

Public consultation on the review of Regulation 1071/2009 on access to the occupation of road transport operator and Regulation 1072/2009 on access to the international road haulage market

Fields marked with * are mandatory.

General information

*1. You answer as

- Citizen/consumer
- Road transport worker (e.g. driver)
- Company engaged in transport chain
- EU Governmental authority
- Inter-governmental organisation
- Enforcement authority
- Regulatory authority (e.g. national transport regulator, national competition authority)
- Non-EU governmental authority
- Academia
- Other (please specify)

Please specify Other

Alliance of private companies working in the logistics industry

1.3 Please specify what kind of organisation you represent

(for associations/organisations/authorities only)

- Consumer or citizen association
- Association representing road transport workers
- Association representing road transport operators
- Association representing freight forwarders
- Association representing shippers
- Association representing SMEs
- Association of civil society organizations
- Association of national authorities
- Association of regional authorities
- Other

Please specify Other

Alliance representing road transport operators, freight forwarders and shippers.

1.4 Please specify the name of the authority/association/company/organisation you represent

(for associations/organisations/authorities only)

Alliance for European Logistics (AEL)

2. Is your organisation registered in the [Transparency Register](#) of the European Commission and the European Parliament?

(for associations/organisations)

If you are an entity not registered in the Transparency Register, please register in the Transparency Register before answering to this questionnaire. If your entity responds without being registered, the European Commission will consider its input as that of an individual in his own capacity.

- Yes
- No

2.1 Please indicate your organisation's registration number in the Transparency Register

(numbers only)

3803312805139

*3.1. What is your country of residence?

In case of legal entities, please select the primary place of establishment of the entity which you represent.

- | | | |
|--------------------------------------|--|---------------------------------------|
| <input type="radio"/> Austria | <input checked="" type="radio"/> Belgium | <input type="radio"/> Bulgaria |
| <input type="radio"/> Croatia | <input type="radio"/> Cyprus | <input type="radio"/> Czech Republic |
| <input type="radio"/> Denmark | <input type="radio"/> Estonia | <input type="radio"/> Finland |
| <input type="radio"/> France | <input type="radio"/> Germany | <input type="radio"/> Greece |
| <input type="radio"/> Hungary | <input type="radio"/> Ireland | <input type="radio"/> Italy |
| <input type="radio"/> Latvia | <input type="radio"/> Lithuania | <input type="radio"/> Luxembourg |
| <input type="radio"/> Malta | <input type="radio"/> Netherlands | <input type="radio"/> Poland |
| <input type="radio"/> Portugal | <input type="radio"/> Romania | <input type="radio"/> Slovak Republic |
| <input type="radio"/> Slovenia | <input type="radio"/> Spain | <input type="radio"/> Sweden |
| <input type="radio"/> United Kingdom | <input type="radio"/> Other (please specify) | |

*3.2. What is your main geographical area of activity

- National (only home country/country of residence)
- International, only within the European Union and European Free Trade Association)
- International (European Union, European Free Trade Association and other countries)

4. Please indicate your contact details (name, email and telephone number).

You can still opt for your answers to remain anonymous when results are published.

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Tel: +32 26 457 998
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*5. Do you consent to the publication of your response by the European Commission? Contributions received may be published on the Internet, together with the identity of the contributor, unless the contributor objects to the publication of personal data on the grounds that such publication would harm his or her legitimate interests. In this case, the contribution could be published in anonymous form, i.e. the Commission will not publish the name and contact details submitted in question 4 above (however, should you refer to your name/organisation in reply to the subsequent questions, this will not be taken out). Please note that regardless of the option chosen, your contribution may be subject to a request for access to documents under [Regulation \(EC\) No 1049/2001](#) on public access to European Parliament, Council and Commission documents. In this case, the request will be assessed against the conditions set out in the Regulation and in accordance with applicable [data protection rules](#).

- Yes
- Yes, but anonymously
- No

Extent of the problems

The questions in this section aim at identifying the main problems affecting the road haulage sector and which are linked to the Regulations and assessing their relative importance.

6. It is sometimes argued that the costs incurred by operators to comply with the provisions of the Regulations and the costs borne by public authorities to enforce these provisions are significant.

6.1. Some stakeholders opine that compliance costs for transport operators (i.e. costs to comply with the requirements of the Regulations, such as those incurred to pass a certificate of professional competence) are significant. How do you rate the significance of the compliance costs on your business?

(for companies and associations only)

- There are no significant compliance costs
- Of little importance
- Fairly important
- Important
- Very Important
- I don't know

6.2. Some stakeholders opine that the costs borne by enforcement authorities (i.e. those necessary to enforce the requirements of the Regulations, for example costs incurred for road side inspections regarding compliance with cabotage rules) are significant. How do you rate the significance of these costs?

