



## **Joint DECLARATION of Representatives of the Haulers of Bulgaria, Croatia, Hungary, Lithuania, Poland, Romania and Slovenia**

International road transport carriers of Bulgaria, Croatia, Hungary, Lithuania, Poland, Romania, Slovenia and other EU Member States are extremely concerned about concerted efforts by certain Member States and EU decision makers to protect domestic markets, thus injuring the basic pillars of the European Union – free movement of people, goods and services.

The Mobility Package proposals, as the Commission declared, sought a fundamental modernisation of the European transport, helping the sector to stay competitive in a socially fair transition towards clean energy and digitalisation.

While supporting the elements directed to more clarity, flexibility and better enforcement, we cannot accept proposals that have nothing to do with the expected fair, balanced and evidence-based approach. In the absence of impact assessment of these measures on industries, consumers and the EU Member States, the current debates are going in a politicised, populist and even in a radical way in the pre-election haste.

We protest against these proposals as they are discriminatory, raising barriers in road transport with tremendous effects, causing great administrative, organizational and financial burden, and fragmentation of the European market of transport services. Instead of reaching the declared goals they will worsen road transport performance and cause dramatic costs increase, loss of competitiveness and exclusion even from third country markets.

Such protectionist measures as the forced application of the EU rules of posting to the international road transport sector with all the accompanying administrative requirements, ban on spending the regular weekly rest in the vehicles without adequate parking infrastructure and national restrictions on cabotage are evident violations of the fundamental rules of the common European market. Instead of completion of the initiated infringement procedures against some of these Member States, the European Commission did not perform its duties as the Guardian of the Treaties and proposed the Mobility Package legitimizing such restrictive measures across the entire EU.

- Application of the posting of workers rules on the drivers involved in all cross trade and cabotage operations in all 28 Member States will significantly increase negative effects compared to the current situation. The rules will create legal uncertainty and impossibility to meet the requirements, inflating operational costs and risking

bankruptcies of transport companies, while increasing transport prices and prices of goods for the European customers. Basic advantages of road transport will be lost, such as its flexibility and geographical coverage. Weakening of competition and dismantling of systems for stimulating of drivers' work will aggravate the quality of transport services. Ultimately, this measure will constitute an indirect ban on cross trade and cabotage, seriously threatening the freedom of providing services in EU.

- For the carriers from the EU peripheral countries due to considerably longer distances the organization of return home of vehicles and drivers is much more difficult and expensive than for the carriers from the central Europe, and an obligation to do it every 3-4 weeks will increase empty runs and stays worsening the environmental performance of international transport. For drivers this will mean long time wasted travelling home and v.v. during which they will not work nor rest. We appeal to definitely reject the completely unacceptable proposal for obligatory return home of the vehicle and to preserve the drivers' right to choose the place where to spend their rests.
- It is well known that Europe is not prepared for ban on the weekly rest in cabin. This measure will only lead to additional unnecessary costs for transport operators, problems for drivers, reduction in the efficiency and deterioration in road safety and transport security. We insist on the only reasonable decision of allowing exemption in dedicated parking areas and in other parking zones until all necessary dedicated parking areas in EU are build.
- Introducing of a cooling-off period on cabotage will constitute direct restriction of the road transport market, increasing empty runs and stays of vehicles awaiting for loads, leading to loss of productivity and worse environmental performance, and contradicting the EC Single Market Strategy, the White paper 2011 - Roadmap to a Single European Transport Area and the European Strategy for Low Emission Mobility.
- We strongly oppose the compromise amendments concerning the application of Regulation (EC) No 593/2008 (Rome I) to the highly mobile and unpredictable international driver's profession. It has nothing to do with the fundamental EU's freedoms, the Single Market and the EU's road transport policy in general.
- We are against the EP position on the revision of the regulations on the coordination of social security systems (No.883/2004 and No.987/2009) - proposing the application in international road transport of the social security system of the Member State in which the drivers perform the largest share of their work activities. The criterion „largest share of activity“ would be unenforceable and incompatible with an international journey including working in the territory of six or even more Member States without a possibility to evaluate the largest share amongst these countries in advance.
- Putting the European road transport under the posting rules would require full scale enforcement to third country hauliers (i.e. roadside checks, checks at the premises, registration to risk rating systems, exchange of information through IMI or ERRU etc.) which we find impossible to implement. It will have essential influence on level playing field for the European industry in relation to third country hauliers, as the EU

competent authorities will not be able to ensure proper enforcement on third country operators. This will motivate EU hauliers to move their companies out of the Union in order to use the loopholes accessible only for non-EU transport operators.

We hope that the European Parliament will approach these issues from a broader perspective in the interest of the entire European society.

We call all decision-makers to focus on the lack of enforcement and other targeted measures that would enhance drivers' social conditions without causing closure of markets, harmful effects on the EU Single Market, distortion of supply chains and other general economic impacts.

We – the industry and the citizens of the European Union, need well-balanced professionally, economically, socially and environmentally grounded and substantiated decisions.

In their absence, we call on the European Parliament to reject the Mobility Package 1, which deepens the cleavage of the EU and will seriously harm the EU transport efficiency, its trade, economy and society as a whole.

