



EUROPEAN COMMISSION

DIRECTORATE-GENERAL FOR INTERNAL MARKET, INDUSTRY, ENTREPRENEURSHIP
AND SMES

The Director-General

Brussels
DG GROW/

Mr Radu Dinescu
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Dear Sir,

I would like to thank you for your email sent on the 17 March, in which you called the European Commission to put urgently in place measures to mitigate the impact of COVID-19 crisis on essential economic sectors. We take due note of your views and recommendations and President von der Leyen asked me to reply to you on her behalf.

COVID-19 is a severe public health emergency for our citizens, societies and economies with infections in all Member States. It is also a major economic shock to the EU and it has a strong disruptive impact on European transport and mobility. We are doing our utmost to maintain mobility of freight and persons, while making sure that this does not go against the primary objective of containing the spread of the virus. Continued and uninterrupted exchanges are indeed of crucial importance for the functioning of the EU's internal market and its effective response to the current public health crisis.

In this sense, on 16 March 2020, the Commission presented Guidelines for border measures to protect the health of the population and to ensure that goods and essential services remain available. Free circulation of goods is indeed crucial to maintain availability of goods. This is particularly true for essential goods such as food supplies including livestock, vital medical and protective equipment and supplies. As a general rule, control measures should not cause serious disruption of supply chains, essential services of general interest and of national economies and the EU economy as a whole.

On 23 March, the Commission further issued new practical advice on how to implement its Guidelines for border management by adopting a Communication on the implementation of the Green Lanes ('Green Lane Communication'). In order to keep freight moving across the EU, Member States were asked to quickly designate all the relevant internal border-crossing points on the trans-European transport network (TEN-T) as 'green lane' border crossings. The green lane border crossings should be open to all freight vehicles and proceedings, including any checks and health screening, should not take more than 15 minutes. It is key to maintain supply chains, in particular of pharmaceutical and medical products, foodstuffs and fresh water.

As regards flexibility for driving times and rest periods, due to the COVID-19 pandemic most Member States have adopted derogations to the driving and rest time rules under Article 14(2) of Regulation (EC) No 561/2006. Once notified to the Commission, these derogations are communicated to all other Member States, published on the Commission's website and regularly updated to reflect the fast evolving situation. We believe that this approach ensures a coordinated response by Member States and a mutual understanding of the additional flexibilities.

Please note that Romania notified, on 17 March, that the following temporary measures will apply on the Romanian territory from 18 March 2020 until 16 April 2020:

- the maximum daily driving limit of 9 hours is replaced with one of 11 hours,
- the minimum daily break of 45 minutes may be taken after 5 and a half hours of driving,
- the daily rest requirements of 11 hours are replaced with one of 9 hours
- and a weekly rest period may be postponed beyond six-24 hours periods.

Additionally, as explained in the Green Lane Communication, the Commission is of the opinion that Member States should consider urgent suspension of the ban for drivers to take their regular weekly rest in the cabin, in accordance with Article 14 of Regulation (EC) No 561/2006. For periods exceeding 30 days, in light of persisting problems, the Commission will consider favourably Member State requests for authorisation for extension of such exceptions.

As regards the free movement of drivers, in point 20 of the Green Lane Communication, the Commission clearly indicates that rules such as travel restrictions and mandatory quarantine of transport workers not displaying symptoms should be waived without prejudice for competent authorities to take proportionate and specifically adapted measures to minimise the risk of contagion. For example, Member States should abandon requirements to oblige asymptomatic transport workers to produce for inspection a doctor's certificate to demonstrate that they are in good health.

Moreover, as indicated in point 10 of the Green Lane communication, at "green lane" border crossings, procedures should be minimised and streamlined to what is strictly necessary. Drivers should not be asked to produce any document other than their identification and driving licence and, if necessary, a standard template letter from the employer, which is in Annex 3 of the Communication. We strongly advise international transport workers to have this certificate on board of the vehicle. The electronic submission/display of documents should be deemed sufficient by the competent authorities.

We are monitoring the implementation of the Green Lane communication in real-time and will use our best endeavours to ensure that all of the principles thereof are adhered to by Member States.

The EU will also respond to the crisis by mobilising its budget. To bring immediate relief to hard-hit SMEs, the EU budget will deploy its existing instruments to support these companies with liquidity, complementing potential national measures. In the coming weeks, €1 billion will be redirected from the EU budget as a guarantee to the European Investment Fund to incentivise banks to provide liquidity to SMEs and midcaps. This will help at least 100,000 European SMEs and small mid-caps with about €8 billion of financing.

I am sure that with common sense and coordinated action we will overcome this difficult situation for the sector.

Yours sincerely,

(e-signed)
Kerstin Jorna