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CEMT/CS/TR/M(2007)1

Conférence Européenne des Ministres des Transports
European Conference of Ministers of Transport

29-Mar-2007



English - Or. French

**EUROPEAN CONFERENCE OF MINISTERS OF TRANSPORT
COMMITTEE OF DEPUTIES**

**CEMT/CS/TR/M(2007)1
For Official Use**

**Committee of Deputies
Group on Road Transport**

SUMMARY RECORD OF THE MEETING HELD IN PARIS ON 13 AND 14 MARCH 2007

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English - Or. French

Mr. Sutton opened the session by welcoming all the delegates, particularly those attending one of the Group's sessions for the first time. He conveyed the apologies of Mr. Van de Ven who was unable to attend on the two days scheduled for the meeting.

1. Adoption of the draft agenda **CEMT/CS/TR/A(2007)1**

Any documents provided in addition to those specified in the draft agenda would be referenced at the appropriate points in the summary record.

The agenda was adopted.

2. Adoption of the summary record of decisions taken by the Group on 16 November 2006 **CEMT/CS/TR/M(2006)3**
CEMT/CS/TR(2007)1 & ADD1

Mrs. Lhomme disputed the statement that there had been no discussion of the Group's programme of work due to a lack of time. **Mr. Rathery** replied that although this issue had indeed been discussed both by the Group and by the Transport Management Board at its meeting six days later, the positions adopted had been markedly different since several written responses had subsequently been compiled and published in document CEMT/CS/TR(2007)1 and its Addendum. He advised Delegates that any proposals regarding the management of the multilateral quota, quota-related issues or the regional aspects of road transport, would have to be referred to the Management Board for approval. This would be particularly important when the Group came to discuss social aspects under item 6 on the agenda.

Mrs. Tenti added that Italy was favourable to maintaining a maximum limit of 20% on the quota share that could be converted into short-term licences.

Mr. Sutton felt that after reading the summary record there were two points that needed clarification, namely: was a digital tachograph mandatory for EURO IV and EURO V vehicles? Secondly, as borne out by the comments by Mrs. Lhomme and Mr. Rathery, a full and frank discussion was needed of the type of work the Group wished to undertake in the future, if for no other reason that firm proposals could be submitted to the Transport Management Board at its meeting scheduled for the end of the month.

After taking these details into account, *the summary record was adopted.*

3. Quota as from 1st January 2007 **CEMT/CS/TR(2006)13/REV2**
Room document No.1

Mrs. Shatberashvili noted that the distribution of licences had changed for some countries as a result of some licences being returned to the Secretariat in response to the decisions taken by the Group at its meeting in November with regard to the conversion rates and bonuses applicable in 2007.

All countries had provided the data and information requested on the issuing and validity of licences, which it had therefore been possible to publish on the ECMT website.

However, the control authorities needed to be made aware of the importance of paying due attention to the update dates when consulting the website, since the information was not provided as a live feed. A final version of the reference document would be published very soon after the meeting.

Mr. Isik thanked the Secretariat for producing a document that clearly showed the change in the composition of the heavy goods vehicle fleet to one made up of the safest and most environmentally friendly vehicles.

Mr. Sutton drew delegates' attention to the fact that Room Document No. 1 contained the reaction of the FYR Macedonia to decisions regarding the multilateral quota in 2007.

4. Management of the quota:

- **Statistical study 2006**
Survey of logbooks

CEMT/CS/TR(2007)2
CEMT/CS/TR(2007)3

Mrs. Shatberashvili explained that the document on the survey of logbooks had only been finalised the Friday before the meeting and was therefore only available in English. The logbooks from Belgium, Ireland and Romania had arrived too late to be taken into account in the survey and the document would therefore be revised to provide a full overview of the exercise. It was also planned to draw up a summary report on all the results available for the four years in which restrictions on licence usage, in terms of either time or journeys, had been in place. This report would be presented at the next meeting of the Group.

