

Specific and temporary measures in view of the COVID-19 outbreak concerning the renewal or extension of certain certificates, licences and authorisations and the postponement of certain periodic checks and periodic training in certain areas of transport legislation

2021/0012(COD) - 18/01/2021 - Legislative proposal

PURPOSE: to authorise, exceptionally in the context of the current COVID-19 pandemic, the extension of the validity of certificates, licences or authorisations and of certain time limits in certain areas of transport legislation.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

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

BACKGROUND: due to the COVID-19 crisis, [Regulation \(EU\) 2020/698](#) extended for a period of 6 months (or 7 months in some cases) the period of validity of certain certificates, licences and authorisations and postponed the completion of certain periodic checks and continuing training which, under the relevant EU legislation, should have taken place during the period between 1 March 2020 (or 1 February 2020 in some cases) and 31 August 2020.

Some Member States have submitted reasoned requests to the Commission for authorisation to extend certain periods again. The Commission has adopted six decisions authorising such extensions.

Despite some improvements in the situation during the summer of 2020, the persistence of the pandemic in the third quarter of 2020 forced Member States to maintain or even reinforce the measures taken to prevent the spread of the disease.

As a consequence, transport operators may not be able to complete the formalities or procedures necessary to comply with certain provisions of EU law on the renewal or extension of certificates, licences or approvals, or on the completion of periodic checks and continuous training, or to take other necessary steps to maintain their validity, as was the case in spring 2020.

The Commission therefore considers it necessary to adopt measures to remedy these problems and to ensure both legal certainty and the proper functioning of the legal acts concerned.

CONTENT: the proposal aims to establish temporary measures applicable to the renewal and extension of the validity of certain certificates, licences and authorisations and to the postponement of certain periodic checks and periodic training in response to the exceptional situation arising from the spread of COVID-19 in the fields of road, rail and inland waterway transport and maritime security during reference periods subsequent to those referred to in Regulation (EU) 2020/698.

The proposal provides for adaptations, in particular for certain time limits, as well as the possibility for the Commission to authorise extensions on the basis of a request submitted by any Member State by 1 April 2021 at the latest. Such extensions should be limited to what is necessary in view of the period during which the completion of formalities, procedures, checks and training are likely to remain impracticable and, in any event, should not exceed six months.

The proposal concerns specific provisions which affect the application of several directives and regulations concerning in particular:

- the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers for driving licences;
- tachographs in road transport;
- the periodic technical inspection of motor vehicles and their trailers;
- the conditions to be complied with to pursue the occupation of road transport operator;
- access to the international road haulage market and access to the international market for coach and bus services;
- railway safety, the certification of train drivers operating locomotives and trains on the railway system in the Union and the rules establishing a single European railway area;
- the conditions for obtaining boatmasters' certificates for the carriage of goods and passengers by inland waterway in the Union, technical requirements for inland waterway vessels and the improvement of ship and port facility security.

The Regulation should enter into force as a matter of urgency so that the situations of legal uncertainty affecting many authorities and operators in different sectors are minimised.