(for public authorities only)

- There are no significant compliance costs
- Of little importance
- Fairly important
- Important
- Very Important
- I don't know

7. Under [Regulation \(EC\) No 1072/2009](#), operators from an EU Member State are allowed to carry out national transport operations in other EU Member States (cabotage operations) under certain conditions. Member States' enforcement authorities should ensure that the restrictions to this type of operation laid down in Regulation (EC) No 1072/2009 are respected.

7.1. As regards the level of control exercised in practice by Member States with regard to cabotage operations, do you believe that there is:

- Not much variance between Member States
- Modest variance between Member States
- Significant variance between Member States
- Very significant variance between Member States
- I don't know

If you wish, you may supplement your reply with explanations, examples, facts and figures.

2000 character(s) maximum

Member States degree of checks variance is high, which leads to low levels of effectiveness of check (i.e. maximum number of loading, unloading or delivery points within a single operation, ect.). Moreover, the complexity of cabotage rules makes them extremely difficult to enforce, which is perhaps the reason for the different interpretation of the rules on a national level.

A gradual approach would be needed towards a full liberalization in the road freight market. Lifting cabotage rules would allow a more efficient use of the trucks and contribute to the optimization of load factors of single vehicles. The rules for cabotage (3 movements in 7 days) have had an impact on the market even though the share of cabotage compared to domestic and international transports remains marginal.

However, we strongly support the simplification and clarification of the rules as first step towards a full liberalization. Furthermore, in some countries complex local regulations have been introduced together with the EU regulation, which makes it almost impossible for a transit carrier to undertake ad-hoc movements enroute back to origin country. Some of those local restrictions include tax registration, fiscal declarations, pre-announcement of truck numbers etc.

7.2. What impacts do you think that this issue has:

	No impact	Little impact	Significant impact	Very important impact	I don't know
Competitive disadvantage of hauliers from some Member States	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increase of administrative costs for hauliers	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increase of administrative costs for Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Increase of compliance costs for hauliers	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increase of enforcement costs for Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Other (please specify below)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

*Please specify Other

100 character(s) maximum

Removing cabotage restrictions will lead to increased operational and environmental efficiency

8. It is sometimes stated that the cabotage provisions are unclear or lack precision, for example as regards the question whether one cabotage operation can include several loading and/or unloading operations.

8.1. Do you think that the cabotage rules of Regulation (EC) No 1072/2009 are sufficiently clear in all relevant aspects?

- Yes
- No
- I don't know

If no, please specify which precise aspects of the rules are insufficiently clear. You may supplement your reply with explanations, examples, facts and figures, etc.

2000 character(s) maximum

Please refer to answer 7.1

AEL believes that it is more the complexity of the rules than the lack of clarity which leads to the concerns as outlined in the answer to question 7.1.

8.2. What impacts do you think that this issue has:

	No impact	Little impact	Significant impact	Very important impact	I don't know
Competitive disadvantage of hauliers from some Member States	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increase of administrative costs for hauliers	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increase of administrative costs for Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Increase of compliance costs for hauliers	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increase of enforcement costs for Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Other (please specify below)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

*Please specify Other

100 character(s) maximum

See 7.2

9. It is sometimes claimed that the cabotage provisions are hardly enforceable. In this respect, it is argued that it is very difficult for enforcement authorities to control whether a given operator has already exceeded the 3-operation limit within 7 days from the last unloading in the host Member State.

9.1. Do you think that the cabotage rules of Regulation (EC) No 1072/2009 are enforceable?

- The rules are easy to enforce
- The rules are difficult to enforce
- The rules are very difficult to enforce
- The rules are virtually impossible to enforce
- I don't know

If you wish, you may supplement your reply with explanations, examples, facts and figures.

2000 character(s) maximum

See answer 7.1

Member States have different rules for the partial loading of cabotage operations (multidrops) and have implemented different enforcement, monitoring and sanction regimes for cabotage.

Simple rules combined with strict enforcement could solve the issue. Enforcement could include higher fines, removal of licenses or control by police via GPS/digital tachograph/ITS.

9.2. What impacts do you think that this issue has:

	No impact	Little impact	Significant impact	Very important impact	I don't know
Competitive disadvantage of hauliers from some Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Increase of administrative costs for hauliers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Increase of administrative costs for Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Increase of compliance costs for hauliers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Increase of enforcement costs for Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Other (please specify below)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

*Please specify Other

100 character(s) maximum

See explanation in 7.2

10. There is significant variation between Member States in terms of the stringency with which the "good repute" criterion for access to the occupation of road transport operator (the requirement that operators must not have committed serious infringements of EU or national law) is checked. For example, some Member States consider that removal of good repute is disproportionate in certain cases (e.g. an infringement committed by a single driver in a 50-truck company could lead to loss of good repute), whereas other Member States are stricter in the same type of cases.

