

**Question for written answer E-004785/2018
to the Commission**
Rule 130
Merja Kyllönen (GUE/NGL)

Subject: Authorisation requirement for commercial goods transport and distortion of competition on the national market

The EU Regulation on the occupation of road transport operator (1071/2009) exempts motor vehicles with a maximum authorised speed not exceeding 40 km/h from the transport licence authorisation requirement irrespective of vehicle class. The Transport Services Law¹ which entered into force in Finland on 1 July 2018 requires a transport licence only for tractors whose authorised speed exceeds 60 km/h.

According to the EU Regulation on road transport operators, a national derogation is allowed if the derogation has only a minor impact on the transport market due to the nature of the goods carried or the short distances involved. The exemption of tractors from the requirement of a transport licence up to 60 km/h is general, and is not restricted so as to apply only to certain goods or short journeys.

Altogether, 3 800 trucks equipped with earth-moving platforms, which are subject to a licence requirement, are in use in Finland. In 2017, a total of 2 570 tractor permits were in use in Finland. Almost without exception, these tractors were being used to transport earth. In terms of numbers of vehicles, some 40% of commercial earth moving was being carried out using tractors. In 2017, tractors were used to make commercial journeys in return for so-called daily payments on 176 000 days. In terms of weight, soil is the commodity most transported by road, accounting for 40% of a total transport market totalling some 260 million tonnes of goods.

In view of the above, the impact of the national derogation from the authorisation requirement on the Finnish transport market cannot be regarded as minor within the meaning of the EU Regulation.

In Finland, it has been permitted, contrary to the Energy Taxation Directive (2003/96/EC), to use lower-taxed gas oil in tractors used solely for the carriage of goods by road. In Finland, tractors are exempt from periodic inspection requirements even if their speed exceeds 40 km/h and they are used mainly in sectors other than agriculture or forestry.

The exemptions contrary to EU legislation have increased the use of tractors for goods transport, distorting competition on the national transport market.

In view of the above, does the Commission consider Finland's legislation to be compliant with the EU legislation in force, and what will the Commission do to eliminate distortion of competition between tractors and trucks on the national transport market in accordance with EU legislation?

¹ <https://www.finlex.fi/fi/laki/alkup/2017/20170320>