

IPA 2008 – CROATIA - PROJECT FICHE

HR2008-03-14-09

1. Basic information

- 1.1 CRIS Number: 2008/020-329
- 1.2 Title: **Efficient Functioning of the Control System for Roadside Inspections and Checks of the Driving Time, Breaks and Rest Periods on the Road and in the Undertakings**
- 1.3 ELARG Statistical code: 03.14 – Transport policy
- 1.4 Location: CROATIA

Implementing arrangements:

- 1.5 Implementing Agency: Central Finance and Contracting Agency

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- 1.6 Beneficiary (including details of SPO): Road Inspection Department and Road Transport Directorate (MSTI); Traffic Police Directorate (MI)

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Financing:

- 1.7 Overall cost (VAT excluded): 2.2 million EUR
- 1.8 EU contribution: 1.857 million EUR
- 1.9 Final date for contracting: 2 years following the date of conclusion of the Financing Agreement
- 1.10 Final date for execution of contracts: 2 years following the end date for contracting
- 1.11 Final date for disbursements: 3 years following the end date for contracting

2. Overall Objective and Project Purpose

2.1 Overall Objective:

Improvement of road safety and strengthening the capacities of the Ministry of the Sea, Transport and Infrastructure and its related structures in line with Council Regulation (EC) No 561/2006 and Directive 2006/22/EC on the harmonisation of certain social legislation relating to the road transport and in line with Council Regulation (EC) No 2135/98 amending Regulation (EEC) No 3821/85 on recording equipment in road transport.

2.2 Project purpose:

The project is aimed at improving road safety in the Republic of Croatia, taking account of the fact that conventional tachographs will remain in use in a considerable number of Croatian and foreign vehicles which are subject to controls in the future and that the enhanced capacities of the Ministry of the Sea, Transport and Infrastructure and the related structures will ensure a more efficient functioning of the roadside inspection system and checking of compliance with social conditions in road transport.

Introduction of digital tachographs and the control and verification of their use in the Republic of Croatia implies purchase of the equipment necessary for carrying out such activities. It is also necessary to create a central national database to enable exchange of the information between the Republic of Croatia and other Member States.

In addition, it should be emphasized that no roadside checks of brakes and exhaust emission are currently carried out in Croatia. Instead, the vehicles are sent to the closest technical inspection stations outside the road corridors to perform such checks.

Purpose of the project is to continue with harmonization of road transport and road safety legislation with the acquis, to introduce an efficient control system including checks on the roadside and in company premises, in particular with respect to driving and rest time. Realization of the project will result in the enhancement of administrative capacities of the Ministry of the Sea, Transport and Infrastructure (MSTI) and the Ministry of Interior (MI) and, among other things, purchase of the equipment required.

This includes in particular:

- Continuing the alignment of transport road and road safety legislation on the *acquis*
- Ensuring that road safety is taken into consideration during the elaboration of the laws on road transport
- Improving the administrative capacity of the ministry of sea, transport and infrastructure to manage the *acquis*
- Implementation of control system and enhancement of roadside inspections and checks of the driving time, breaks and rest periods on the road and in the undertakings
- Adopt legal conditions to introduce the new digital tachograph in Croatia by 2009 and to control it according the requirements of EU legislation.

2.3 Link with AP/NPAA / EP/ SAA

Accession Partnership

On 12 February 2008 Council adopted Decision on the principles, priorities and conditions contained in the Accession Partnership with Croatia and repealing Decision 2006/145/EC. The Accession Partnership which forms an integral part of this decision contains following project relevant priorities:

*“Complete alignment with the EU *acquis* and enhance administrative capacity in the area of road transport (including the implementation of the digital tachograph) aviation and maritime transport and in the area of inland waterway transport, in particular as regards the safety of navigation and River Information Services.”*

National Plan for the Integration in the European Union (NPIEU)

The National Programme for the Integration of the Republic of Croatia into the EU - 2008 (NPIEU) is the annual program of the Croatian Government which contains: activities to be undertaken on its way towards EU integration, key priorities in harmonization of Croatian legislation with *acquis communautaire* as well as general principles. The NPIEU gives the current sectoral overview, with planned activities to be undertaken in the forthcoming year.

KEY PRIORITIES

“The process of aligning Croatian legislation in the field of access to the market of road transport of passengers and goods, and legislation on social and technical road transport will continue in 2008.

In 2008, the Ordinance on amendments to the Ordinance on total driving time, rest periods and keeping of records on the work and rest periods of drivers will be adopted for the purpose of further alignment with Council Regulation (EC) No 561/2006 and Directive 2006/22/EC. In addition, with a view to further alignment with Council Regulation (EC) No 2135/98, the Ordinance on amendments to the Ordinance on technical requirements and testing of tachographs and speed limitation devices will be adopted.

For 2008, it is planned to provide funds to procure equipment for road transport inspectors to check driving times, read tachograph cards, and check digital tachographs, and also for professional and technical assistance in the process of introducing digital tachographs.

Likewise, through the IPA 2008 project, for which an application has been submitted, it is planned to acquire equipment and technical assistance to introduce digital tachographs.”

Progress Report for year 2007 stresses the importance to increase the efforts and to ensure adequate administrative capacity needs for most transport sectors. Nevertheless there has been some progress in the area of **road transport**. A working group on introduction of the digital tachograph has started work and is drafting the relevant legislation. As regards administrative capacity, a new regulation on organisation of the Ministry of the Sea, Tourism, Transport and Development (MSTTD) is in the process of adoption. This regulation will provide for an increase in the number of road inspectors and regulate working conditions and budgetary resources.

2.4 Link with MIPD

This project is in line with the following priority of the MIPD 2008-2010: concerning the ability to assume the obligations of membership (3rd area of intervention of the MIPD) "assistance will be deployed according to the priorities identified in the Accession Partnership, the screening reports and subsequent negotiations in the different chapters of the acquits", i.e. including inter alia chapter 14.

