

JOINT LETTER OF THE PROFESSIONAL ROAD TRANSPORT ASSOCIATIONS FROM BULGARIA, HUNGARY, LITHUANIA, POLAND AND ROMANIA FOR THE URGENT ANNULMENT OF THE OBLIGATORY RETURN HOME OF THE TRUCKS

29.03.2021

**EUROPEAN COMMISSION
MRS. ADINA IOANA VĂLEAN, COMMISSIONER FOR TRANSPORT**

Dear Mrs. Commissioner, Dear Mrs. Vălean,

Bulgarian, Hungarian, Lithuanian, Polish and Romanian hauliers associations welcome the publication of the EC study on the assessment of the impacts of the obligation of regular return of the vehicle to the Member State of establishment which confirms the major negative impact of this measure on Eastern European road hauliers and on the environment.

Consequently, we call the European Commission for the urgent annulment of the obligatory return home of the trucks every 8 weeks, introduced by Article 1(3) of Regulation (EU) 2020/1055.

We consider the provision of obligatory return home of trucks as unjustified and discriminative. The new obligation has nothing to do with social purposes, but as being a market restriction step, it violates the freedom to provide services and the freedom to conduct a business, furthermore it goes against the climate protection efforts like the decrease of empty runs.

1. The obligatory return home of trucks is contravening the preservation, protection and improvement of the quality of environment.

The provision of obligatory return home of trucks is not in line with the ambitions of the European Green Deal and the objective of achieving a climate-neutral EU by 2050. As also signalized in EC statement after the publication of Mobility Package 1 (2020) *“The obligation of return of the truck will lead to inefficiencies in the transport system and an increase in unnecessary emissions, pollution and congestion.”* Rather than integrating and ensuring the improvement of the quality of the environment, the obligatory return home of trucks reverses the entire process. The negative impact on the climate has explicitly been recognized by the recent study of the Commission on the return obligation for vehicles, which states that *“The analysis of the return obligation for vehicles shows that in the scenario that according to the study is the most likely to occur, the provision [i.e. the contested act] is likely to create additional journeys, potentially resulting in up to 2.9 million tonnes of additional CO2 emissions in 2023 (a 4.6% increase in international road freight emissions).”*

2. The obligatory return home of the trucks affects the Eastern EU hauliers from our countries

The undersigned associations note that the recent study of the Commission on the return obligation for vehicles demonstrates that this provision affects directly the Eastern EU hauliers. In this regard, the study states explicitly the following: *“This means that Eastern hauliers may still need to partially absorb the cost increase associated to the measure to keep their overall market competitiveness against market segments that have not been affected at all”*. This abusive provision is intrinsically liable to affect the Eastern EU road hauliers more than other nationals and companies in the EU. Furthermore, the EC study clearly states that: *“In the simple market compliance scenario, hauliers typically operating long truck cycles could incur additional vehicle operating costs associated to the need for their vehicles to return more frequently. The new return journeys could represent an increase in costs of up to €11,000 per vehicle per year (around 10% increase compared to the baseline) on average for hauliers established in Eastern European countries operating in Western European countries.”*

The East-European professional transport undertakings affiliated to our associations and also our Member States are directly affected by the provision of obligatory return home of the trucks. This is furthermore underlined by the fact that our Member States and also East-European professional transport undertakings submitted actions against this contested provision of Mobility Package 1 which were brought before the Courts of the European Union.

3. The obligatory return home of the trucks was not part of the Commission's proposals adopted in 2017 and has not been the subject of an impact assessment prior to its adoption

The EU legislators had the obligation to carry out impact assessment prior to the adoption of the new provision on obligatory return home of the trucks and to take account of cases where the application of this provision might seriously affect the standard of living, the level of employment and the operation of the road hauliers from EU Member States.

If the EU legislators just had abide by their legal obligations and carried out impact assessments, they would have noticed that the provision of obligatory return home of the trucks has a major negative impact on the environment and on Eastern EU road hauliers, as highlighted by the recently published EC study on the assessment of the impacts of the obligation of regular return of the vehicle to the Member State of establishment.

Such lack of detailed statement of reasons and impact assessments as in the underlying case cannot be tolerated.

On those grounds, the undersigned associations have the honor to respectfully address the European Commission with the urgent request for the annulment of the obligatory return home of the trucks every 8 weeks.

Signatories

AEBTRI

The Association of the Bulgarian Enterprises for International Transport
AEBTRI President, Georgi Petarneychev

LINAVA

The Lithuanian National Road Carriers Association
LINAVA Secretary General, Zenonas Buivydas

MKFE

The Hungarian Road Transport Association
MKFE President, József Péter Ignác

UNTRR

The National Union of Road Hauliers from Romania
UNTRR President, Constantin Isac

ZMPD

Association of International Road Transport Carriers in Poland
ZMPD President, Jan Buczek