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Belgian Federal Government

Mr. François BELLOT – Federal Minister for Mobility and Transport

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



Dear Mr. Bellot,

The National Union of Road Hauliers from Romania – UNTRR is the professional and employers' association of Romanian road transport industry and we have assumed the mission to be its main representative in the dialogue with the relevant authorities for our field of activity. UNTRR has been established in 1990 and we have registered as members more than 14 000 Romanian companies performing national and international road transport of goods and passengers.

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 reduce weekly rest of professional drivers may be spend in the vehicle.

After 8 years of harmonized application of these EU provisions, we wonder why your country decided to apply different national rules. Since June 2014, when Belgium adopted the royal decree which forbids professional drivers to spend the regular weekly rest in the cabin of the vehicle, our association made numerous interventions against this Belgian 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.

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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.”

Furthermore, few days after EC Mobility package publication, although it is not yet the official European law in force but still a legislative proposal that potentially can be changed, Belgian authorities performed concerted controls against hundreds of Romanian drivers, on 05 June 2017, applying huge fines on the basis of Belgian law forbidding drivers to spend weekly rest in the vehicle.

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 ask you to send us, at your soonest convenience, the **list of safe and secured parking areas available in Belgium for foreign(Romanian) trucks allowing foreign(Romanian) drivers regular weekly rest outside the vehicle – as an accompanying measure to Belgian law forbidding regular weekly rest in the truck, by providing clear information on the GPS location, parking facilities (24/24 Guard, fences, video surveillance, lighting, electric connection, dangerous goods accepted). We kindly ask you to also indicate the parking areas in your country which do also offer restaurant, appropriate sleeping and hygiene facilities, medical assistance.**

Your kind and soonest reply will enable our association to properly inform Romanian road transport companies, supporting them to comply with Belgian 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