

WRITTEN QUESTION E-0173/06  
by Ewa Hedkvist Petersen (PSE)  
to the Commission

Subject: Liability for cargo securing in the haulage industry

The Directorate-General for Energy and Transport was involved in the drafting of the 'Best Practice Guideline for Cargo Securing', which is designed to increase understanding within the EU of how goods should be loaded and secured on vehicles so that they do not fall off in transit or injure other road-users. It is now increasingly common for the industry or hauliers themselves to load goods on to vehicles for road transport but, under the current legislation, they are not subject to independent criminal liability if it is carried out incorrectly. Instead, in the event of a police check, it is the driver who must face the consequences, even for others' mistakes and omissions, which is unreasonable. If the industry and hauliers are to take on board the information in the new directives and train competent staff to load and secure goods on vehicles, criminal liability must lie in the proper place. What measures will the Commission take to remedy this anomaly?