Document CEMT/CS/TR(2007)2 was the first document to cover a full year of restrictions on the number of journeys. It should be noted that the Secretariat had obtained 100% returns and that the findings of the two surveys were complementary and bore out their respective conclusions.

Mr. Sutton noted that there had been two consequences to the introduction of restrictions: an increase in the number of empty runs and an increase in journeys involving the country in which the vehicle was registered. **Mr. Isik** commented that there was also an additional factor which had not been mentioned in the analysis but which explained why the number of empty runs had increased, namely the difficulties in obtaining visas and their limited period of validity.

It was proposed that a comparative study be made for the next meeting of the Group of the number of empty runs observed with ECMT licences, the number of empty runs in the EU reported by EUROSTAT and the Swiss study of empty runs.

It was also agreed that the data collection exercise would be repeated every two months, if for no other reason than to ensure that the statistical series remained unbroken. In contrast, it would be advisable to rationalise the presentation of the findings from the two surveys by constructing tables that are more standardised and succinct.

- **Consequences of the new EU and UNECE regulations on users of ECMT licences**

CEMT/CS/TR(2006)18

Mr. Pirkanniemi confirmed that in accordance with articles 2.2 and 2.3 of Regulation (EC) No 561/2006:

“Chapter 1

Article 2.2 This Regulation shall apply, irrespective of the country of registration of the vehicle, to carriage by road undertaken:

- a) exclusively within the Community; or
- b) between the Community, Switzerland and the countries party to the Agreement on the European Economic Area.

Article 2.3 The AETR shall apply, instead of this Regulation, to international road transport operations undertaken in part outside the areas mentioned in paragraph 2, to:

- a) vehicles registered in the Community or in countries which are contracting parties to the AETR, for the whole journey;
- b) vehicles registered in a third country which is not a contracting party to the AETR, only for the part of the journey on the territory of the Community or of countries which are contracting parties to the AETR.

The provisions of the AETR should be aligned with those of this Regulation, so that the main provisions in this Regulation apply, through the AETR, to such vehicles for any part of the journey made within the Community.”

These provisions would enter into force on **11 April 2007**. As of that date, any haulier loading in an EU Member State (EEA+CH) in order to unload in an EU Member State (EEA+CH) must comply with the provisions of this Regulation with regard to driving times and rest periods. This requirement applied in particular to hauliers from non-EU Member States who, with an ECMT licence, loaded and unloaded in EU Member States (EEA+CH).

All delegates were asked to take the necessary action to ensure that their hauliers were duly informed of these provisions before they were implemented.

- **Control of licences**

CEMT/CS/TR(2007)9

The document produced by the Secretariat concerned two points of interpretation of the Guide on which the Secretariat wanted the Group to give its opinion:

1. It was reaffirmed that stamping logbook pages after a control was optional. The column “Special remarks” could be used for that purpose, but it was in no

way compulsory and therefore could not be demanded of any control authority whatsoever.

2. With regard to the definition of “recurring transport”, it is the responsibility of the country of registration of the vehicle to define what it understands by “recurring transport” in terms of articles 3.19 and 6.6 of the Guide on the Use of the ECMT Multilateral Quota, and it is the responsibility of these authorities alone to punish anybody committing an infringement.

These two clarifications aimed at civil servants and hauliers using the quota would be published on the ECMT website at <http://www.cemt.org/topics/road/notification.htm> under the heading “additional information”.

In addition, it should also be noted that, like Greece, Albania is still using the old format logbooks but should start issuing new ones as of next month.

- **Issuing of certificates**

CEMT/CS/TR(2007)4 & ADD1 et 2

The Group approved the way in which the ECMT and IRU Secretariats had found a solution to the problem of the uncontrolled issuing of certificates by national authorities [CEMT/CS/TR(2007)4].

In reply to the query from **Mr. Staus** as to whether EURO certificates exist for trailers and semi-trailers, it was explained that it is the security certificates which must correspond to minimal safety requirements both for the tractor as well as for the trailer or semi-trailer being towed. By extension, the safety details given in part B of certificates were said to be the EURO II or IV certificates for the trailer, but under no circumstances were they certificates concerning noise or pollutant emissions.