This project will not overlap with the activities foreseen in the field of transport under IPA component III also covered under this MIPD (namely, under the Transport Operational Programme) as the latter focuses on the gradual improvement of the standards of Croatian railways as well as rehabilitating the Sava river waterway, i.e. does not address roadside inspections.

2.5 Link with National Development Plan (where applicable)

Main priority of the National Development Plan 2006-2013 in the road sector is to invest into maintenance, and improvement in the quality and safety of state, county and local roads. This project will have direct impact on the improvement of quality and safety of roads due to the increasement of vehicle roadside checks and driving period time which is a tool for prevention of possible accidents.

2.6 Link with national/ sectoral investment plans (where applicable)

Not applicable.

3. Description of project

3.1 Background and justification:

Background

3.1.1 Road safety in Croatia

The traffic safety situation in Croatia is weak compared to international standards. The rate of fatalities is twice the one of EU countries (the rate of fatalities per 10,000 vehicles was in 2003 for Croatia, against around 3 on average for EU countries). The traffic casualties are estimated to accumulate total costs rising close to 2 per cent of the GDP.

Fortunately, as shown in the table below, for several years the number of serious accidents has been decreasing thanks to the implementation of measures to improve the traffic environment (including improvement in legislation and road-worthiness control of vehicles).

Year	1998.	2006.
Accidents rated as serious (causing fatalities or injuries to the victims)	12.846	16.706
Number of fatalities	646	614
Fatalities per 10,000 vehicles	5,20	3,29
Fatalities per 100 injured	11,56	13,8
Fatalities per 10,000 inhabitants	1,46	1,38
Number of drivers	1 701. 736	2.085.336
Number of vehicles	1 241. 522	1.866.741
Accidents recorded		

The main actions recently implemented that have contributed to improve the situation in Croatia are:

- the improvements of the legal framework with the adoption of a more restrictive Road traffic Safety Act: in particular, the populated area speed limit is now 50 km/h and the buses transporting children are limited to 70 km per hour, the using of sound warning signal, the use of mobile phones without hands-free devices is prohibited and penalties for traffic offences are more severe (the police officer has the right to withdraw the license or to ban the driver on the driving, in cases defined by the law),
- the development of accidents analysis in order to provide cost/benefit analysis of casualties, social costs and economic value,
- the production of a casualty report form,
- the commencement of a black-spot program,
- a safety program,

However, the results remain very fragile and partial, and in a context of increasing road traffic (the total fleet has grown with a 6 to 7% yearly increase over the last 6 years), complementary measures need to be taken.

3.1.2 Road transport legislation

Transposition of the related acquis is progressing in Croatia.

In the first quarter of 2008, the Act on Working Time and Mandatory Rest Periods of Mobile Workers and on Recording Equipment in Road Transport was drafted.

Further activities need to be carried out in order to dully implement the EU acquis, in particular:

- the rules on driving and rest times, the rules on drivers licenses and the rules on vehicles (testing centers) are transposed through the Road Safety Act of the 21st July 2004 and trough its derived regulations (Ordinances on the technical requirements for vehicles in

road traffic of 5 July 2005, and on technical conditions and testing of tachographs and speed limiters of 3 October 2005)

- the rules on road transport of dangerous goods are transposed through the Dangerous Goods Transport Act of 1993 amended by the Act of the 15th September 2003 which incorporate the annexes A and B of the ADR for both international and domestic traffic; however, the enforcement structures also need strengthening,
- the provisions of EC Directive 96/96 on technical inspections for vehicles in road traffic have been fully transposed by the Ordinance of 27 September 2004.

In this respect, the current needs are mainly:

- to ensure that transposition is completed and adequate,
- to ensure an operational and efficient enforcement.

3.1.3 Institutional structure and administrative capacity in the road transport sector

The Ministry of the Sea, Transport and Infrastructure (MSTI) is one of the most important ministries in Croatia, representing the State authority in rail, road, air, maritime and inland waterways transport and public works fields.

By its general competencies in the road safety policy and by its peculiar responsibilities in the domains of driving licenses, roadworthiness tests and carriage of explosive goods and therefore in the enforcement of road safety and road transport legislations, the ministry of interior (M.I.) is also largely involved in the implementation of the road traffic and road transport policy

The MSTI involves five large sectors and three independent departments close to the minister. The transport sector consists of four directorates including the General Inspectorate for Transport and the Road Transport Directorate.

The Road Transport Directorate

The scope of activities of the Road Transport Directorate includes adoption of laws and regulations based on the Road Safety Act, which are to be approved by the Ministry of Interior.

The road transport directorate consists of the following:

1. Road Safety Department,
2. Department for Legal Matters,
3. Department for Road Transport

The Road Transport Directorate is responsible for supervising tachographs checking stations for exchange of relevant information with AETR signatories and for cooperation with other directorates and with the Ministry of Interior on the training of inspectors and traffic police with respect to interpretation of tachographs digital print-outs and roadside checks.

The General Inspection of Transport

The main directorate to check the field of transport in the ministry of sea, transport and infrastructure is the general inspection of transport. If the road directorate has to prepare the laws, regulations and decisions concerning the road transport and what it is to be done to ensure the road transport safety, the responsibility of the checking is on the hands of the general inspection which includes the road transport inspectorate.

In the road transport sector, the General Inspectorate comprises two sections, respectively road transport inspection and road inspection, with a total of 22 Inspectors distributed in the counties. It has to be mentioned that, as road transport inspectors are not empowered to stop vehicles in traffic, they have to be accompanied by officers of Road police to perform their duties in roadside controls.

The Ministry of Interior

Pursuant to the Road Safety Act, the Ministry of Interior is responsible for performing technical inspections of road motor vehicles by authorized organizations, and for issuing authorizations for performing technical inspections of vehicles. These authorizations are not subject to any prior approval.

