

---

## Mobility Package 1 enforcement: Practical considerations by industry leaders

---

2020/09/11 10:35 στην κατηγορία INTERNATIONAL

---

New EU rules on driving and rest times outlined in the Mobility Package 1 (MP1) have entered into effect.

While their interpretation and application still raise questions, IRU is working closely with the European Commission and enforcers to clarify the new legislation. The goal: make sure MP1 is enforced efficiently and consistently across EU Member States.

Driving and rest time rules are designed to ensure a balance between improved working conditions for drivers and the efficiency of cross-border transport.

MP1 provisions will also have a direct impact on third country operators offering road transport services within the framework of bilateral or multilateral frameworks, such as the European Conference of Ministers of Transport (ECMT) quota and the UNECE European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR Agreement). A number of MP1 provisions will need to be transposed into these frameworks.

Here are practical considerations and recommendations on the implementation of MP1 by some of IRU's members:

### **The need for a coordinated approach**

“The Mobility Package brings us new and additional challenges related to its application. As the European Commission already stated when launching the first proposals, the effectiveness of rules depends on uniform interpretation and enforcement across all Member States. The lack of uniform interpretation has been one of the main causes for non-compliance so far. The European Commission and enforcement organisations, in partnership with the industry, should take the lead towards the provision of more legal certainty. For transport companies, it is of vital importance that enforcement of the rules can be done in a non-invasive, practical and uniform way in all Member States they operate.”

NATALIE KRUL  
TLN, Netherlands

### **The weekly rest**

“One major change brought by MP1 is the organisation of the weekly rest. Drivers can now take two consecutive reduced weekly rests, whilst it has been made explicit that the regular weekly rests cannot be taken in a vehicle. “The new Mobility Package 1 entered into force without an implementing act on the gravity of infringements. This increases the risk of divergent interpretation of rules by Member States. It could also lead to abusive controls and disproportionately high fines in cases such as controls on the ban to spend the regular weekly rest in the cabin. We are working with our colleagues across Europe within the IRU to clarify the obligations of drivers, companies but also enforcers to ensure everyone is on the same page.”

ROXANA ILIE  
UNTRR, Romania

### **The return of the driver**

“As of 20 August, drivers have to return home or to the employer’s operational centre, in a period of four weeks. This centre can be in the country where the employer’s establishment is located or in the country of the driver’s residence. This constitutes an improvement of driver’s working conditions. Yet, there is an urgent need for clarification how this is controlled in practice. This is key for our businesses. By informing the

European Commission on the reality of our businesses, we hope the application of the new provisions will take a pragmatic approach.”

JAN MEDVED

CESMAD Bohemia, Czech Republic

**(IRU)**