

WRITTEN QUESTION E-1433/03

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to the Commission

Subject: European driver attestation and suspected misuse of ECMT permits

With effect from 19 March 2003, transport companies in the EU are required to use a driver attestation for drivers from third countries working for them.

Can the Commission indicate to what extent the Member States are complying with the requirement that took effect on 19 March 2003 on the use of the driver attestation for drivers from third countries, in accordance with Regulation (EC) No 484/2002¹?

Does the Commission agree that the fact that the requirement to hold a driver attestation under Regulation 484 does not apply to 'third country drivers' working for transport companies from third countries in which EU transport companies have a (majority) stake is a serious gap in the law, and one that must be dealt with? If so, what does the Commission propose to do?

Does the Commission agree that the fact that companies and drivers from third countries that use an ECMT permit for transport within the EU, in which they are operating virtually without restriction (in terms of time) throughout the EU's territory, in effect constitutes improper use of the permit, and that the situation should be dealt with?

Does the Commission agree that it is undesirable for drivers from 'third countries' to hire themselves out to European transport companies as 'independent drivers', thus evading the requirement to hold a European driver attestation? What steps can and will the Commission take to put an end to such practices?

¹ OJ L 76, 19.3.2002, p. 1.