



Romanian Parliament
Senate

Bucharest, April, 4, 2017

OPINION

*Regarding the Proposal for a Directive of the European Parliament and of the Council amending Directive 2003/59/EC on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers and Directive 2006/126/EC on driving licences
COM (2017) 47 final*

The Romanian Senate examined the Proposal for a **Directive of the European Parliament and of the Council amending Directive 2003/59/EC on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers and Directive 2006/126/EC on driving licences – COM (2017) 47 final** – according to the provisions of the Treaty of Lisbon (Protocol no. 2).

Taking into account the report of 219/ March, 29, 2016, 2016 of our permanent Committee on European Affairs, **the Plenum of the Senate**, during its session of April, 4, 2017, decided as follows:

- 1. This Regulation does not violates principles of subsidiarity and proportionality.**
- 2. Within the amending Directive on driving licences and the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers and the following are noted:**

Proposal for a Directive respects the principle of subsidiarity as the only common rules at EU level can create a level playing field for road transport operators, ensuring at the same time, a minimum level of road safety. In terms of periodic training, although it is and should remain a primarily matter for Member States to adapt the training to their national needs, only EU rules contribute to its main objective of ensuring the road safety and fair competition.

- 3. The following are considered necessary and mandatory:**
 - a) The purpose of the Directive is to raise standards among new drivers and to maintain and improve the professional skills of existing truck and bus drivers throughout the EU.

b) The Directive aims specifically to increase drivers' awareness of the risks, with a view to reducing risks and increasing road safety. Moreover, the Directive lays down standards on professional skills to ensure fair competition throughout the EU.

4. It is strongly recommended to pursue:

a) The purpose of the Directive must include the vehicles with a maximum laden weight of more than 4250 kg, increasing road safety and quality of carriage of goods.

b) Clarify the meaning of the *term non-commercial transport of passengers or goods* used to define an exemption from the Directive. Otherwise, there is a risk that an exempted transport operation in a Member State, because it is non-commercial, it will be considered commercial in another Member State and the vehicle user will be sanctioned for non-compliance.

c) Allowing that code 95 can be performed on the driving license or on the certificate of professional competence by the authorities issuing these documents. There were cases when driving licences issued in a Member State were exchanged with new permits, without being transferred code 95 and the drivers have not the evidence of professional stand. It is therefore necessary to introduce this flexibility, not restrict the rights acquired by the car drivers.

p. Speaker of the Senate

A handwritten signature in black ink, appearing to read 'Iulian - Claudiu MANDA', with a long horizontal stroke extending to the right.

Iulian – Claudiu MANDA