Technical inspections are carried out by technical inspection stations. Organization of such inspections is the responsibility of the Centre for Vehicles of Croatia as an organization authorized to that purpose, under supervision on the Croatian Automobile Club. The present number of such authorized technical inspection stations in Croatia is 138.

The Ministry of Interior is authorized to perform roadside checks of compliance with the regulations concerning driving time of road motor vehicles. These controls are performed jointly with the Road Transport Inspectorate.

There are presently no roadside checks of correct operation of tachographs. Introduction of such checks is the responsibility of the Road Transport Directorate.

Legislative framework:

The field of road transport in the Republic of Croatia has been regulated by following laws:

- the Road Traffic Transport Act (OG 178/04),
- the Road Safety Act (OG 105/04),
- the Act on Transport of Dangerous Goods (OG 79/07), and
- the Public Roads Act (OG 180/04),

as well as a series of multilateral and bilateral agreements on road transport to which the Republic of Croatia is a signatory.

The Road Traffic Transport Act is being partially harmonised with the following regulations:

- Council Regulation 881/92 on access to the market in the carriage of goods by road within the Community to or from the territory of a Member State or passing across the territory of one or more Member States.
- Directive 96/26/EC on admission to the occupation of road haulage operator and road passenger transport operator and mutual recognition of diplomas, certificates and other evidence of formal qualifications intended to facilitate for these operators the right to freedom of establishment in national and international transport operations.
- Directive 98/76/EC amending Directive 96/26/EC on admission to the occupation of road haulage operator and road passenger transport operator and mutual recognition of diplomas, certificates and other evidence of formal qualifications intended to facilitate for these operators the right to freedom of establishment in national and international transport operations.
- Council Regulation (EEC) 684/92 on common rules for the international carriage of passengers by coach and bus.

- Council Regulation (EC) 11/98 amending Regulation 684/92 on common rules for the international carriage of passengers by coach and bus.
- Council Regulation (EEC) 3820/85 on the harmonisation of certain social legislations relating to road transport.
- The Road Safety Act (OG 105/04) was adopted in July 2004, and it is partially harmonised with the following regulations:
 - Council Directive 91/439/EC of 29 July 1991 on driving licences.
 - Council Directive 97/26/EC of 2 June 1997 amending Council Directive 91/439/EEC of 29 July 1991 on driving licences.
 - Council Directive 2000/56/EC of 14 September 2000 amending Council Directive 91/439/EEC of 29 July 1991 on driving licences.

Administering of driving examinations, issuing of driving licences, acquiring the right to operate vehicles, and establishing hours and roadside rest periods for drivers in national and international carriage of goods has been harmonised with this Act.

Pursuant to the Road Safety Act, the Ordinance amending the Ordinance on Technical Requirements for Vehicles in Traffic on Roads (Official Gazette 18/04) was adopted at the beginning of 2004, which has been harmonised with the Council Directive 96/53 EC and Directive of the European Parliament and of the Council 2002/7/EC. Harmonization of the Ordinance with Directive 92/24/EEC is presently in progress.

According to the Road Safety Act, the Traffic Police and the Road Transport Inspectorate are responsible for the control of driving and rest times for drivers.

As Croatia needs further harmonization it is necessary to determine the way in which organizational and procedural requirements will be harmonized with Community acquis.

Croatian legislation has still not been harmonised with EU Directive 2000/30 amended by the Directive 2003/ 26 of the Commission, concerning roadside checks.

Documents and Strategies:

Transport Development Strategy of the Republic of Croatia (Official Gazette no. 139/99)

Pre-Accession Economic Program, November 2004

ISPA: drawing up of National ISPA Strategy

Transport Policy (from Croatia's Pre-accession Assistance Needs document –«PAAN»)

National programmes for the integration of the Republic of Croatia into the European Union – 2003, 2004, 2005, 2006, 2007, 2008.

National Road Safety Program on the Republic of Croatia 2006 – 2010.

3.1.4 Link with EU acquis

The proposed project will cover the following regulations and directives:

Social legislation and recording equipment

In the first quarter of 2008, the Act on Working Time and Mandatory Rest Periods of Mobile Workers and on Recording Equipment in Road Transport was drafted., implementing the following EU legislation:

- Regulation (EC) No 561/2006 of the European Parliament and of the Council of 15 March 2006 on the harmonization of certain social legislation relating to road transport and amending Council Regulations (EEC) No 3821/85 and (EC) No 2135/98 and repealing Council Regulation (EEC) No 3820/85
- Directive 2006/22/EC of the European Parliament and of the Council of 15 March 2006 on minimum conditions for the implementation of Council Regulations (EEC) No 3820/85 and (EEC) No 3821/85 concerning social legislation relating to road transport activities and repealing Council Directive 88/599/EEC as amended by Regulation (EC) No 2135/98 on standard checking procedures for the implementation of Regulations (EEC) No 3820/85 and (EEC) No 3821/85
- Directive 2002/15/EC of the European Parliament and of the Council of 11 March 2002 on the organization of the working time of persons performing mobile road transport activities
- Council Regulation (EC) No 2135/98 of 24 September 1998 amending Regulation (EEC) No 3821/85 on recording equipment in road transport and Directive 88/599/EEC concerning the application of Regulations (EEC) No 3820/84 and (EEC) No 3821/85
- Commission Regulation (EEC) No 3688/92 of 21 December 1992 adapting to technical progress Council Regulation (EEC) No 3821/85 on recording equipment in road transport
- Council Directive 88/599/EEC of 23 November 1988 on standard checking procedures for the implementation of Regulation (EEC) No 3820/85 on the harmonization of certain social legislation relating to road transport and Regulation (EEC) 3821/85 on recording equipment in road transport
- Council Regulation (EEC) No 3820/85 of 20 December 1985 on driving and resting times, as amended
- Council Regulation (EEC) No 3821/85 of 20 December 1985 on recording equipment in road transport, as amended