This information would also be brought to the attention of civil servants and hauliers using the quota on the ECMT website at <http://www.cemt.org/topics/road/notification.htm> under the heading “additional information”.

The two addenda posed the general problem of the lack of certificates approved by a supranational authority. Although model certificates had been established by UNECE WP29, they were more akin to bona fides statements than detailed technical certificates. Until now, it had always been the certificates issued by the ECMT which had been held to be valid with regard to formalities such as import duties, taxes, roadworthiness tests, etc. The Secretariat would ask the European Commission’s DG Enterprise and Industry whether it had ever thought of issuing similar certificates to those in force for lower categories. The German delegation would forward to the Secretariat, for distribution to delegates, a list of the documents that the German authorities required before they would recognise a lorry as a EURO V lorry and therefore eligible for reduced taxes in Germany.

On the basis of the information collected, a Group of technical experts would be set up, including Delegates from the Commission and representatives of vehicle manufacturers, to draw up model certificates for EURO V lorries which could, if required, be approved at the next session of the Group.

In the absence of their own EURO V certificate, and within the framework of the ECMT multilateral quota, EURO V lorries were treated as EURO IV lorries and as a result were granted the same certificates with regard to not only noise and pollutant emissions but also safety criteria.

- **Issuing of licences at national level**

- **Case of FYR Macedonia**

CEMT/CS/TR(2007)5

Mrs. Nikiforovic gave a presentation of the system in place at the national level for issuing ECMT licences to hauliers in her country.

Mr. Sutton thanked the Delegation of FYR Macedonia for its presentation and encouraged exchanges of best practices between Member countries, notably with regard to the issuing of licences at the national level.

- **Follow-up to the meeting in November 2006**

Mr. Sutton had asked for clarification about whether a digital tachograph was compulsory for EURO IV and EURO V vehicles. **Mr. Pirkanniemi** replied that the digital tachograph could already be used in countries covered by the AETR provided that it was initialised and calibrated when it made its first trip to a country that complied with the regulations regarding the use of a digital tachograph. If the lorry simply made journeys to countries which were not covered by the AETR, it was not compulsory for it to have a digital tachograph fitted. To be perfectly clear, there was no connection between the type of tachograph and the different types of EURO vehicles.

Mrs. Poirier added that the provisional measures in force for vehicles fitted with digital tachographs from non-EU Member States were set out in document ECE/TRANS/SC1/2006/8 which could be downloaded from the UNECE website.

5. Quota development

- **Case of Montenegro**

CEMT/CS/TR(2007)6

In presenting the reference document, **Mr. Sutton** asked Member countries to adopt as pragmatic an approach as possible so that Montenegrin hauliers could be granted access to the international road haulage market as quickly as possible. **Mrs. Popovic** confirmed that, although Montenegro was not yet entitled to ECMT multilateral licences, it had never denied access to its territory to foreign hauliers holding such licences.

The Group accepted the proposal made in the reference document to print licences as quickly as possible for Montenegro for the remainder of 2007 by converting 30 basic licences into licences valid for EURO III safe lorries. This would not entail any return of existing licences and Montenegro would not be mentioned in the list of countries participating in the system (list reproduced on the first page of licences). A special notice would be published on the website mentioned earlier under the initials for this country (MNE).

Mrs. Lhomme felt that the arrival of this new country might jeopardise the envelope of 6 060 licences agreed in Moscow. **Mrs. Penndorf** proposed that some EU Member States could voluntarily reduce their basic quota in order to release the 30 basic licences allocated to Montenegro. **Mr. Isik**, followed by **Mrs. Gromule** and **Mrs. Nunes**, noted that the total envelope of 6 060 basic licences had been agreed in the light of the situation at a given point in time (2005) when 42 Member countries were participating in the multilateral quota system and that Montenegro should be treated like any other new Member country given that Serbia had taken the place of the former Serbia and Montenegro for all international diplomatic relations. **Mr. Sherstnev** stressed the fact that the 30 additional basic licences amounted to less than 0.5% of the total quota and that the principle of voluntary licence surrender recommended by the German Delegation to provide licences set a precedent for the future and challenged the soundness of the decisions taken by the Group. **Mr. Rajdl** was of the same opinion.