10.1. How far do you think that the different application of the "good repute" criterion of Regulation (EC) No 1071/2009 by Member States constitutes a problem for the road haulage sector?

- This is not a problem
- This is a minor problem
- This is a major problem
- I don't know

If you wish, you may supplement your reply with explanations, examples, facts and figures.

2000 character(s) maximum

As already stated, one of the most significant issues is that Member States take different approaches in implementing the rules. AEL firmly believes that it is counterproductive when individual Member States are trying to impose their own understanding of the provisions lacking clear guidance from the European Commission and help from their own road transport sector.

10.2. What impacts do you think that this issue has:

	No impact	Little impact	Significant impact	Very important impact	I don't know
Competitive disadvantage of hauliers from some Member States	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increase of administrative costs for hauliers	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increase of administrative costs for Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Increase of compliance costs for hauliers	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increase of enforcement costs for Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Other (please specify below)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

11. Several stakeholders claim that "letterbox" companies are being established in the EU, i.e. subsidiaries purportedly dedicated to road transport operations but having no real own activity.

11.1. How far do you consider that operators are setting up subsidiaries (or indeed alleged secondary establishments in other forms) that do not actually conduct own operations?

- This is a minor issue
- There are some cases of the kind
- This is a widespread practice
- I don't know

If you wish, you may supplement your reply with explanations, examples, facts and figures.

2000 character(s) maximum

11.2. What impacts do you think that this issue has:

	No impact	Little impact	Significant impact	Very important impact	I don't know
Competitive disadvantage of hauliers from some Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Increase of administrative costs for hauliers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Increase of administrative costs for Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Increase of compliance costs for hauliers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Increase of enforcement costs for Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Other (please specify below)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

12. There are indications of a lack of cooperation between Member States in monitoring compliance with the stable and effective establishment criterion (the requirement that operators must have a real and operational establishment in the country where they apply for access to the occupation of road transport operator).

12.1. How well do you consider that Member States are cooperating in monitoring compliance with the stable and effective establishment criterion?

- Member States are cooperating well in this respect
- There are some instances of lack of cooperation
- Member States are not cooperating well in this respect
- I don't know

If you wish, you may supplement your reply with explanations, examples, facts and figures.

2000 character(s) maximum

12.2. What impacts do you think that this issue has:

	No impact	Little impact	Significant impact	Very important impact	I don't know
Competitive disadvantage of hauliers from some Member States	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increase of administrative costs for hauliers	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increase of administrative costs for Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Increase of compliance costs for hauliers	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increase of enforcement costs for Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Other (please specify below)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

13. It is sometimes stated that the definition of stable and effective establishment is insufficiently clear, notably as regards the notion of "operating centre".

13.1. Do you think that the definition of stable and effective establishment of Regulation (EC) No 1071/2009 is sufficiently clear in all relevant aspects?

- Yes
- No
- I don't know

13.2. What impacts do you think that this issue has:

	No impact	Little impact	Significant impact	Very important impact	I don't know
Competitive disadvantage of hauliers from some Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Increase of administrative costs for hauliers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Increase of administrative costs for Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Increase of compliance costs for hauliers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Increase of enforcement costs for Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Other (please specify below)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

*Please specify Other

100 character(s) maximum

I don't know

14. Some Member States apply (some of) the provisions of Regulation (EC) No 1071/2009 to vehicles below 3.5 tonnes (which are excluded from the scope of the Regulation) and this leads to different requirements for the same vehicles in different Member States. For example, in some Member States operators using vehicles below 3.5 tonnes do not have to comply with the minimum financial standing requirement for access to the profession, while in others they do.

14.1. How far do you consider that the application of (some of) the provisions of Regulation (EC) No 1071/2009 to vehicles below 3.5 tonnes by some Member States constitutes a problem for the road haulage sector?

- This is not a problem
- This is a minor problem
- This is a major problem
- I don't know

If you wish, you may supplement your reply with explanations, examples, facts and figures.

2000 character(s) maximum

It is difficult if not impossible to compare the market segment for vehicles below 3.5t with vehicles above 3.5t. Regulating the below 3.5t market segment has an adverse effect on the market. In logistics operations, especially in the field of express, postal and parcel, these vehicles are only being used in the last mile operation, which means for delivery and pick-up purposes. The main activity of a driver in this case is not driving but for which driving constitutes a necessary part of performing his/her actual job. Driving their vehicles does not constitute their main activity as usually they drive only very short distances. Usually, the driver is driving on average around two hours per working day.

