

**Question for written answer E-010068/2014
to the Commission**

Rule 130

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Subject: Provisions on rest time for road haulage drivers

The Commission's Guidance Note 2 on Regulation 561/2006 provides that, when a vehicle is manned by more than one driver, a period of 45 minutes of the second driver's 'period of availability' can be regarded as 'break'.

Article 4(d) of Regulation 561/2006 defines 'break' as any period during which a driver may not carry out any driving or any other work and which is used exclusively for recuperation.

Article 4(f) of Regulation 561/2006 defines 'rest' as any uninterrupted period during which a driver may freely dispose of his time.

1. Does the Commission not consider that treating the 45-minute period of the second driver's availability as a 'break' denies the driver the possibility of free disposal of his time, in accordance with the definition?
2. How does the Commission intend to guarantee that the driver actually does benefit from such a break?
3. How does the Commission intend to guarantee the driver's right to decide to take his break freely, without negative treatment by his employer as a result of making this choice?