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BBCA Legal is an international law firm established more than 40 years ago involved in all aspects of maritime and road transport, insurance and commercial law. It currently has lawyers qualified in various jurisdictions, fluent in Spanish, English, French, Italian, Polish and Catalan.

The firm monthly newsletter aims to share relevant aspects of the transport industry, in order to keep our clients updated with the latest events of our common market.

The January Newsletter will talk about The European Commission's Mobility Package, the biggest change to EU road transport rules, covering many aspects of the industry's activities.



The biggest change to EU road transport rules

After a complex process that has lasted almost three years, The Committee on Transportation and Tourism of the U.E. has approved an agreement on the reform of the road transport sector, development of road transport activity in the European Union.

The Regulation that has been revised on the work of professional drivers, mainly refers to the rest times of drivers, as well as a better application of cabotage rules (transport of goods by non-resident carriers of temporarily in a host member state) aim to end illegalities and complexities in competition in the road transport sector and provide better rest conditions for drivers.

The regulation is valued positively, “since it will eliminate bureaucratic charges that may exist for Spanish transport companies in their travels to other countries of the European Union both outbound and return, and at the same time will allow greater control of companies relocated mainly in Eastern European countries, which currently operate without any control in the Spanish transport market, covering more than a quarter of international transport with origin or destination in Spain, which has been representing a real past years “Cancer” for the Spanish transport business sector.”

Also to prevent some transport companies from continuing to abuse their drivers, displacing them “permanently” through different European countries other than their home, the agreement finally establishes the obligation for the driver and the vehicle to return periodically to their country of origin, specifically, the driver within a maximum period of 4 weeks and the vehicle every 8 weeks. This measure, as will be recalled, has been one of the most questioned by Eastern European countries, as it will prevent transport fleets registered in those countries from working continuously in other Member States.

Other measures included in the Mobility Package are those related to the maintenance of the current prohibition of carrying out normal weekly rest (that is, 45 hours every 2 weeks) on board the vehicle as the Court of Justice of the EU ruled, as well as the modification of the current cabotage regulation, establishing a maximum continuous cabotage period of 3 days, compared to the current 7, but without limiting the number of operations in that period.

Also, new requirements are introduced for light transport vehicles, which are currently virtually deregulated. Thus, as a novelty, light vehicles with a tonnage between 2'5 and 3'5 tons of maximum mass that carry out international transport will be required to be provided with a tachograph device.



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