

Road transport: Social and market rules

In May 2017, to upgrade social and market rules in the road haulage sector, the European Commission put forward a set of three proposals: on driving times, posting and cabotage. In June 2018, the European Parliament's Committee on Transport and Tourism (TRAN) adopted its reports on these proposals and mandates to launch interinstitutional negotiations. However, the plenary rejected the mandates to start negotiations and subsequently the three reports, referring them back to the TRAN committee in July 2018. In January 2019, the committee adopted a new set of amendments on cabotage but failed to reach an agreement on the two linked files on driving times and posting. The three files are expected to be put to a new vote in plenary in March.

Existing situation

The EU adopted [driving and rest time rules](#) in 2006, as well as provisions to [enforce](#) them and to use [tachographs](#) to ensure satisfactory working conditions and improve road safety. To contribute to fair competition, it established a framework for [posted workers](#), a set of [standards](#) road transport operators have to comply with, and rules on [access](#) to the international market within the EU and on cabotage.

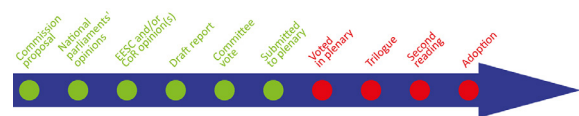
European Commission proposal

The three 2017 Commission proposals aim to clarify the existing rules and improve their implementation and enforcement. For instance, to do more to counteract 'letterbox companies', the proposals would tighten up the requirements on road company [establishment](#); to level the playing field between posted and local drivers, introduce social rules for [drivers posted](#) for more than three days in international operations; and, on [working conditions](#), make it illegal to take weekly rest of over 45 hours in the cabin.

European Parliament position

Having rejected the mandates for interinstitutional negotiations in June 2018 and the three TRAN reports as amended on [driving and rest times](#), [posting drivers](#) and [access to the profession and cabotage](#) in July 2018, Parliament referred them back to the TRAN committee for reconsideration. The rapporteurs drew up new compromise proposals, that were put to a vote with alternative compromise amendments on 10 January 2019. While the TRAN committee could not agree on the driving time and posting proposals, it adopted new amendments on access to the market and cabotage. They provide for cabotage operations within three days following an international operation and introduce a 60-hour 'cooling-off period' after return to the haulier's Member State of establishment before starting new cabotage operations in the same host Member State. They also provide for clearer establishment criteria and more monitoring. In the TRAN committee, a majority of political groups finally emerged to recommend to Parliament's Conference of Presidents to put the three linked files back on the plenary agenda for a new vote. In March 2019, the Conference of Presidents decided to put the three files to a vote during the March II plenary session. The TRAN committee would submit amendments to the cabotage proposal, while political groups or a group of over 38 Members can table amendments to the Commission proposals on driving times and posting. The associated EMPL committee decided to re-table its amendments on driving times and posting. The Council meanwhile reached a [general approach](#) on the three files in December 2018.

First-reading reports: [2017/0122\(COD\)](#), [2017/0121\(COD\)](#), [2017/0123\(COD\)](#); Committee responsible: TRAN rapporteurs: Wim van de Camp (EPP, the Netherlands), Merja Kyllönen (GUE/NGL, Finland), Ismail Ertug (S&D, Germany). For further information see our 'EU Legislation in progress' briefings on the proposals: [1](#) – [2](#) – [3](#).



EPRS | European Parliamentary Research Service

Author: Damiano Scordamaglia, Members' Research Service
PE 635.600 – March 2019



This document is prepared for, and addressed to, the Members and staff of the European Parliament as background material to assist them in their parliamentary work. The content of the document is the sole responsibility of its author(s) and any opinions expressed herein should not be taken to represent an official position of the Parliament. Reproduction and translation for non-commercial purposes are authorised, provided the source is acknowledged and the European Parliament is given prior notice and sent a copy. © European Union, 2019.

eprs@ep.europa.eu (contact) <http://www.eprs.ep.parl.union.eu> (intranet) <http://www.europarl.europa.eu/thinktank> (internet) <http://epthinktank.eu> (blog)