by the employer.

Regular return of the driver

The Council's position stipulates that the transport undertaking must organise the work of drivers in such a way that they are able to return regularly to their place of residence in order to take a long rest period. It reinforces this requirement in terms of documentation and monitoring and provides more details on the place to which the driver returns.

Drivers shall have the right to return home every three or four weeks, depending on their working hours. The Council text provides for drivers to return to the operational centre of the employer to which they are normally attached to start their weekly rest period, located in the Member State of establishment of their employer, or to their place of residence, on the understanding that they are free to choose where to spend their rest period, and that the employer is responsible for ensuring that this return can be carried out regularly.

Safe parking areas

While regular weekly rest period cannot be taken in the vehicle or in a parking area, the EU shall encourage the construction and use of safe and secure parking areas. The Commission shall develop standards and a certification procedure for such parking areas by means of delegated acts. It shall also set up a website to facilitate the search for such areas.

Driving time in exceptional circumstances

Drivers may, under strict conditions and subject to precautionary measures, exceed the daily and weekly driving time by a maximum of one hour, or by a maximum of two hours, provided that they have observed an uninterrupted break of 30 minutes immediately before the additional driving time in order to reach the employer's operational centre or place of residence. This derogation may only be used before the start of longer rest periods and full compensation is required.

In emergency cases, where Member States may grant a temporary derogation from the provisions governing driving times and rest periods, the Commission shall immediately publish this information on a public website.

Introduction of smart tachographs in vehicle fleets

With regard to the data recorded by smart tachographs, the Council's position provides that tachographs must be able to record the position of the vehicle each time it crosses the border of a Member State and each time the vehicle performs loading or unloading activities, and also indicate whether the vehicle has been used for the carriage of goods or passengers.

A second version of tachographs shall be introduced in three different stages for vehicles engaged in international transport. New trucks shall be equipped with this device in 2023; vehicles equipped with analogue or digital tachographs shall be brought into conformity by the end of 2024; and those equipped with the first version of smart tachographs in 2025.

Minimum requirements on maximum daily and weekly driving times, minimum breaks and daily and weekly rest periods; positioning by means of tachographs

2017/0122(COD) - 09/07/2020 - Text adopted by Parliament, 2nd reading

The European Parliament approved, in accordance with the ordinary legislative procedure, the Council's position at first reading with a view to the adoption of a regulation of the European Parliament and of the Council amending Regulation (EC) No 561/2006 as regards minimum requirements on maximum daily and weekly driving times, minimum breaks and daily and weekly rest periods and Regulation (EU) No 165/2014 as regards positioning by means of tachographs.

The proposed Regulation aims to harmonise the rules on driving times, breaks and rest periods in the road transport sector and the enforcement of these provisions through the use of tachographs in order to prevent distortions of competition, improve road safety and ensure good working conditions for drivers in the European Union.

The draft legislative act:

- includes light commercial vehicles within the scope of Regulation (EC) No 561/2006, including vehicles with trailers or semi-trailers, with a maximum authorised mass exceeding 2.5 tonnes and which are used in international transport for hire and reward;
- allows further flexibility in the field of long-distance goods transport, while ensuring that drivers return regularly to their place of residence to take a long rest period: companies shall organise their schedule in such a way that drivers in the international goods transport sector can return home at regular intervals (every three or four weeks, depending on working hours);
- confirms that the normal weekly rest period (at least 45 hours) must be spent outside the vehicle. This rest should be taken in suitable accommodation for both women and men, including adequate sleeping and hygiene facilities. The employer should then pay all accommodation costs;
- endeavour to ensure appropriate rest conditions for drivers, by mandating the Commission to come up with detailed provisions concerning the safety and security of parking areas, i.e. the level of service and the procedure for certifying these parking areas;
- introduces a new generation of 'smart' tachographs for more precise positioning of vehicles used for cross-border transport operations to ensure proper enforcement of compliance with the rules. A three-stage schedule is set for new vehicles and in the existing fleet.

Minimum requirements on maximum daily and weekly driving times, minimum breaks and daily and weekly rest periods; positioning by means of tachographs

2017/0122(COD) - 10/06/2020 - Committee recommendation tabled for plenary, 2nd reading

The Committee on Transport and Tourism adopted the recommendation for second reading contained in the report by Henna VIRKUNNEN (EPP, FI) on the Council position at first reading with a view to the adoption of a regulation of the European Parliament and of the Council amending Regulation (EC) No 561/2006 as regards minimum requirements on maximum daily and weekly driving times, minimum breaks and daily and weekly rest periods and Regulation (EU) No 165/2014 as regards positioning by means of tachographs.

The committee responsible recommended that the European Parliament approve the Council's position at first reading without amendment.

The Council's position at first reading is in line with the provisional agreement reached in the interinstitutional negotiations. The overall agreement reached by the European Parliament, the Council and the Commission is aimed at improving the existing social and internal market rules in the field of road transport. In particular, the following was agreed:

Organisation of weekly rest periods

The Agreement allows greater flexibility in the field of long-distance freight transport, while ensuring that drivers return regularly to their place of residence to take a long rest period. The possibility to derogate from the existing rule allowing a reduced weekly rest period every two weeks is only provided for as an exception. It is limited to drivers engaged in international haulage activities and under certain conditions.

Regular return of the driver

Undertakings shall organise the work of drivers in such a way that they are able to return to their employer's operational centre where they are normally based or to their place of residence within each period of four consecutive weeks. The interval is reduced to three weeks when a driver has taken two consecutive reduced weekly rest periods.

Driving time in exceptional circumstances

In exceptional circumstances, drivers could exceed the daily and weekly driving time by a maximum of one hour, or by a maximum of two hours, provided that they have observed an uninterrupted break of 30 minutes immediately before the additional driving time in order to reach the employer's operational centre or place of residence.

Banning of rest inside the vehicle

The Agreement confirms the banning of regular weekly rest periods inside the vehicle. With a view to ensuring appropriate rest conditions for drivers, the Commission shall be responsible for drawing up detailed provisions concerning the safety and security of parking areas.

Application to light commercial vehicles

The Agreement includes operators of light commercial vehicles over 2 tonnes within the scope of the Regulation. As this requirement only concerns vehicles for professional use and carrying out international transport operations, it shall apply to operations for which fair conditions are required.

Smart tachographs

The Agreement introduces a new generation of 'smart' tachographs for more precise positioning of vehicles used for cross-border transport operations, to ensure proper enforcement of compliance with social and internal market rules. A schedule is provided for both the new vehicles and the existing fleet.