Furthermore, the current provisions regarding the requirement of financial standing have a disproportionate and counterproductive effect in particular for SMEs. It increases the difficulties to enter the market and conduct operations in an economically viable manner. In Germany for example, the legal minimum share capital of an undertaking (i.e. GmbH) is EUR 25,000 which already demonstrates an "appropriate financial standing" without additional EUR 9000 when only one vehicle is used and EUR 5000 for each additional vehicle used (Art. 7 (1)). If vehicles below 3.5t would be additionally included in the scope it would significantly increase the burden on SMEs and raise barriers to enter the market.

14.2. What impacts do you think that this issue has:

	No impact	Little impact	Significant impact	Very important impact	I don't know
Competitive disadvantage of hauliers from some Member States	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increase of administrative costs for hauliers	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increase of administrative costs for Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Increase of compliance costs for hauliers	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increase of enforcement costs for Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Other (please specify below)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

*Please specify Other

100 character(s) maximum

Negative impacts on the efficiency and effectiveness of the enforcement authorities.

15. Regulation (EC) No 1071/2009 contains four requirements for access to the occupation of road haulier. Namely, an operator must have:

- 1) an effective and stable establishment in a Member State;
- 2) good repute;
- 3) appropriate financial standing;
- 4) the requisite professional competence.

Some Member States impose additional conditions on access to the occupation of road haulier, for example linked to the minimum number of vehicles or to the minimum age of the transport manager, while others do not. This leads to a situation where the same operator may be able to get access to the profession in one Member State, but not in another one.

15.1. How far do you consider that the imposition of additional conditions on access to the occupation of road haulier by some Member States constitutes a problem for the road haulage sector?

- This is not a problem
- This is a minor problem
- This is a major problem
- I don't know

If you wish, you may supplement your reply with explanations, examples, facts and figures.

2000 character(s) maximum

AEL is in favour of harmonized rules across the European Union. Additional burdens and conditions create an unbalanced competition between transport operators in some Member States. It is of paramount importance to have clear and enforceable rules which do not lead to additional administrative obligations for transport operators or to any competitive disadvantages.

15.2. What impacts do you think that this issue has:

	No impact	Little impact	Significant impact	Very important impact	I don't know
Competitive disadvantage of hauliers from some Member States	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increase of administrative costs for hauliers	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increase of administrative costs for Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Increase of compliance costs for hauliers	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increase of enforcement costs for Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Other (please specify below)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

16. Sanctions for infringements of the Regulations (e.g. non-respect of cabotage restrictions) vary widely between Member States. The same infringement can give rise to an insignificant fine in one Member State and a very significant fine in another one.

16.1. How far do you consider that the variation of the sanctions for infringements of the Regulations between Member States constitutes a problem for the road haulage sector?

- This is not a problem
- This is a minor problem
- This is a major problem
- I don't know

If you wish, you may supplement your reply with explanations, examples, facts and figures.

2000 character(s) maximum

European Union Member States have implemented different enforcement, monitoring and sanction regimes for cabotage. Harmonization of these rules would benefit the whole market.

16.2. What impacts do you think that this issue has:

	No impact	Little impact	Significant impact	Very important impact	I don't know
Competitive disadvantage of hauliers from some Member States	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increase of administrative costs for hauliers	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increase of administrative costs for Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Increase of compliance costs for hauliers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Increase of enforcement costs for Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Other (please specify below)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

17. Do you consider that there are specific issues of significant importance related to the Regulations which are not listed above in Questions 6 -16?

Please explain what these issues are and why they are important.

If you wish, you may supplement your reply with explanations, examples, facts and figures, etc.

2000 character(s) maximum

The network of European Registers of Road Transport Undertakings (ERRU), including number, category and type of serious infringement per undertaking, should be properly implemented and used by national competent authorities to identify undertakings of higher risk for road safety. AEL believes that this would improve the overall functioning of the road haulage market.

18. In the absence of any EU intervention, how do you think that these issues will evolve? Will the identified problems tend to increase or diminish?

2000 character(s) maximum

The problems are likely to increase. The European Commission should focus on its main objective, which is to create a European Single Transport Area where transport operators from different Member States are free to access the transport profession in different countries as well as to undertake transport operations across the EU. It is essential to have regulation in place which seeks to improve the overall efficiency and quality of road freight services, without adding additional administrative burden for the industry.