Nevertheless, for 2008 and 2009, the Delegations of the six countries (Belgium, France, Germany, Luxembourg, Spain and Switzerland) were asked to submit written proposals to the Secretariat by the summer to establish stable basic quotas for these two countries in 2008 and 2009 which would not jeopardise the distribution of basic quotas for all ECMT Member countries adopted in Dublin in 2006 and valid until 2010. In the meantime, the Secretariat would do its utmost to create a comparative database for both Serbia and Montenegro based on the 10 criteria used to determine the distribution of basic quota allocations to Member countries. This item would therefore be placed on the agenda for the next meeting of the Group.

6. Social aspects, of which:

- **Synthesis of the work of the Sub-Group**

CEMT/CS/TR(2007)7

Several Delegations from the European Union commented that, although they had no objection to seeing countries from outside the EU align their social regulations with those in force in the Community, the latter would always take precedence in those countries and there was no scope for the ECMT to gain access to a legal instrument of comparable effectiveness to the provisions in place in the European Union. **Mr. Rinderknecht** recalled the extent to which action undertaken by the ECMT and the Secretariat had allowed substantial progress to be made in the regulations adopted at the national level. It would be inconceivable that the Group on Road Transport remain no more than an administration managing transport licences. It was necessary to draw up and exchange questionnaires in order to collect information on best practices.

After consulting the non-EU Member states participating in the meeting, **Mr. Sutton** observed that most of those countries were seeking to adopt national provisions similar to Community regulations. **Mr. Sherstnev** recalled that a harmonisation framework had been adopted in autumn 2006 by the CIS countries. It might be helpful to align this framework more closely with Community regulations and determine what stages in the harmonisation process still needed to be completed. **Mr. Isik** felt that such social harmonisation could not be considered of benefit solely to countries outside the European Union. He said that the benefits were mutual for both EU and non-EU Member

States in that the establishment of training centres, the sponsorship projects funded by the European Union and the organisation of seminars or workshops were all processes that allowed an exchange of good practices and the closer alignment of legislative systems. **Mr. Kamberski** said that the experience of the IRU showed that all the members of that organisation were capable of accepting EU regulations. The training centres approved by the IRU Academy were often at the leading edge of the latest developments in Community regulations. The IRU was of the opinion that the ECMT multilateral quota and the harmonisation of the conditions of access to the profession were mutually enhancing.

A proposal would be put forward at the next meeting of the Transport Management Board that, at the initiative of ECMT Member countries outside the EU area, a study would be made of the timeliness of updating Consolidated Resolution CEMT/CM(2000)10/Final on the conditions of access to the occupation of international road freight haulier with a view of achieving a reference framework to take account of the overhaul by the European Commission of its Regulations and Directives and the Agreement reached at the level of the CIS countries.

With regard to controls and sanctions, *it was agreed that the Group would keep itself informed at regular intervals of the results obtained by the three organisations with responsibility in that area at the international level (Euro Contrôle Route, TISPOL and CORTE).*

- **Implementation of Resolution 2003/4
on driving times and rest periods**

**CEMT/CM(2003)16/FINAL
CEMT/CS/TR(2006)19**

Mrs. Poirier informed the Group that ECMT Resolution 2003/4 had been adopted at a time when the revision of the AETR had not yet been completed since it was finally finished in 2004. Under the terms of Article 12 of the revised AETR, it was mandatory for the UNECE to collect the data that had been requested in document CEMT/CM(2003)16/Final, and the UNECE had aligned itself with the European Union and would in the summer request this information for the period 2005-2006, as was already the case at the level of the European Union, in order to draw up a report which would be examined by SC1 at its next session in October 2007 (deadline for submitting this information: 30 September 2007 in both organisations).

