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EMBASSY OF GERMANY IN ROMANIA
To the attention of H.E. Mr. Cord Meier-Klodt - Ambassador

Ref. list of safe and secured parking areas in Germany available for Romanian trucks during Romanian drivers regular weekly rest outside the vehicle

Your Excellency, Mr. Ambassador,

Thank You for your kind letter of 02 June 2017, replying to our letter of protest against German ban on the regular weekly rest in the cabin.

Since 2006, European Regulation no. 561/2006 aimed the harmonization of certain social legislation relating to road transport and there was the general understanding of all the EU Member States, reflected in the practice of all EU road transport industry, that regular and reduced weekly rest of professional drivers may be taken in a vehicle, as long as it has suitable sleeping facilities for each driver and the vehicle is stationary.

After more than 10 years of harmonized application of these EU provisions, we wonder why your country decided this year to apply different national rules, following the divergent interpretations of France and Belgium in 2014. Since May 2017, when Germany enforced the law forbidding regular weekly rest in the cabin, our association made numerous interventions against this German national interpretation of the European rules, asking European institutions to clarify the provisions of Regulation no.561/2006 by clearly stating that professional drivers are allowed to spend their regular weekly rest in the vehicle.

The simple questions are:

- **as Regulation 561 is not changed since 2006, when was it correctly interpreted?** In the period 2006-2014, when 25/27 Member States of EU accepted and allowed normal weekly rest in the cabin of the truck or starting with 2014 when a new interpretation was given only by few member states (Belgium in 2014, France 2014, Germany 2017)?
- **Who was right and who was wrong and especially when?**
- **Why the European Commission has double standards?** In the given context, the normal approach of EC should be to maintain everything in place as it functioned since 8-11 years, and only the change of Regulation 561 to give all Member States the same old or new rules.

Based on its actions, it seems EC is dividing Europe by double standards in favor of its founding members.

Despite all our interventions, by the recent EU Mobility Package and its proposal for the Revision of Regulation (EC) No 561/2006 on driving and rest periods,

while acknowledging:



- "divergent interpretations and enforcement of the provisions on the regular weekly rest, leading to uncoordinated national measures and unequal treatment of drivers and operators",

- "The issue of adequate rest facilities when taking a regular weekly rest was highlighted by the trade unions, national authorities, drivers, operators and associations representing operators."

Nevertheless, the European Commission decides to propose, surprisingly for us and to our highest concern, that regular weekly rest is no longer allowed in the vehicle:

"Article 8(8)a is added to clarify that a driver is not allowed to take a weekly rest of 45 hours or more in a vehicle, and that the employer is obliged to provide a driver with adequate accommodation with appropriate sleeping and hygiene facilities if drivers are not able to take a weekly rest at a private place of their choice."

In this uncertain European context, Romanian hauliers need to have proper information on the available parking facilities in your country, in order to start re-organizing their activities on your territory by providing Romanian drivers with adequate accommodation while, in the same time, ensuring their clients that the trucks carrying their goods of billions of Euros are left in a safe and secured parking area.

In the light of the above mentioned, we kindly asked Mr. Alexander DOBRINDT, Federal Minister of Transport and Digital Infrastructure to send us, at his soonest convenience, the **list of safe and secured parking areas available in Germany for foreign(Romanian) trucks allowing foreign(Romanian) drivers regular weekly rest outside the vehicle** – as an accompanying measure to German law forbidding regular weekly rest in the truck, by providing clear information on the GPS location and the facilities offered by the safe and secure parking areas in your country (24/24 Guard, fences, video surveillance, lighting, electric connection, dangerous goods accepted). We kindly asked German Minister of Transport to indicate the parking areas in Germany which do also offer restaurant, appropriate sleeping and hygiene facilities, medical assistance.

Your kind and soonest support in our approach to German Minister of Transport will enable our association to properly inform Romanian road transport companies, supporting them to comply with German law forbidding regular weekly rest in the truck and thus to avoid the huge fines imposed by your country.

Looking forward for your kind reply, I thank you and remain,

Yours faithfully,


**Secretary General
Radu DINESCU**