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European Commission
Mrs. Adina Ioana VĂLEAN, Commissioner for Transport

Ref.: request for EC urgent intervention to ensure the free movement of Romanian professional drivers in EU and the suspension of the ban to spend 45h rest in the cabin due to COVID-19 outbreak

Dear Commissioner,

The National Union of Road Hauliers from Romania – UNTRR asks for your urgent intervention against divergent application by the EU Member States of the Communication from the Commission on the implementation of the Green Lanes and of the EC practical guidance to ensure the free movement of critical workers, in particular concerning:

- travel restrictions imposed by Germany and Austria to Romanian professional drivers traveling by car in order to pick up their trucks
- divergent enforcement by Germany and Denmark of the ban to spend regular weekly rest (45 h) in the cabin, against the EC guidelines on the suspension of the ban due to COVID-19 outbreak

1. UNTRR calls on the European Commission to stop the travel restrictions imposed by Germany and Austria to Romanian professional drivers who are not allowed to travel by car in order to pick up their trucks and operate road transports according to their contracts

These travel restrictions imposed by Germany and Austria to Romanian professional drivers is against the principle of the free movement of transport workers set up by EC Green Lanes Communication (23.03.20) and against the EC practical guidance to ensure the free movement of critical workers (30.03.20). May we recall that as part of the overall effort to keep essential transport flows moving, EC urged the Member States to take action to ensure the free movement within the EU of all workers involved in international transport in all transport modes and stated that workers should not be prevented from crossing an internal border in order to carry out their transport functions.

Despite the EC guidelines, representatives of German and Austrian customs are posted to Romanian border crossing with Hungary (Nădlac I) and refuse the access of Romanian drivers traveling by car in Hungary to Austria/Germany in order to pick up their trucks. Several Romanian road transport companies have signaled to UNTRR that their professional drivers were not allowed to exit Romania and travel to Germany/Austria by cars in order to pick up their trucks and operate road transports in these Member States, according to the Romanian company's contracts, although the



drivers presented to the Austrian/German customs representative all the required documents:

- Identification and driving licence, CPC and a digital tachograph card
- Certificate for International Transport Workers (Annex 3); some companies accompanied it with a letter from the employer in Romanian, Hungarian, German stating the reason of the travel and professional driver's declaration
- additional documents required for the transit in Hungary and Austria;
- contract with the German partner and professional driver's employment contract in Romanian and German.

We ask for EC urgent intervention in order to stop these abusive travel restrictions for Romanian professional drivers, urging Germany and Austria to comply with EC guidelines and to ensure the free movement within the EU of Romanian workers involved in international transport in order to avoid economic blockages in the difficult context of Covid-19 outbreak in EU.

2.UNTRR calls on the European Commission to stop divergent enforcement by Germany and Denmark of the ban to spend regular weekly rest (45 h) in the cabin, against the EC guidelines on the suspension of the ban due to COVID-19 outbreak

Romanian road transport companies signaled to UNTRR that their drivers were fined in Germany and Denmark up to 8000 Euro for spending the regular weekly rest in the cabin, although the drivers were not allowed at the hotel (in Denmark) and contrary to the European Commission's guidelines urging Member States *to consider urgent suspension of the ban on transport workers spending rest periods in vehicle cabins, in accordance with Article 14 of Regulation 561/2006.*

As accommodation facilities along routes are unavailable and in order to limit exposure to contagion, we ask for EC urgent intervention in order to suspend the ban on transport workers spending rest periods in vehicle cabins in Germany, Denmark and in all the EU Member States during the COVID-19 pandemic. Also, may we signalize the expiration this week of many of the temporary exceptions from Regulation 561/2006 which were granted by EU Member States due to the COVID-19 outbreak, although the outbreak is not over and many countries maintain the state of emergency. EC intervention is necessary in order to ensure the prolongation of these derogations and the transparent and timely communication of the conditions applicable in each Member State.

Looking forward for your kind reply, I thank you and assure you of our highest consideration.

Yours sincerely,

**Secretary General
Radu DINESCU**