Qualification and training of drivers

- Directive 2003/59/EC of the European Parliament and of the Council of 15 July 2003 on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers, amending Council Regulation (EEC) No 3820/85 and Council Directive 91/439/EEC and repealing Council Directive 76/914/EEC
- Regulation (EC) 484/2002 of the European Parliament and of the Council of 1 March 2002 amending Council Regulations (EEC) 881/92 and (EEC) 3118/93 for the purposes of establishing a driver attestation,
- Council Directive 91/439/EEC of 29 July 1991 on driving licenses (and further amendments)
- Council Directive 76/914 on the minimum level of training for some road transport drivers

Vehicles and checking of vehicles

- Directive 2000/30/EC of the European Parliament and of the Council of 6 June 2000 on the technical roadside inspection of the roadworthiness of commercial vehicles circulating in the Community, amended by Commission Directive 2003/26
- Council Directive 96/96/EC of 20 December 1996 on the approximation of the laws of the Member States relating to road-worthiness test for motor vehicles and their trailers, as amended
- Directive 2002/85/EC of the European Parliament and of the Council of 5 November 2002 amending Council Directive 92/6/EEC on the installation and use of speed limitation devices for certain categories of motor vehicles in the Community,
- Council Directive 92/6/EEC of 10 February 1992 on the installation and use of speed limitation devices for certain categories of motor vehicles in the Community,
- Council Directive 91/671/EEC of 16 December 1991 on the approximation of the laws of the Member States relating to compulsory use of safety belts in vehicles of less than 5 tons,

General requirements (maximum authorized weights, statistics information, controls, access to the market, road user charges)

- Council Directive 96/53/EC of 25 July 1996 laying down for certain road vehicles circulating within the Community the maximum authorized dimensions in national and international traffic and the maximum authorized weights in international traffic,
- Commission Regulation (EC) No 6/2003 of 30 December 2002 concerning the dissemination of statistics on the carriage of goods by road
- Council Directive 1999/37/EC of 29 April 1999 on registration documents for vehicles
- Council Decision 93/704 on the creation of a Community database on road accidents
- Commission Regulation (EC) No 2163/2001 of 7 November 2001 concerning the technical arrangements for data transmission for statistics on the carriage of goods by road
- Council Regulation (EEC) no 1172/98 of 25 May 1998 on statistical returns in respect of the carriage of goods by road, amending Council Directives 89/462/EEC and 78/546/EEC
- Council Directive 96/26/EC of 29 April 1996 on admission to the occupation of road haulage operator and road passenger transport as amended
- Council Regulation (EEC) 3118/93 of 25 October 1993 laying down the conditions under which non-resident carriers may operate national road haulage services within a Member State, as amended
- Directive n° 1999/62 of the European Parliament and of the Council of 17 June 1999 on the charging of heavy goods vehicles for the use of certain infrastructures

- Council Regulation (EEC) 3912/92 of 17 December 1992 on controls carried out within the Community in the field of road and inland waterway transport in respect of means of transport registered or put into circulation in a third country,
- Council Regulation (EEC) 4060/89 of 21 December 1989 on the elimination of controls performed at the frontiers of Member States in the field of road and inland waterway transport

3.2 Assessment of project impact, catalytic effect, sustainability and cross border impact (where applicable)

Realization of the project will greatly contribute to improving checks of the driving and rest times, as road police and inspectors will be equipped for more efficient reading and interpretation of both conventional and digital tachographs.

In addition the equipment for technical checks of road vehicles will improve the quality of such checks and enable coordinated action with other countries.

3.3 Results and measurable indicators:

Results of a Twinning contract are to further harmonize and apply with the relevant bodies the road transport legislation and strengthen the related institutions in order to comply with EU requirements:

- acquis transposed in the field of road transport and road safety and finalization of the legal harmonization,
- secondary legislation elaborated,
- trained staff for enforcement of road transport legislation,
- set of relevant procedures prepared,
- human resource management system and training policy developed and implemented
- continuous training programme for the police officers and transport inspectors developed and tested
- completed training of forty road transport inspectors and forty road police officers for conducting roadside checks and in the undertakings,
- information for the road transport industry prepared, and continues training plan for road transport companies and drivers developed.

Results of a supply and technical assistance service contracts completed in line with the public procurement regulations (equipment purchased; information system functioning):

- mechanical devices for reading and interpreting the tachograph disks purchased
- appropriately fitted vehicles for roadside controls operated by the road transport inspectors of MSTI
- devices for downloading, reading and interpreting data of digital tachographs purchased
- experimental mobile control units equipped according EU requirements in order to perform roadside technical inspection of vehicles related to braking system, lights, exhaust emissions

- information system for assuring exchange of the information relating to digital tachographs with member states established

3.4 Activities (including Means)

The project will be divided into components:

3.4.1 Twinning to further harmonize the road safety legislation, strengthen the related institutions in order to comply with EU requirements and for development the administrative capacity of the Ministry in the field of road Transport (sub-project 1)

The twinning will give assistance in the following fields:

- review the current legislation and implementation structures,
- review the institutional structure with the respective roles and responsibilities of the Road Police and Road Transport Directorate within the Ministry of the Sea, Transport and Infrastructure and propose adjustments if necessary,
- draft the required legislation in full harmonization with the relevant EU Directives,
- propose procedures for the approval of digital tachograph (and the different cards) and for checking them on the roadside.
- assess the effects of the new legislation on the control and supervising structures and propose an implementation plan that includes an estimation of necessary resources to be devoted to these structures (staff, equipment),
- elaborate control rules, in-traffic and at transport operators headquarters,
- review and complete detailed procedures for the control activities of international and national traffic, issue manuals, train control teams and trainers,
- assess the adequate level of penalties and control frequencies to ensure a reasonable enforcement,
- train forty (40) road transport inspectors and forty (40) police officers, according their respective competencies in the following main fields:
 - EU social legislation : driving and rest times, tachographs;
 - Control of road transport of dangerous goods
 - Road transport regulations (access to occupation, access to market.....)
- prepare information documentation for the road transport organizations, prepare and implement a training plan for road transport companies and drivers.
- review the status of harmonization and assist in the preparation of an action plan for further progress in harmonization for the following Directives:
- Assess the training needs, taking into consideration the staff expectations, the management level requirements, the requirements linked with the implementation of the Acquis,
- Identify training priorities,
- Communications on the related subject within the road directorate and the general inspectorate in the ministry, through seminars, lectures, discussions, workshops,

3.4.2 Technical Assistance

- Establish legal and technical specifications to be introduced in the information system.
- Designing and building a national application in order to collect, display and exchange data incorporated in the information system, in compliance with EU Regulation 561 /2006 and Directive 2006/ 22.