Objectives of a possible intervention

19. Do you agree with the following tentative objectives of the intervention?

	Don't agree	Slightly disagree	Slightly agree	Fully agree	I don't know
To ensure coherent and consistent enforcement of the existing rules in Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
To ensure coherent application of the rules in Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
To promote more cooperation between Member States in order to allow more effective cross-border enforcement	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
To reduce the number of letterbox companies	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
To reduce the number of illegal cabotage operations	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

20. Which other objectives do you consider should drive the review process?

2000 character(s) maximum

Specialised questionnaire

Policy options and impacts

The Commission services have, on a preliminary basis, listed a series of possible policy measures. These measures can involve a revision of the two Regulations, non-legally binding instruments (such as interpretative guidelines), or a combination thereof.

The questions in this section aim at:

- 1) seeking your views on the appropriateness of these measures in view of the objectives identified in section 2.2 above;
- 2) identifying possible additional policy measures;
- 3) assessing potential impacts of the different measures.

21. You will find below a list of potential policy measures which the Commission services have identified on a preliminary basis. Please indicate: 1) whether you agree or not with the general measure or whether you would like to propose a more specific measure; 2) what you expect the impacts of this measure to be.

21.1. Remove the maximum number of cabotage operations (currently 3), while reducing the maximum period for cabotage operations (currently 7 days).

Do you agree with this measure?

- Don't agree
- Slightly disagree
- Slightly agree
- Fully agree
- No view
- Propose a specific or alternative measure

If you chose "propose a specific or alternative measure", please indicate which (e.g. unlimited number of cabotage operations during a 6-day period). You may expand on your reply.

2000 character(s) maximum

AEL proposes to remove the maximum number of cabotage operations within 7 days and move to a time based approach and unlimited cabotage operations during 7 days.

Furthermore, it is essential that the rules are clear and simple in line with the long-term goal towards a full liberalization of the road freight market.

In your view which effect would this measure have:

	Very negative	Negative	No impact	Positive	Very positive	No opinion
on job creation in the road haulage sector	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
on growth in the road haulage sector	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
on working conditions	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
on road haulage costs	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
on reduction of the cost of compliance with the legislation when compared to the present rules	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
on the economic situation of small transport operators (SMEs)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
on the administrative burden for public administrations	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
on non-EU countries	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

Would this measure have any other impact? Please specify

2000 character(s) maximum

21.2. Include vehicles with less than 3.5 tonnes within the scope of application of Regulation (EC) No 1071/2009. This would mean that, contrary to the present situation, operators using vehicles below 3.5 tonnes would have to comply with (part of) the requirements for access to the occupation of road transport operator (stable and effective establishment, good repute, financial standing and professional competence).

Do you agree with this measure?

- Don't agree
- Slightly disagree
- Slightly agree
- Fully agree
- No view
- Propose a specific or alternative measure

In your view which effect would this measure have:

	Very negative	Negative	No impact	Positive	Very positive	No opinion
on job creation in the road haulage sector	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
on growth in the road haulage sector	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
on working conditions	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
on road haulage costs	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
on reduction of the cost of compliance with the legislation when compared to the present rules	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
on the economic situation of small transport operators (SMEs)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
on the administrative burden for public administrations	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
on non-EU countries	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

Would this measure have any other impact? Please specify

2000 character(s) maximum

See explanations in 14.1

Furthermore, within the scope of Regulation 1071/2009 Member States may lower this limit for all or some categories of road transport operations (Article 1) as it is already the case in some Member States. So far there is no valid data available which would indicate the necessity to regulate this segment on EU level. Extending the scope would lead to a considerable administrative burden for the industry as it is already the case in some Member States - especially for SMEs.

21.3. Include vehicles with less than 3.5 tonnes within the scope of application of Regulation (EC) No 1072/2009. This would mean that, contrary to the present situation, operators using vehicles below 3.5 tonnes would have to comply with (part of) the requirements for access to the international road transport market (e.g. they would be obliged to respect the cabotage restrictions of the Regulation). Do you agree with this measure?

- Don't agree
- Slightly disagree
- Slightly agree
- Fully agree
- No view
- Propose a specific or alternative measure

In your view which effect would this measure have:

	Very negative	Negative	No impact	Positive	Very positive	No opinion
on job creation in the road haulage sector	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
on growth in the road haulage sector	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
on working conditions	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
on road haulage costs	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
on reduction of the cost of compliance with the legislation when compared to the present rules	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
on the economic situation of small transport operators (SMEs)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
on the administrative burden for public administrations	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
on non-EU countries	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

Would this measure have any other impact? Please specify

2000 character(s) maximum

See explanations in 14.1

In the European Commission's study on "Light Goods Vehicles in the Road Transport" from 2010 it has been already stated that there is no substantial unfair competition between light goods vehicles and heavier freight vehicles in international commercial road freight transport. Moreover, the cost calculation exercises have clearly shown that there is no substantial cost price based competition between LGVs and the heavier and larger freight vehicles. Based on AEL research and understanding, there is no valid data available which show that the situation changed and further regulation would be needed.

