



April 2, 2017

## **DRAFT**

### **Position of Nordic Logistics Association on**

#### **Proposal for a Directive on amending Directive 2003/59/EC on the initial qualifications and periodic training of drivers of certain road vehicles for the carriage of goods and passengers and Directive 2006/126/EC on driving licences**

##### General comments:

- Member States have not fully used the potential of the existing provisions to ensure that the quality and the benefits from the training carried out are fully implemented. Revising the Directive is not sufficient if the follow-up work is not good enough.
- The NLA believes in establishment of a common framework for the training and the testing, common requirements for training centres and instructors, but there needs to be room for taking local conditions into account such as teaching winter driving skills.
- The focus should be on policies and industry requirements that are established in the cooperation with social partners.
- The Member States have to establish quality assurance systems for training institutes, the curricula, trainers and inspectors as well as step up their coordination, approval and the audit of the training centres.
- We need to fight fraudulent activities. There are practices in the market, where drivers are able to get a training certificate over a weekend in some Member States. These practices must be stopped in order to create an effective system of mutual recognition. Recent developments has proven the easy access to falsified and fake drivers cards, drivers licences and even identity cards. The Commission must also assume its responsibilities in cases of proven and persistent fraudulent activities, which might even include corruption in parts of national authorities – when real cards are circulated for fraudulent use.
- We are concerned about the situation where drivers, who mostly work in other country than their home country, can take the training in their home country, without the quality control and contents of the training in the host country. Winter driving is an example. It should be considered that at least some training must be taken in the host country, if significant part of the time is spent in that country.



- There needs to be flexibility in the planning of the training, to allow the companies to plan training and work obligations in an optimal way. This includes breaking up the 7 hour blocks into smaller, more manageable blocks of teaching. Furthermore, a driver must be able to take the periodic training in such a way, that even if the last required training has been carried out up to 6 months before the expiry date of the periodic training certificate, the new 5 year period will only apply from that expiry date.
- NLA is supporting environment and climate friendly solution, but this means that focus should not only be on fuel consumption. A more environmental and climate friendly transport involves a lot of different decisions for each transport operation.
- The training should make the driver more competent as concerns contributing to the overall operation of the company; to be more and better involved in the planning and running of the transport as a commercial activity, which also needs to take account of climate and environment as well as road safety.

#### **Comments on proposed revisions:**

**Art 1.2.(b) – amendment Art 2 (e)** – the new formulation means that drivers in training/apprentices cannot do practice driving in real life situations – such as commercial distribution – even if an instructor is with them. Such real-life opportunities are crucial for a good training and to ensure that apprentices continue to find the work and workplace interesting. The quality of the training/apprenticeship will be decreased, if such real-life training cannot take place. No evidence has been provided that this kind of training should not be safe.

**Art 1.2.(c) – amendment Art 2, addition point (h)** – We do not believe in the exclusion of agricultural etc vehicles, neither for this directive nor for Regulation 561/2006 on driving and rest time. When a driver is in public traffic and is potentially carrying out work a professional, commercial driver could have carried out, that driver should also be covered by rules relating to road safety, such as training.

**Art 1.3 – amendment art 7, new first paragraph** – “...rationalisation of fuel consumption” – this is the original text. We have concerns that while focus on more climate- and environmental friendly driving is important, the driver also needs to be involved in a better understanding of all the elements which make a transport climate- and environmental friendly, which goes beyond fuel consumption. We propose the following addition to the proposed revised text: “...rationalization of fuel consumption, as well as other elements for a commercial transport having an impact on the climate and environmental impact of that transport operation”.

**Art 1.3 – amendment art 7, third paragraph** – We support the new, added requirement that road safety must always be part of the subjects and that the training shall cover a variety of subjects. However, the text should not be read to mean, that other subjects (such as first aid, driving and rest etc) cannot be repeated if there is a need for it. The driver might have been committing infringements of driving and rest time or there may be revised rules – it would be wrong if he/she cannot receive an updated training.



**Art 1.5 – replacement Art 10** – important revision that brings clarity and a solution to a situation which is becoming unacceptable.

**Art 2 – amendment art 4** – NLA supports the alignment of the two directives in this way

**Revisions we would like to see:**

**Art X** - a driver must be able to take the periodic training in such a way, that even if the last required training has been carried out up to 6 months before the expiry date of the periodic training certificate, the new 5 year period will only apply from the expiry date of the first 5 year period.

**Art Y** – We need better cooperation between member states and better focus on quality in the training. We need to move into a better understanding of how to assess and develop quality in the training. Some drivers are heading for their second periodic training and they will be much dismayed if they have to sit through the same training they received in the first sessions. Member States and the Commission, together with social partners, need to engage in a better exchange of best practices, innovation, renewal and the Commission needs to push this development as much as possible.

Some Member States need this assistance from the Commission, otherwise the assessment of quality in the training can become merely focus on whether the physical conditions in the teaching area are satisfactory, rather than if the content of the training is satisfactory.

**Art Z - Focus card fraud**

The access to and use of fake cards or fraudulent cards remains a problem and the directive should focus on ways to ensure that member states fight this fraudulent activity. A EU-wide registry of drivers, with road-side access when controls are carried out, could be a way forward.

Annex:

Introduction, Section 1, 1<sup>st</sup> paragraph

**Section 1: List of subjects**

The knowledge to be taken into account by Member States when establishing the driver's initial qualification and periodic training must include at least the subjects in this list, **but not limited to**. Trainee drivers must reach the level of knowledge and practical competence necessary to drive in all safety vehicles of the relevant licence category.

**Section 1.3** – see above as concerns amendment Art 7. We believe this text should also be added here



**Amend section 1.4, second paragraph: main categories of goods needing securing based on accelerations, frictions factors, safety factors and test methods by considering securing direction, securing method and equipments, friction, dimensions/center of gravity and mass of cargo based on EU Best Practice Guidelines on Cargo Securing for Road Transport or existing standards such as EN 12195-1:2010, ~~clamping and securing techniques, use of securing straps, checking of securing devices, use of handling equipment, placing and removal of tarpaulins.~~**

**Section 4 – First paragraph:** the period of 7-hours should be able to be broken up in for instance 2\*3,5 hrs. For drivers 7 hours periodic training is a long time and the time at the end of the session may in fact be wasted. Better use can be made by splitting up the session.

**Section 4 – Second paragraph:** there seems to be no reason that completed specific training as required under other Union legislation may count as only one of the seven hour periods. The same driver can have received training on transport of live animals as well as dangerous goods, which should count as 2 periods.

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