

Points for your consideration

1. Clarify problematic terms in Regulation 1072/2009 by clarifying when the cabotage period starts. Maximum 3 cabotage operations are allowed to be carried out within 7 days. After 7 days the vehicle has to go back to the country of registration. It is not sufficient if the vehicle just leaves the host Member State. Vehicles to be used for commercial transport should carry a plate or other form of identification, so that their commercial use is clearly apparent.
2. Submit proposal to amend Regulation 1072/2009 to ensure that cabotage operations must not be permanent or continuous. For this purpose a transport is considered permanent or continuous if it is carried out on a vehicle that has been involved in more than 10 cabotage operations in the host Member State during the last 3 months. Article 8.4 from the Regulation must be non-exhaustive: authorities must be able to check all necessary information to assess if the cabotage undertaken is legal or not.
3. Introduce minimum standards on checks of cabotage rules in an attempt to increase their frequency. Member States should commit themselves to allocate sufficient resources to make the checks effective and fair. The mandatory fields of the ERRU should be extended to vehicle registration plates and to more precise information on staff. The Member States should be obliged to send the necessary information to the Commission (Regulation 1072/2009).
4. Introduce minimum standards on checks (road safety, equal wage for equal work, and environmental). Clarify which Member State is responsible and enhance the cross-border administrative co-operation between Member States. Member States should introduce dissuasive, proportionate and effective sanctions. Drivers from different Member States have to be treated equally at the checks. Improving cooperation between police forces (road safety, criminality etc.) to fight cross border crime and attacks against road transport and cross border abuse of the existing rules for road transport.
5. Put an end to letter box companies by establishing common rules concerning the conditions to be complied with in order to pursue the occupation of road transport operator. Submit proposal to amend Regulation 1071/2009 whereby the rules have to include:
 - a. Parking areas for all registered vehicles;
 - b. Management holds responsibility for one company instead of for a maximum of four;
 - c. Immediate withdrawal of the transport permit by infringement.
6. Put an end to false self-employment by extending liability to the company who has contracted the self-employed driver if there is an infringement of the driving times and rest periods by the self-employed. The transport permit is compulsory for commercial goods transport for freight vehicles with a load-bearing capacity exceeding 0 kg instead of 500 kg.
7. Enforce regulation 561/2006 Article 10 (1) in order to prohibit the pay per kilometres.
8. The costs of training should be paid by the employer/public authorities (adaptation directive 2003/59/EC). There should also be better criteria for accredited education institutes.
9. Introduce a provision on the joint liability so that shippers and freight forwarders are also held responsible in case the haulier (or his subcontractor) does not comply with the relevant rules. The haulier (or his subcontractor) should be registered in the national register and all the national registers should be included in the European Registers of Road Transport Undertakings (ERRU). The current list of infringement in the ERRU must be easily accessible so that users can quickly identify companies that have been evicted for illegal practices.

Roadside inspection officers should have direct real-time access to the data in the ERRU in order to facilitate the task of the enforcement authorities.

10. Improve the quality and safety of the parking areas and increase the availability of sanitary facilities at the parking areas. For the improvement of the secure parking areas on the road core network it is recommendable to increase the funding through the new Connecting Europe Facility (CEF).