21.4. Review the criteria for stable and effective establishment in order to better ensure that road hauliers have a real activity. Currently, Regulation (EC) No 1071/2009 includes several conditions used to determine whether an operator has a stable and effective establishment in a given Member State (e.g. it must keep its core business documents in premises located in the Member State of establishment, it must have at its disposal one or more vehicles which are registered in that Member State, etc.). These requirements could possibly be complemented with additional ones.

Do you agree with this measure?

- Don't agree
- Slightly disagree
- Slightly agree
- Fully agree
- No view
- Propose a specific or alternative measure

In your view which effect would this measure have:

	Very negative	Negative	No impact	Positive	Very positive	No opinion
on job creation in the road haulage sector	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on growth in the road haulage sector	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on working conditions	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on road haulage costs	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on reduction of the cost of compliance with the legislation when compared to the present rules	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on the economic situation of small transport operators (SMEs)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on the administrative burden for public administrations	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on non-EU countries	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

Would this measure have any other impact? Please specify

2000 character(s) maximum

The question is rather difficult to answer as there are no concrete requirements suggested. AEL considers the existing provisions for a stable and effective establishment as sufficient and adequate. Further requirements as mentioned above may lead to additional administrative burden for transport companies.

21.5. Further harmonise the enforcement rules with those of the road transport social legislation adopted by the Union. For example, under the social rules each Member State is obliged to organise checks of driving times, rest periods and working time amounting to at least 3% of the days worked by drivers. Currently, there are no such minimum requirements for example for controls related to the cabotage restrictions. It is considered to impose such minimum checks of compliance with the cabotage provisions.

Do you agree with this measure?

- Don't agree
- Slightly disagree
- Slightly agree
- Fully agree
- No view
- Propose a specific or alternative measure

If you chose "propose a specific or alternative measure", please indicate which (e.g. impose cabotage checks corresponding to 2% of working days of drivers). You may expand on you reply.

2000 character(s) maximum

AEL proposes clearer and simpler road cabotage rules, in line with the long-term goal of full liberalization, would already be sufficient to improve the enforcement rules.

In your view which effect would this measure have:

	Very negative	Negative	No impact	Positive	Very positive	No opinion
on job creation in the road haulage sector	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on growth in the road haulage sector	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on working conditions	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on road haulage costs	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on reduction of the cost of compliance with the legislation when compared to the present rules	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on the economic situation of small transport operators (SMEs)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on the administrative burden for public administrations	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on non-EU countries	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

Would this measure have any other impact? Please specify

2000 character(s) maximum

21.6. Extend access to ERRU (European Register of Road Transport Undertakings) to road side check officers. Currently ERRU is only accessible to enforcement authorities through an administrative request. The access to ERRU could be extended to road side officers to help them check in real time whether a company is registered and entitled to carry out international transport operations. This would also allow them to identify high-risk companies thanks to the possibility of checking which most serious offences the company has been convicted for (if any).

Do you agree with this measure?

- Don't agree
- Slightly disagree
- Slightly agree
- Fully agree
- No view
- Propose a specific or alternative measure

In your view which effect would this measure have:

	Very negative	Negative	No impact	Positive	Very positive	No opinion
on job creation in the road haulage sector	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on growth in the road haulage sector	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on working conditions	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on road haulage costs	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on reduction of the cost of compliance with the legislation when compared to the present rules	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on the economic situation of small transport operators (SMEs)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on the administrative burden for public administrations	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on non-EU countries	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

Would this measure have any other impact? Please specify

2000 character(s) maximum

21.7. Introduce penalties for shippers and freight forwarders in case they knowingly commission transport services involving infringements of the Regulations (e.g. illegal cabotage operations), so as to dis-incentivise such behaviour.

Do you agree with this measure?

- Don't agree
- Slightly disagree
- Slightly agree
- Fully agree
- No view
- Propose a specific or alternative measure

In your view which effect would this measure have:

	Very negative	Negative	No impact	Positive	Very positive	No opinion
on job creation in the road haulage sector	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on growth in the road haulage sector	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on working conditions	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on road haulage costs	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on reduction of the cost of compliance with the legislation when compared to the present rules	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on the economic situation of small transport operators (SMEs)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on the administrative burden for public administrations	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on non-EU countries	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

Would this measure have any other impact? Please specify

2000 character(s) maximum

21.8. Include the conditions on establishment, financial standing and professional competence in ERRU. Currently ERRU only contains information on good repute. It could be extended to include the conditions on establishment, which would allow Member States to look for letterbox companies in other Member States, for example. The same could be done for the other conditions on access to the profession.

