

To the attention of the Members of the
Transport and Tourism Committee -
European Parliament

Subject: Revision of the Tachograph legislation: vote of the Transport and Tourism Committee

Dear Member of the Transport and Tourism Committee of the European Parliament,

The UEAPME Transport Forum would hereby bring to your attention the concerns of Micro, Small and Medium Enterprises operating in the road transport sector regarding some amendments to the proposal for a Regulation of the European Parliament and of the Council amending Council Regulation (EEC) No 3821/85 on recording equipment in road transport and amending Regulation (EC) No 561/2006 of the European Parliament and the Council.

The UEAPME Transport Forum supports the improvement of the digital tachograph as a way to ensure a fair competition within the road transport sector and to improve the level of the road safety, but without adding administrative and technical burdens hampering the economic activity of businesses.

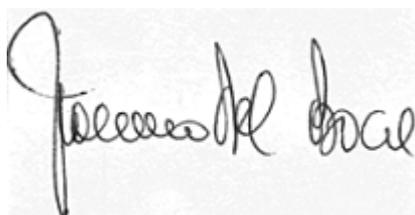
We would like to express our comments on the following issues:

- Regarding the proposed definition of “daily working time” we underline that it violates the definitions of Directive 2002/15/EC. The art.3 of the working time directive explicitly states that breaks and resting times are not considered to be working time. For that reason pauses and resting times are unpaid. In the definition of daily working time, all interruptions of the work and the resting times under 9 hours are included. This is absolutely unacceptable. If split breaks and rest period would have to be remunerated, it will entail huge costs. The reference to split breaks and rest periods should be removed from art. 2.
- The principle of co-liability in the whole supply chain at EU level is one of the most important issues for the SMEs of the road transport sector. Many undertakings are strongly pressed by the contractors to delivery goods in the shortest time possible. More and more often the contractors impose conditions that oblige the hauler to choose between caring out their economic activity and complying with the regulation in force.
- The UEAPME Transport Forum expresses its doubts regarding the merging of the driver card with the driver licence. The regime of the driver's licence varies significantly within the EU from one EU member state to another (e.g. the driving licence is often used as a common proof of identity in several countries). The withholding of the driver's card by controlling authorities will create huge problems for the driver. Before the adoption of any legislative decision, in order to clarify the feasibility of the project and to provide a clear overview of its costs, an impact assessment should be conducted.

The UEAPME Transport Forum strongly asks you to take into account its proposals and consider the attached voting list.

Best Regards,

Francesco Del Boca
President of the UEAPME Transport Forum



Brussels, 30th May 2012