



*Brussels, 23.1.2018
C(2018) 286 final*

*Mr Ondřej BENEŠÍK
Chairman of the Committee for
European Affairs
Poslanecká sněmovna
Sněmovní 4
CZ – 118 26 PRAGUE 1*

*cc. Mr Radek VONDRÁČEK
President of the Poslanecká sněmovna
Sněmovní 4
CZ – 118 26 PRAGUE 1*

Dear Chairman,

The Commission would like to thank the Poslanecká sněmovna for its Opinion on the proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 561/2006 as regards on minimum requirements on maximum daily and weekly driving times, minimum breaks and daily and weekly rest periods and Regulation (EU) 165/2014 as regards positioning by means of tachographs {COM(2017) 277 final} and on the proposal for a Directive of the European Parliament and of the Council amending Directive 2006/22/EC as regards enforcement requirements and laying down specific rules with respect to Directive 96/71/EC and Directive 2014/67/EU for posting drivers in the road transport sector {COM(2017) 278 final}.

These proposals form part of a broader package of ambitious measures designed to improve the conditions of competition as well as working conditions of drivers in the road transport sector, as well as to make road transport more environmentally sustainable and digitalised (the "Mobility Package"). They are intended to simplify and clarify existing rules, to make enforcement more efficient and to cut down on administrative burden.

The Commission considers that, overall, the proposed rules represent a balanced approach in respect of all interests at stake, including working and resting conditions for drivers and the smooth functioning of the Single Market. It recalls that the Posting of Workers Directive¹ applies to all sectors, including road transport. The highly mobile nature of road transport is not a reason to deprive workers from social protection. With the introduction of the sector specific rules, the Commission has taken into account the mobile nature of the activity. The proposed time threshold of three days per calendar month, below which the provisions of the

¹ Directive 96/71/EC.

Posting of Workers Directive relating to pay and annual holiday² would not apply to drivers performing international carriage operations, aims to balance drivers' rights to receive adequate remuneration with the costs for operators. Moreover, the Commission proposes lighter administrative and control requirements, which are expected to bring a 58% reduction in administrative costs for operators (from EUR 1,352 million to EUR 567 million) without in any way compromising drivers' working conditions.

Discussions have started in the Council Working Group under the Estonian Presidency. The Commission is working closely with the Presidency to identify the main issues where Member States' opinions are divided and to facilitate discussions.

On the side of the European Parliament, the rapporteurs and shadow rapporteurs have been nominated. Discussions are starting.

The Commission remains hopeful that an agreement will be reached in the near future.

The Commission hopes that these clarifications address the issues raised by the Poslanecká sněmovna and looks forward to continuing our political dialogue in the future.

Yours faithfully,

*Frans Timmermans
First Vice-President*

*Violeta Bulc
Member of the Commission*

² Points (b) and (c) of the first subparagraph of Article 3 of Directive 96/71/EC.