Do you agree with this measure?

- Don't agree
- Slightly disagree
- Slightly agree
- Fully agree
- No view
- Propose a specific or alternative measure

If you chose "propose a specific or alternative measure", please indicate which (e.g. include conditions on establishment in ERRU by 31/12/2018). You may expand on you reply.

2000 character(s) maximum

AEL is in support of this measure. However, it should definitely not lead to additional obligations for companies. Member States need to work better to make the information exchange through ERRU more successful and efficient.

In your view which effect would this measure have:

	Very negative	Negative	No impact	Positive	Very positive	No opinion
on job creation in the road haulage sector	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on growth in the road haulage sector	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on working conditions	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on road haulage costs	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on reduction of the cost of compliance with the legislation when compared to the present rules	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on the economic situation of small transport operators (SMEs)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on the administrative burden for public administrations	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on non-EU countries	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

Would this measure have any other impact? Please specify

2000 character(s) maximum

21.9. Promote the use of the digital tachograph equipped with Global Navigation Satellite System (GNSS) capability to identify start and end of cabotage period and target cabotage checks. The digital tachograph equipped with a GNSS function will be available from 2016-2017 and thanks to its new satellite positioning function, will allow enforcers to check from the roadside the movements of a vehicle. This way, enforcement officers can filter vehicles for checks. Compliant vehicles would not be unnecessarily stopped.

Do you agree with this measure?

- Don't agree
- Slightly disagree
- Slightly agree
- Fully agree
- No view
- Propose a specific or alternative measure

In your view which effect would this measure have:

	Very negative	Negative	No impact	Positive	Very positive	No opinion
on job creation in the road haulage sector	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on growth in the road haulage sector	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on working conditions	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on road haulage costs	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on reduction of the cost of compliance with the legislation when compared to the present rules	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on the economic situation of small transport operators (SMEs)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on the administrative burden for public administrations	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on non-EU countries	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

Would this measure have any other impact? Please specify

2000 character(s) maximum

21.10. Remove the possibility for Member States to add additional requirements for establishment. Currently, Member States may introduce requirements for engagement in the occupation or road transport on top of those laid down in Regulation (EC) No 1071/2009 (stable and effective establishment, good repute, financial standing and professional competence), provided that these are proportionate and non-discriminatory. This possibility could be removed.

Do you agree with this measure?

- Don't agree
- Slightly disagree
- Slightly agree
- Fully agree
- No view
- Propose a specific or alternative measure

In your view which effect would this measure have:

	Very negative	Negative	No impact	Positive	Very positive	No opinion
on job creation in the road haulage sector	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on growth in the road haulage sector	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on working conditions	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
on road haulage costs	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
on reduction of the cost of compliance with the legislation when compared to the present rules	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on the economic situation of small transport operators (SMEs)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
on the administrative burden for public administrations	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on non-EU countries	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

Would this measure have any other impact? Please specify

2000 character(s) maximum

21.11. Facilitate cross-border checks on establishment provisions, for example by introducing a maximum time period for replies by one Member State to questions by another Member State regarding establishment (along with a procedure for escalation if these timescales are not met).

Do you agree with this measure?

- Don't agree
- Slightly disagree
- Slightly agree
- Fully agree
- No view
- Propose a specific or alternative measure

In your view which effect would this measure have:

	Very negative	Negative	No impact	Positive	Very positive	No opinion
on job creation in the road haulage sector	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on growth in the road haulage sector	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on working conditions	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on road haulage costs	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on reduction of the cost of compliance with the legislation when compared to the present rules	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on the economic situation of small transport operators (SMEs)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on the administrative burden for public administrations	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on non-EU countries	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

Would this measure have any other impact? Please specify

2000 character(s) maximum

21.12. Open up the national risk-rating systems to other Member States in order to promote exchange of information on high-risk companies and to target checks. Under Regulation (EC) No 1071/2009 Member States are required to put in place a risk classification system for hauliers covering infringements which may lead to a loss of good repute (and consequently to a loss of access to the profession of road transport operator). However, there is no requirement for Member States to give enforcement authorities from other Member States access to these risk-rating systems.

Do you agree with this measure?