3.4.3 Supply of equipment

Purchase of equipment:

- manual tachograph reading devices
- computer devices with necessary software:
 - 6 devices plus software;
 - 6 devices plus software, to be used by mobile control units;
 - 6 cases for transport of the reading devices;
 - appr. 12 laptop computers with the possibility of connection to the residing devices.
- vans similar to those usually used by road transport control authorities in EU and including similar equipment (mobile offices);
- light vehicles.
 - 6 vans with complete internal and external equipment
 - 6 light vehicles
 - 6 printers
 - 6 devices for measuring maximum height of vehicles, and
 - as an optional part of the equipment, 6 portable electronic weight measuring devices with processors, in accordance with the recent regulations.
- appr. 30 keys enabling download and copying of the data from digital tachographs (at least one per inspector)
- appr. 20 laptop computers (one per inspector), in addition to the laptop computers purchased above, including the software required
- the software to be installed on all laptop computers
- portable brake testing device
- portable devices for testing of smoke and exhaust emission (both petrol and diesel)
- lights testing device
- mobile generator (on a trailer) ensuring power supply for testing devices.

3.5 Conditionality and sequencing

Conditionality:

None

Sequencing:

- Contracting of twinning component starts at the beginning of implementation of project in order for TRA to monitor installation of equipment and prepare educational process to start on time;

3.6 Linked activities

Technical assistance through Administrative Capacity Building/Project Preparation Facility – CARDS 2004 has been engaged in order to:

- To enhance the institutional capacity Ministry of the Sea, Transport and Infrastructure and the institutional capacity of Ministry of Interior for efficient development of project/tender documentation in the field of inland waterways transport.
- To develop an overall legislative/administrative/institutional approximation analysis
- To provide pre accession road transport strategy
- To reinforce coherent strategy framework for PHARE programming (budget period 2007-2009) in road transport sector
- To develop and refinement of existing documentation for a Phare/IPA project regarding the implementation and full functioning of the control system for roadside checks and inspections of the driving time, brakes and rest periods on the road. This may include future provision of technical equipment and technical assistance or any other recommendations/specific amendments to the project design in line with the above mentioned sector strategy. This control system would be carried out in accordance with AETR, EU Directive 88/599, EU Directive 2000/30, EU Regulation 3820/85, EU Regulation 3821/85, last adapted with EU Regulation 1360/2002 and INTERBUS Agreement.

3.7 Lessons learned

The Road Transport Directorate had not managed similar projects financed from other donors yet. Anyhow, the experience gained through the analysis of previous similar PHARE projects completed or underway in other countries could be found as good example. Similar project was implemented in Bulgaria and it was financed from Bulgarian PHARE 2003 program.

4. Indicative Budget (amounts in EUR)

			SOURCES OF FUNDING										
			TOTAL EXP.RE	TOTAL PUBLIC EXP.RE	IPA COMMUNITY CONTRIBUTION		NATIONAL PUBLIC CONTRIBUTION						PRIVATE CONTRIBUTION
ACTIVITIES	IB (1)	INV (1)	EUR (a)=(b)+(e)	EUR (b)=(c)+(d)	EUR (c)	% (2)	Total EUR (d)=(x)+(y)+(z)	% (2)	Central EUR (x)	Regional/ Local EUR (y)	IFIs EUR (z)	EUR (e)	% (3)
Activity 1	x		1.080.000	1.080.000	1.017.000	94	63.000	6	63.000				
contract 1.1	x		900.000	900.000	855.000	95	45.000	5	45.000				-
contract 1.2	x		180.000	180.000	162.000	90	18.000	10	18.000				-
Activity 2		x	1.120.000	1.120.000	840.000	75	280.000	25	280.000				
contract 2.1		x	1.120.000	1.120.000	840.000	75	280.000	25	280.000				-
TOTAL IB			1.080.000	1.080.000	1.017.000	94	63.000	6	63.000				
TOTAL INV			1.120.000	1.120.000	840.000	75	280.000	25	280.000				
TOTAL PROJECT			2.200.000	2.200.000	1.857.000	84	343.000	16	343.000				

Amounts net of VAT

(1) In the Activity row use "X" to identify whether IB or INV

(2) Expressed in % of the **Public** Expenditure (column (b))

(3) Expressed in % of the **Total** Expenditure (column (a))

5. Indicative Implementation Schedule (periods broken down per quarter)

5.1 Start of tendering/call for proposals: February 2009

5.2 Start of project ACTIVITY: September 2009

5.3 Project completion: October 2011

Contracts	Start of Tendering	Signature of contract	Project Completion
Contract 1.1: Twining	1Q/2009	3Q/2009	3Q/2011
Contract 1.2: Technical Assistance	1Q/2009	3Q/2009	1Q/2010
Contract 2.1: Supplies	1Q/2009	3Q/2009	1Q/2010

All projects should in principle be ready for tendering in the 1st Quarter following the signature of the FA.

6. Cross cutting issues (where applicable)

6.1 Equal Opportunity

Based on the fundamental principles of promoting equality and combating discrimination, participation in the project will be guaranteed on the basis of equal access regardless of sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation.

All contractors shall be requested to provide monitoring data recording the participation of men and women in terms of expert inputs (in days) and of trainees benefiting under the project (in days) as an integral component of all project progress reports.