In the light of the information that had just been given, it was decided not to proceed with implementation of Resolution 2003/4 at the level of the ECMT but to leave that task to the two other inter-governmental organisations, the UNECE and the European Union, which would be asked to keep the Group regularly informed of the findings of any surveys they may conduct.

- **Visas for professional drivers**

CEMT/CS/TR(2007)8

The document drafted by the Secretariat was particularly well received by the countries experiencing difficulties in obtaining visas for their professional drivers. **Mr. Isik** felt that these difficulties constituted a de facto non-tariff barrier to international road haulage. Even though visa-related issues did not fall within the scope of the Ministry of

Transport, they had a major impact on transport by affecting movements and therefore legitimised the request by certain countries that this issue be kept on the agenda of the Group on Road Transport.

The entire Group fully recognised the fact that this was a difficult and recurring problem. Work on the subject had been started by both the European Parliament (Hearing of 28 February 2007) and the ILO (meeting of 2 April 2007). The Secretariat would keep itself informed and/or would participate in the work in those two bodies.

The Delegations of Belarus, Turkey and Ukraine would inform the Transport Management Board of the request that this item be retained on the Group's agenda. In addition, it was proposed that the reference document should be submitted to the Transport Management Board for possible inclusion in the reference document on obstacles at border crossings due to be prepared for the Sofia Forum in 2007. Lastly, the Secretariat would forward the ECMT Declarations and the reference document to the Rapporteur at the European Parliament responsible for this topic.

7. On-going activities at the EU and UNECE

On-going activities at the **European Union** were described in an on-screen presentation whose contents were published after the meeting in document CEMT/CS/TR(2007)10.

With regard to the **UNECE**, a Seminar would be held on 14 May 2007 to raise the awareness of non-EU Member States of the practical problems relating to the introduction of digital tachographs. These countries needed to start preparing themselves now since only three years and two months remained before the use of digital tachographs became compulsory. The UNECE Secretariat would undoubtedly be involved in the management of certain tasks relating to the introduction of these devices.

Moreover, following the adoption of new regulations on driving times and rest periods by the European Commission, further harmonisation of the revised AETR was required and indeed started in May 2006. Two stumbling blocks still remained, however, namely the extraterritoriality of sanctions and the weekly rest period of 45 hours. In January 2007, an informal meeting was held at the IRU to resolve problems relating to these aspects of the regulations. On 15 and 16 May 2007 in Geneva, after the seminar, an ad hoc meeting by the AETR should allow SC1 to finalise the proposal at its October meeting. If no agreement were reached in May, an additional meeting might be held on 2 July.

Lastly, in October 2006, SC1 adopted the principle of electronic bills of lading. A new protocol would therefore be finalised at the meeting in October 2007.

8. Other business, of which:

- **Attacks on international drivers of heavy goods vehicles**

The second version of the report had been heavily amended on the basis of the comments on the first version received from several countries. As soon as the translations had been received, this second version would be forward to the Crime and Road Transport Groups for a second reading. It would then be submitted to Transport Management Board by e-mail for approval.

- **Draft report on the implications of border crossings for congestion and impacts on trade**

ITF/TMB/TF07(2007)6

It was intended that this report would be a basic document for the Sofia Forum. The Secretariat would like Delegations to comment on and drew Delegates' attention in particular to Annex 3, which it would like them to correct as required, and to point 6.3 to which it would like to receive reactions by the following week.

- **Calendar of meetings**

Given that the Group's workload had fallen, it was proposed that the number of meetings be reduced to two a year and to dispense with the customary meeting in November. This would require Delegations to indicate how they would like their licences to be sent to them in November.

The Secretariat had very recently received the findings of a study that had been commissioned on road transport in the Russian Federation. It was planned to hold the next meeting of the Group on Road Transport in September in Russia in order to take advantage of the Group's presence there to organise a seminar at which the findings of the study could be presented and a comparison made with existing practices in ECMT Member countries. The Delegation of the Russian Federation confirmed the invitation and would shortly be providing details of the dates and procedures for entering Russia.

ANNEX 1/ANNEXE 1

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