



Ms Violeta Bulc
Commissioner for Transport
European Commission
Rue de la Loi 200
BE-1040 Brussels
BELGIUM

22 June 2017

Subject: Barriers to road transport in the single market

Dear Commissioner,

While we acknowledge the initiatives put forward by the European Commission in its 31 May "Mobility Package", BusinessEurope remains highly concerned with a number of national measures that Member States across the single market are putting in place that result in new obstacles to international transport operations, considerably affecting free movement.

As you know, such national measures not only have a disruptive impact on the transport sector, but on the free movement of goods and services as such, often going against the principles of the single market as set out by the EU Treaties.

One of the recent examples is a new German law prohibiting spending the regular weekly rest on board of commercial transport vehicles, which entered into force in Germany on 25 May 2017. As also voiced by the IRU, the world's road transport organisation, road haulage operators are extremely concerned by the lack of practical information and guidelines on how to comply with the new measures of the German government. The details of the new law have not been clearly communicated to the road transport sector, in which especially foreign based operators will be most affected. We therefore support the call for the introduction of a moratorium on the enforcement of the ban (i.e. in terms of controls and penalties) so that transport and logistics companies can adapt to the new provisions.

BusinessEurope takes note of the Commission's proposed solution to this issue in its Mobility Package, i.e. that the weekly rest shall be taken in a suitable accommodation and not in the cabin. However, the Commission does not provide solutions how to solve this in practice, given that the shortage of secured parking spaces, where truck loads could be left in a secure manner, has not been dealt with as such.

More generally, we stress again that diverse national rules that complement EU legislation for instance on resting time, minimum wage laws (e.g. those under infringement procedure in France and Germany) or extra administrative measures, pose



problems for businesses. It causes legal uncertainty and disrupts the level playing field that European companies need to compete fairly within the single market. Also, diverse interpretation of EU law often results in new obstacles.

The enforceability of rules and decreasing burdensome procedures are essential to achieve its agenda for a socially fair transition towards clean, competitive and connected mobility for all.

Therefore, we urge the Commission to continue to counter the worrying trend of disruptive national developments and act firmly when needed as the guardian of the EU Treaties and the single market itself.

BusinessEurope will shortly communicate further and provide more detailed comments on the Commission's proposed Mobility Package.

We look forward to discussing these important issues further with you and your team.

Yours sincerely,

Markus J. Beyrer