6.2 Environment

No significant environmental impact.

6.3 Minorities

Based on the fundamental principles of promoting equality and combating discrimination, participation in the project will be guaranteed on the basis of equal access regardless of gender, racial or ethnic origin, religion or belief, disability, age or sexual orientation.

ANNEXES

- 1- Log frame in Standard Format
- 2- Amounts contracted and Disbursed per Quarter over the full duration of Programme
- 3- Description of Institutional Framework
- 4 - Reference to laws, regulations and strategic documents:
 - Reference list of relevant laws and regulations
 - Reference to AP /NPAA / EP / SAA
 - Reference to MIPD
 - Reference to National Development Plan
 - Reference to national / sector investment plans
- 5- Details per EU funded contract (*) where applicable:

ANNEX 1: Logical Framework Matrix

Efficient Functioning of the Control System for Roadside Inspections and Checks of the Driving Time, Breaks and Rest Periods on the Road and in the Undertakings		Programme name and number IPA 2008	[Cris number]
Ministry of the Sea, Transport and Infrastructure, Ministry of Interior		Contracting period expires: 2 years upon the signing of the financial agreement	Disbursement period expires: 3 years upon the final date for contracting
		Total budget: €2,2 million	IPA budget: €1,857 million
Overall objective	Objectively Verifiable Indicators	Sources of Verification	
Improvement of road safety and strengthening the capacities of the Ministry of the Sea, Transport and Infrastructure and its related structures in line with Council Regulation (EC) No 561/2006 and Directive 2006/22/EC on the harmonisation of certain social legislation relating to the road transport and in line with Council Regulation (EC) No 2135/98 amending Regulation (EEC) No 3821/85 on recording equipment in road transport.	<ul style="list-style-type: none"> - Shortening of the transitional period in the area of road transport control and management - Targeted number of inspections achieved within one year after project completion 	<ul style="list-style-type: none"> - Government and international statistics - National statistical institute - Road transport inspection - traffic police - authorized organizations 	
Project purpose	Objectively Verifiable Indicators	Sources of Verification	Assumptions
Efficient functioning of the roadside inspection system and checking of compliance with social conditions in road transport and introduction of digital tachographs and the control and verification of their use in the Republic of Croatia	<ul style="list-style-type: none"> - Annual number of roadside inspections increased three times - Annual number of inspections in undertakings increased three times - Annual number of sheets taking, offences and infringements 	<ul style="list-style-type: none"> - Ministry of the Sea, Transport and Infrastructure(MSTI)) - Ministry of Interior (MoI) - Road transport administration - Road transport inspection - authorized organizations 	<ul style="list-style-type: none"> - the Government continues its commitment to reform and to accession to the European Union - the new Road transport legislation fully responding to EU requirements - the new Road safety legislation to be fully harmonized with EU requirements
Results	Objectively Verifiable Indicators	Sources of Verification	Assumptions
1. Mobile control units fully equipped and operational according to EU	<ul style="list-style-type: none"> - number of inspectors trained (40) - number of police officers trained (40) 	<ul style="list-style-type: none"> - Ministry of the Sea, Transport and Infrastructure(MSTI)) 	<ul style="list-style-type: none"> - the control system reform has to be launched in accordance with the new

<p>requirements</p> <p>2. Quality of inspections improved</p> <p>3. Establishment of information system for inspections and violation of the legislation in accordance with the EU Directive 2006/22</p>	<p>- annual number of vehicles checked on roadside increased for 25%</p> <p>- annual number of drivers checked and annual number of hours of drivers checked increased for 30%</p>	<p>- Ministry of Interior (MoI)</p> <p>- Road transport administration</p> <p>- Road transport inspection</p> <p>- authorized organizations (CVH, HAK, Croatian Roads)</p>	<p>legislation and EC requirements</p>
<p>Activities</p> <p>Implementation of control system</p> <p>1.1. Procurement of equipment for mobile control units</p> <p>1.2. Installation and testing of equipment</p> <p>1.3. Analysis of needed new knowledge and skills regarding control system</p> <p>1.4. Drafting human resources needs assessment</p> <p>1.5. Developing sustainable Training Plan for Control units operators</p> <p>1.6. Conducting training courses, workshops and seminars (train-the-trainees) on enforcement of Control system and international and national road safety legislation implementation</p> <p>1.7. Establishment of sustainable training facility</p> <p>2. Improvement of road inspection</p> <p>2.1. Procurement of equipment (for control of digital tachographs)</p> <p>2.2. Installation and testing of equipment</p> <p>2.3. Analysis of needs new knowledge and skills regarding control system</p> <p>2.4. Drafting human resources needs assessment</p> <p>2.5. Developing sustainable Training Plan for Control units operators</p> <p>2.6. Conducting training courses, workshops and seminars (train-the-</p>	<p>Means</p> <p>- Purchase and supply of technical and IT equipment</p> <p>- Twinning experts</p> <p>- Technical assistance to design and build application for an information system complying with Directive 2006/22</p>	<p>Specification of costs</p> <p>Equipment Contract: Supplies 1 120 000 EUR</p> <p>Institution Building Contract: Twinning 900 000 EUR Contract: TA 180 000 EUR</p>	<p>Assumptions</p> <p>- availability of EU consultants, applying high-tech methods of control and services</p> <p>- availability of qualified management staff at MSTI and MoI</p> <p>- no delay in contract procedure</p>

<p>trainees) on enforcement of Control system and international and national road safety legislation implementation</p> <p>2.7. Establishment of sustainable training facility</p> <p>3. Establishment of information system</p> <p>3.1. Establish legal and technical specifications to be introduced in the information system.</p> <p>3.2. Designing and building an national application n order to collect, display and exchange data incorporated in the information system, in compliance with EU Regulation 561 /2006 and Directive 2006/ 22.</p>			
			<p>Preconditions</p>

ANNEX II: amounts (in €) Contracted and disbursed by quarter for the project

	2009				2010				2011		
Contracted	I	II	III	IV	I	II	III	IV	I	II	III
Contract 1.1		900.000									
Contract 1.2		180.000									
Contract 2.1		1.120.000									
Cumulated	0	2.200.000									
Disbursed											
Contract 1.1		342 000	50.000	50.000	50.000	50.000	50.000	50.000	50.000	50.000	158.000
Contract 1.2		100 000			80.000						
Contract 2.1		500 000			620.000						

Cumulated	0	942 000	992 000	1.042.000	1.792.000	1.842.000	1.892.000	1.942.000	1.992.000	2.042.000	2.200.000
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ANNEX 3. Institutional framework

The Ministry of the Sea, Transport and Infrastructure represents the State Authority in the field of road transport. It is the recipient of the project.