- Don't agree
- Slightly disagree
- Slightly agree
- Fully agree
- No view
- Propose a specific or alternative measure

In your view which effect would this measure have:

	Very negative	Negative	No impact	Positive	Very positive	No opinion
on job creation in the road haulage sector	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on growth in the road haulage sector	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on working conditions	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on road haulage costs	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on reduction of the cost of compliance with the legislation when compared to the present rules	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on the economic situation of small transport operators (SMEs)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on the administrative burden for public administrations	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on non-EU countries	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

Would this measure have any other impact? Please specify

2000 character(s) maximum

21.13. Promote common training of enforcement officers from different Member States.

Do you agree with this measure?

- Don't agree
- Slightly disagree
- Slightly agree
- Fully agree
- No view
- Propose a specific or alternative measure

In your view which effect would this measure have:

	Very negative	Negative	No impact	Positive	Very positive	No opinion
on job creation in the road haulage sector	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on growth in the road haulage sector	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on working conditions	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on road haulage costs	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on reduction of the cost of compliance with the legislation when compared to the present rules	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on the economic situation of small transport operators (SMEs)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on the administrative burden for public administrations	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on non-EU countries	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

Would this measure have any other impact? Please specify

2000 character(s) maximum

21.14. Share best practices between Member States on how to conduct cabotage checks.

- Don't agree
- Slightly disagree
- Slightly agree
- Fully agree
- No view
- Propose a specific or alternative measure

If you chose "propose a specific or alternative measure", please indicate which (e.g. establish a platform to share best practices on how to use supplementary evidence from sources other than the transport documents, such as tachograph data). You may expand on you reply.

2000 character(s) maximum

AEL completely supports the idea of sharing best practices between Member States, however, it is more important to clarify and simplify the cabotage rules in the first place.

In your view which effect would this measure have:

	Very negative	Negative	No impact	Positive	Very positive	No opinion
on job creation in the road haulage sector	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on growth in the road haulage sector	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on working conditions	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on road haulage costs	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on reduction of the cost of compliance with the legislation when compared to the present rules	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on the economic situation of small transport operators (SMEs)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on the administrative burden for public administrations	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
on non-EU countries	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

Would this measure have any other impact? Please specify

2000 character(s) maximum

22. Would you propose any policy measures other than the ones identified above in Question 21?

Please explain what these measures are and why they are important. If you wish, you may supplement your reply with explanations, examples, facts and figures, etc.

2000 character(s) maximum

Some of AEL Members are manufacturing electric vehicles, which goes in hand with the Commission's aim to establish a European strategy on clean and energy efficient vehicles. Electric vehicles do have the same size as regular vehicles below 3.5t but are heavier because of the battery and therefore require the use of the additional weight allowance. This should be taken into account in the Regulation 1071/2009 and 1072/2009. Subject matter and scope should be adjusted accordingly in Article 1 (4) (a) in 1071/2009 and Article 1 (5) (c) of 1072/2009.

Furthermore, we would suggest issuing the community license, which is currently only valid for a specified period of time, for an indefinite period of time which then should be reviewed and verified on a regular basis. This would reduce administrative costs for industry and authorities.

Subsidiarity and EU added value

In any policy initiative, the Commission must consider whether there is added value in EU intervention and whether the level of EU intervention is appropriate, i.e. whether certain issues should be regulated at EU level or should be left for possible regulation at the Member State level.

Please note however that any amendments to existing Union legislation can only be made by the Union legislator itself, not by Member States.

23. Do you agree that the policy objectives evoked above cannot be sufficiently achieved by Member States and should thus be pursued through Union action?

- Yes
- No
- Don't know

If you wish, you may expand on your reply.

2000 character(s) maximum

AEL is very much aware that enforcement of cabotage rules and social provisions is the responsibility of Member States. However, it is the Commission's responsibility to work closely with national authorities to better apply the current legislation. Some of our Members have experienced that since the legislation was put in place the current cabotage rules are not only difficult to enforce but also create a loss in efficiency. This in turn does not correspond to the overall aim of the decarbonisation of the road transport market. Rules need to be clarified and simplified with a long-term aim to liberalize the road freight market as such.

Other issues and further information

24. Are there any other issues with the operation of the current Regulations to which you would like to draw the attention of the Commission or which you consider should be addressed? Please provide details.

2000 character(s) maximum

25. Please provide references to any studies or documents that you think are relevant for this consultation. Please provide links for online download where possible.

2000 character(s) maximum

Commission's studies
(http://ec.europa.eu/transport/modes/road/studies/road_en.htm):

- Road Transport Market Report (COM/2014/0222 final)
- Light Goods Vehicles in the Road Transport Market of the European Union

26. Please provide information on any successful initiatives at regional, national or international level related to road transport that could support the Commission in the impact assessment exercise.

2000 character(s) maximum

27. Please upload any additional documents (e.g. position papers) to support your contribution to the consultation.

Contact

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