

**Question for written answer E-007161/2014
to the Commission**

Rule 130

Svetoslav Hristov Malinov (PPE)

Subject: Road transport measures with a potentially protectionist effect in breach of EU legislation

The recently adopted French law No 790/2014 provides, inter alia, that lorry drivers no longer have the right to rest in the sleeping compartments in the cabs of their lorries during their regular weekly rest period. The law prescribes penalties, including heavy fines and even custodial sentences, for failure to observe the prohibition. Similar rules have also been adopted recently in Belgium.

Legislation of this kind is in breach of Articles 4(e) and 8(8) of Regulation 561/2006 of 15 March 2006. Under that regulation, drivers are not prohibited from sleeping in their vehicles, and Member States should impose penalties only where these are effective, proportionate and non-discriminatory.

It is a matter of serious concern that these national provisions run counter to the EU road transport rules and to the basic principles of the European single market and that they will have a number of negative effects.

1. What is the position of the Commission's Directorate-General for Mobility and Transport on this specific issue?
2. Can we establish that the provisions of the national legislation in question are in breach of EU law and that they introduce specific measures in the road transport sector which discriminate directly against drivers from other Member States?
3. If a breach of EU legislation is established here, what measures will the Commission take?