

OPINION

**of the Foreign and European Union Affairs Committee
of the Senate of the Republic of Poland**

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

adopted at the session of 26 July 2017

1. The Foreign and European Union Affairs Committee (the Committee) assesses positively those amendments envisaged in the proposed regulation that contribute to the uniform application of rules by all operators of road transport sector, the enhanced effectiveness of their enforcement by control services of the Member States, the improvement of the road transport economics and working conditions of drivers.
2. The Committee expresses its concerns, however, as to whether the proposed amendment of Article 6(5) of Regulation (EC) No 561/2006 is intended to be used to effectively monitor a driver's working patterns or whether it rather seeks to collect data in order to extend the rules for posting of workers to transport workers.
3. The Committee questions the expediency of adopting the amendment of Article 8(8)(b) of Regulation (EC) No 561/2006 which would oblige transport undertakings to allow drivers to take a rest period of at least 45 hours in their domiciles during 3 consecutive weeks. The Committee considers this solution to be inconsistent and non-functional, weakening the competitiveness of transport undertakings of the EU border states, such as the Baltic States, Poland and Romania.
4. The Committee considers that the proposed amendment of Article 12 of Regulation (EC) No 561/2006, which foresees more restrictive conditions of departure from the rules concerning the minimum resting and maximum driving time in order to find a suitable stopping place, is of a discriminatory nature. It has negative consequences for those states that do not have appropriate infrastructure as regards stopping places. As a result, it may significantly impede conducting transport activity in those Member States. It therefore constitutes an irrational and impracticable condition of providing transport services.
5. The Committee is opposed to the excessive interference of the EU legislator in the rules on the common transport policy. The adopted legislative proposals do not reflect the specific character of the development of road infrastructure in the Central European states and cause discrimination by weakening the competitiveness of transport undertakings established in these states.