Within the MSTI, the Unit for European Integration and transport policy assures the overall coordination of the transposition of the *acquis communautaire*.

The Central State Office for Development Strategy and Coordination of EU funds assures the overall coordination of the IPA financed projects.

The Directorate of Road Transport and the General Inspectorate of Transport are responsible of the legislation concerning the road traffic transport and its implementation.

The main beneficiaries of the twinning project will be the General Inspectorate for Transport (Road transport Unit) and the Road Transport Directorate (MSTI) and the Directorate of Road Police (MI). As they will be involved in the project, CVH and HAK and other institutions/authorities will also benefit from the results of the twinning.

Contact persons for implementation of the project:

1. Igor Malý, dipl. ing., Assistant Minister, Ministry of the Sea, Transport and Infrastructure igor.maly@mmpi.hr
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3. Boris Orlović, dipl. krim., Ministry of Interior, head of Road Safety Department boris.orlovic@mup.hr
4. Zoran Kalauz, dipl. ing., Centre for Vehicles of Croatia

ANNEX 4. Reference to laws, regulations and strategic documents:

Legislative framework:

The field of road transport in the Republic of Croatia has been regulated by following laws:

- the Road Traffic Transport Act (OG 178/04),
- the Road Safety Act (OG 105/04),
- the Act on Transport of Dangerous Goods (OG 79/07), and
- the Public Roads Act (OG 180/04),

as well as a series of multilateral and bilateral agreements on road transport to which the Republic of Croatia is a signatory.

Documents and Strategies:

Transport Development Strategy of the Republic of Croatia (Official Gazette no. 139/99)

Pre-Accession Economic Program, November 2004

Pre-Accession Road Transport Strategy

ISPA: drawing up of National ISPA Strategy

IPA: Transport Operational program

Transport Policy (from Croatia's Pre-accession Assistance Needs document –«PAAN»)

National programmes for the integration of the Republic of Croatia into the European Union – 2003, 2004, 2005, 2006, 2007, 2008.

National Road Safety Program on the Republic of Croatia 2006 – 2010.

ANNEX 5. Details per EU funded contract

Contract 1.1: Twinning

Scope of the twinning

The twinning will give assistance in the following fields:

A. Harmonization of Croatian legislation on digital tachographs, i. e. recording equipment in road transport with Council Regulation (EEC) No 561/06 of 15 March 2006 amending Council Regulation (EEC) No. 3821/85 of 20 December 1985 on recording equipment in road transport and Council Regulation (EC) No 2135/98 of 24 September 1998 and repealing Council Regulation Ec 3820/85:

- review the current legislation and implementation structures,
- review the institutional structure with the respective roles and responsibilities of the Road Police and Road Transport Directorate within the Ministry of the Sea, Transport and Infrastructure and propose adjustments if necessary,
- draft the required legislation in full harmonization with the relevant EU Directives,
- propose procedures for the approval of digital tachograph (and the different cards) and for checking them on the roadside.
- assist the Road Transport Directorate in defining the data and specifications to be introduced in the national information system provided by EU Directive 561/2006 and prepare the tender aimed to set up the information system.

B. Strengthen the institutions responsible for traffic control: the General Transport Inspectorate in co-operation with the Road Police (and the delegated institutions as HAK or CVH)

- assess the effects of the new legislation on the control and supervising structures and propose an implementation plan that includes an estimation of necessary resources to be devoted to these structures (staff, equipment),
- elaborate control rules, in-traffic and at transport operators headquarters,
- review and complete detailed procedures for the control activities of international and national traffic, issue manuals, train control teams and trainers,
- assess the adequate level of penalties and control frequencies to ensure a reasonable enforcement,

- train forty (40) road transport inspectors and police officers, according their respective competencies in the following main fields:
 - EU social legislation : driving and rest times, tachographs;
 - Control of road transport of dangerous goods
 - Road transport regulations (access to occupation, access to market.....)
- prepare information documentation for the road transport organizations, prepare and implement a training plan for road transport companies and drivers.

C. Review the status of harmonization and assist in the preparation of an action plan for further progress in harmonization for the following Directives:

- Directive 2001/26/EC of the European Parliament and of the Council of 7 May 2001 amending Council Directive 95/50/EC on uniform procedures for checks on the transport of dangerous goods by road
- Directive 2000/18/EC of the European Parliament and of the council of 17 April 2000 on minimum examination requirements for safety advisers for the transport of dangerous goods by road
- Directive 2003/59/EC of the European Parliament and of the Council of 15 July 2003 on the initial qualification and periodic training of drivers of certain roads vehicles for the carriage of goods or passengers, amending Council Regulation (EEC) No 3820/85 and Council Directive 91/439/EEC and repealing Council Directive 76/914/EEC
- Regulation (EC) 484/2002 of the European Parliament and of the Council of 1 March 2002 amending Council Regulations (EEC) 881/92 and (EEC) 3118/93 for the purposes of establishing a driver attestation,
- Directive 2000/30/EC of the European Parliament and of the Council of 6 June 2000 on the technical roadside inspection of the roadworthiness of commercial vehicles circulating in the Community
- Directive 2002/85/EC of the European Parliament and of the Council of 5 November 2002 amending Council Directive 92/6/EEC on the installation and use of speed limitation devices for certain categories of motor vehicles in the Community,
- Council Directive 92/6/EEC of 10 February 1992 on the installation and use of speed limitation devices for certain categories of motor vehicles in the Community,
- Council Directive 88/599/EC on standard verification procedures for implementation of Council Regulations No 3820/85 and 3821/85
- Council Directive 96/35/EC on the appointment and vocational qualification of safety advisers for the transport of dangerous goods by road, rail and inland waterways
- Council Directive 96/914 on the minimum level of training for some road transport drivers
- Council Directive 95/50 on uniform procedures for checks on the transport of dangerous goods by road
- Council Directive 91/671 on the approximation of the laws of the Member States relating to compulsory use of safety belts in vehicles of less than 5 tons.

