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IRU calls on EC, Member States and Enforcement community to deal with worrying national protectionist measures on EU road transport market

IRU calls on European Commission, Member States and Enforcement community to discuss and urgently deal with recent national protectionist measures concerning social legislation in road transport, notably disproportionate fines for regular weekly rest time in vehicle cabins.

Brussels - The International Road Transport Union (IRU) is calling on the European Commission, Member States and the Enforcement community to discuss and urgently deal with worrying national protectionist measures that are creating barriers on the single European road transport market, after news that numerous EU Member States are adopting a more stringent interpretation of Regulation 561/2006, prohibiting commercial truck drivers from spending regular weekly rest time in the vehicle cabin.

On 11 July, France adopted law imposing a company fine of EUR 30,000 and 1 year imprisonment for truck drivers who take the regular weekly rest in the cabins. Earlier this summer, Belgium already modified its legislation by imposing penalties on drivers of up to EUR 1,800 for the same infringement. These developments coincide with an increasing number of reports received by the IRU of unjustified penalties imposed on trucks not registered in the Member State where the control takes place.

The IRU views this as an indication that Member States are increasingly using enforcement to protect their national markets – practices which completely go against every principle of EU law.

IRU General Delegate to the EU, Michael Nielsen, commented, “As EU legislation is unclear on weekly rest time in vehicle cabins and the fact that the EU does not consider it to be a serious infringement, these announced penalties are completely unacceptable. Member States need clear EU legislation and should enforce this in an efficient, non-discriminatory way through penalties that are proportionate to the level of infringement committed.”

Indeed, the IRU considers the announced sanctions as highly disproportionate and is concerned about the lack of practical guidance to implement these new laws, which make it impossible for road hauliers to know what is acceptable or not. Moreover, the implications resulting from the possible enforcement of these provisions would not only affect road hauliers and drivers, but would also put at risk the billions of Euros worth of freight transported by trucks every day to support EU trade.

“These new laws are passed without taking due considerations on how EU trade can continue without imposing security risks. Topping this up with the fact that enforcers themselves do not even know the exact conditions related to the enforcement of these new laws, simply means that legal uncertainty in the EU has once again prevailed”, concluded Mr Nielsen.

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