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Fédération Nationale des Transports Routiers - FNTR
For the kind attention of Mr. Benoît DALY - Secretary General



Subject: UNTRR requires urgent measures to determine French and Belgian authorities to immediately withdraw their recent national regulations on the introduction of severe fines and penalties applicable in case drivers spend their regular weekly rest period in vehicles

Dear Mr. Secretary General,



The National Union of Road Hauliers from Romania – UNTRR requires IRU and European Commission to undertake urgent measures to determine French and Belgian authorities to immediately withdraw their anti-competitive and anti-European regulations on the introduction of severe fines and penalties applicable in case drivers spend their weekly rest period in vehicles



Our association is seriously concerned about such legal approaches, at national level, of the European Regulation no. 561/2006 whose aim is, actually, the harmonization of certain social legislation relating to road transport, in the spirit of the liberalization of the European road transport market. Even if after 2009, this liberalization trend registered some stagnation, due to the economical and financial crisis, it is unacceptable that under the popular umbrella of fighting against the social dumping, certain Members States adopt protectionist measures, promoted with the single purpose to become a tool used against European competition in the field of transport. From this perspective, **such national initiatives should be condemned as they are against the spirit of the European Union and its aim on the medium and long run – the single market.**

The measures taken by Belgium and France exceed any other penalty, being very restrictive, inadequate to the committed infringement, certainly disproportionate and definitely discriminatory as they are not applicable to the resident transport operators, which obviously are not spending their weekly rest in the cabin of the vehicle, but at home.



Moreover, these possible fines don't affect road transport companies and professional drivers only, but they threaten also the goods of billions of Euros which they carry every day. May we recall hereby the recent case of a Romanian truck property of our member company – Dianthus, whose all 6 tires on trailer were drilled during the night rest of the driver, in a parking lot at Chigy, France. Despite all UNTRR interventions to your association and IRU, no reply has been received so far and please also note that,



at the same parking lot, a couple tractor trailer registered in Poland was affected by the same incident. However, instead of taking more safety measures within the parking lots in order to reduce the number of such incidents, the French Government introduces protectionist measures against foreign transport operators which could only inflame such vandal behaviors in road transport field.

In the light of all the above mentioned facts, we strongly believe that there is an urgent need of clarification at European level and we consider that IRU, together with the relevant authorities of the Member States and with the European Commission, should not tolerate such approaches of another Member State, which either behaves normally, or it withdraws from the European Union. Otherwise, we risk the escalation of a competition between Member States, where **fines can reach hundreds of thousands of Euros and decades in prison for offenses established at national level and not by European legislation, given that such national rules are applicable only to foreigners, as the residents spend the weekly rest at home.**

Although the new French regulation is obviously not affecting your members, we consider it's time for European road transport associations that truly support European economic development, employment, fair competition and compliance with the spirit of the European Union, to make a common front to defend EU's major values that are currently in danger as a result of the protectionist measures recently taken by the national authorities of your country.

Consequently, we consider that IRU should adopt by emergency a firm position and to address it to **European Commission and to all the other relevant European and national authorities** in order to stop such national initiatives as those recently adopted by Belgium and France, oriented against the transport companies from other Member States and with a direct impact on the East European ones.

As colleague associations within the IRU, we trust in your support to defend EU's major values in transport by communicating to French authorities the position of the other Member States' professional associations, for the healthy functioning of European road transport market.

Looking forward for your kind reply, we assure you of our highest consideration.

Yours sincerely,

**Secretary General
Radu DINESCU**