D. Improve the efficiency of the institutions and develop a training policy throughout the ministry.

- Assess the training needs, taking into consideration the staff expectations, the management level requirements, the requirements linked with the implementation of the Acquis,
- Identify training priorities,
- Communications on the related subject within the road directorate and the general inspectorate in the ministry, through seminars, lectures, discussions, workshops,

Twinning Resident Adviser

A Twinning Resident Advisor will assist the Ministry of Sea, Transport and Infrastructure and the relevant bodies involved in road safety, mainly the Ministry of Interior and the Ministry of Economy, Labor and Entrepreneurship during 24 months. It will review the present legislation and contribute by advice to elaboration of new legislations needed to complete the harmonization of the directives and regulations on transport of dangerous goods, on driving and resting times and on digital tachograph (and technical conditions), on speed limitation devices, on checking on the roadside, and strengthen the administrative capacity of the main bodies responsible for road safety.

Contract 1.2: Technical Assistance

Designing and building a national application in order to collect, display and exchange data incorporated in the information system, in compliance with EU Regulation 561 /2006 and Directive 2006/ 22 will require participation of a consultant – expert in digital tachographs, to ensure exchange of the information relating to digital tachographs with the member states. The central unit of the system will be situated in the MSTI. The system will include information on all drivers, service stations, vehicle owners and persons authorized for performing digital tachograph testing and will also contain information on all infringements and the sanctions imposed.

All legal persons and vehicles engaged in transport of dangerous goods will be similarly registered and will include information on safety advisers and the drivers authorized for dangerous goods transport

Contract 2.1: Supplies

The project is also aimed at improving road safety in the Republic of Croatia, taking account of the fact that conventional tachographs will remain in use in a considerable number of Croatian and foreign vehicles which are subject to controls in the future and that the enhanced capacities of the Ministry of the Sea, Transport and Infrastructure and the related structures will ensure a more efficient functioning of the roadside inspection system and checking of compliance with social conditions in road transport. Introduction of digital tachographs and the control and verification of their use in the Republic of Croatia implies purchase of the equipment necessary for carrying out such activities.

In addition, it should be emphasized that no roadside checks of brakes and exhaust emission are currently carried out in Croatia. Instead, the vehicles are sent to the closest technical inspection stations outside the road corridors to perform such checks.

Realization of the project will result in the enhancement of administrative capacities of the Ministry of the Sea, Transport and Infrastructure (MSTI) and the Ministry of Interior (MI) and, among other things, purchase of the equipment required.

1. Equipment for reading and interpretation of conventional tachograph discs, having in mind that the Road Inspection department presently does not possess such equipment, as Croatia is to begin with the implementation of tachograph checks at the roadside and in companies, in order to ensure full compliance with the objectives of the Directive 2006/22 at the time of accession. This includes in particular:

- manual tachograph reading devices
- computer devices with necessary software:
- 6 devices plus software;
- 6 devices plus software, to be used by mobile control units;
- 6 cases for transport of the reading devices;
- appr. 12 laptop computers with the possibility of connection to the residing devices.

2. To ensure effective performance of roadside checks, the Road Inspection Department must have at disposal appropriate vehicles. This includes purchase of 6 vans equipped as mobile offices similar to those in use in the EU and of six light vehicles for general use by the Road Inspection Department.

We suggest two types of vehicles:

- vans similar to those usually used by road transport control authorities in EU and including similar equipment (mobile offices);
- light vehicles.

Following equipment is required:

- 6 vans with complete internal and external equipment
- 6 light vehicles

Besides normal equipment, vehicles intended for performing checks should include the following additional equipment:

- 6 printers
- 6 devices for measuring maximum height of vehicles, and
- as an optional part of the equipment, 6 portable electronic weight measuring devices with processors, in accordance with the recent regulations.

3. Aside from the equipment referred under point 1. and 2., some special equipment for checking compliance with the regulations on driving and rest time using digital tachographs will also be required, to ensure efficient control both on the roadside and in the companies:

- appr. 30 keys enabling download and copying of the data from digital tachographs (at least one per inspector)
- appr. 20 laptop computers (one per inspector), in addition to the laptop computers purchased under 1., including the software required
- the software to be installed on all laptop computers

4. Equipment for mobile control units intended for technical inspections of commercial vehicles on the roadside (heavy goods vehicles, passenger vehicles) as required by Directive 2000/30, including following checks: braking system, chasis, exhaust emission, lights. According to EU regulations concerning transport of dangerous goods, it is also necessary to provide the equipment for control of such vehicles. The equipment required for roadside control of commercial vehicles shall be as follows:

- portable brake testing device
- portable devices for testing of smoke and exhaust emission (both petrol and diesel)
- lights testing device
- mobile generator (on a trailer) ensuring power supply for testing devices.

Equipment concerning digital tachographs will be delivered to the Ministry of Sea, Transport and Infrastructure, Road Inspection Department and equipment for mobile control units will be delivered to the Center for Vehicles in Croatia whose responsibility is to perform such checks. Both institutions are located in Zagreb.