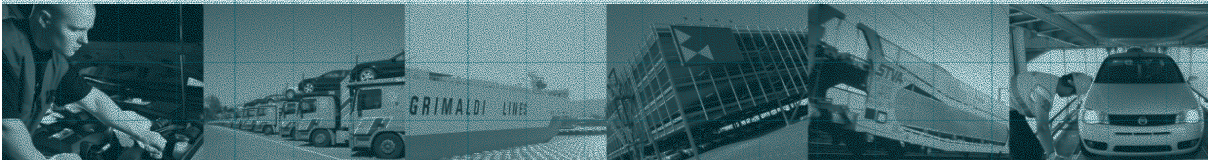




## **Reducing bureaucracy in the Transport Sector**

### **ECG's contribution to the work of High Level Group of Independent Stakeholders on Administrative Burdens**



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## Reducing bureaucracy in the Transport Sector

ECG fully supports the project to reduce administrative burdens on businesses in the transport sector. From our perspective the following European legislation is considered burdensome and results in high administrative costs.

### **1. Regulation No 561/2006 on the harmonisation of certain social legislation relating to road transport, amending Council Regulations No 3821/85 and 2135/98 and repealing Regulation 3820/85.**

The following 'information obligations' resulting from the regulation have been considered burdensome and costly:

1. Keeping a record of hours of driving, other work and breaks by the driver of the vehicle for at least 28 calendar days – in some countries drivers are paid in three installments for one month (on the 15<sup>th</sup>, at the end of the month and on the 13<sup>th</sup> of next month), the fact that they have to keep their discs for 28 days means that after two weeks discs have to be copied and cut out in order to see how many hours the driver has worked. This creates a considerable administrative burden.
2. Downloading of the data from the digital tachograph is a very costly administrative exercise and very often difficult to do if a download time falls in while the driver is on a road.
3. Recording on the tachograph record sheet the details of any departure from the set hours and periods of rest due to unforeseen events.
4. Providing for inspection by the enforcement authorities or police, records of hours driving, other work, breaks and rest periods through the use of tachograph records and if digital, the driver card.

The requirement to attest the work other than driving has been reported by our members as particularly burdensome. According to Article 11(3) of Directive 2006/22/EC (on minimum conditions for the implementation of regulations on social legislation in road transport) Member States may require the use of attestation forms, when a driver 1) has been on sick leave, 2) has been on leave, which forms part of the annual leave according to the legislation of the Member State where the undertaking is established or 3) has driven another vehicle exempted from the scope of Regulation 561/2006 or AETR. The document needs to be an original duly signed by the employer and driver himself. This requirement creates a huge burden on the operators and is sometimes impossible to fulfill as the drivers do not always start their work from the company headquarters.

An additional problem is that some countries - France and Belgium - require a different type of form (so called Declaration of Honour) if drivers have been unemployed for a certain period of time or performed work on the site of the company (i.e. attestation of activities other than the three ones described above). This results in additional costs and a lot of confusion.

According to the British Department for Transport the cost of 'information obligations' resulting from this regulation is estimated in UK and Europe at about 145.8 million pounds.<sup>1</sup>

### **Suggestions:**

The elimination of these 'information obligations' may not be possible due to safety and proper enforcement reasons however some changes could be suggested:

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<sup>1</sup>Administrative Burden Measurement Exercise from 2006

<http://www.dft.gov.uk/about/simplificationplan/secadminburdens/excellistofregs.xls>

- Keeping a record of hours of driving, other work and breaks by the driver of the vehicle for a shorter period of time (e.g. 14 days) this would reduce the administrative burden in companies which pay their drivers in 3 installments and therefore need their discs after 2 weeks.

- Allowing the use of copies of the attestation forms on the work other than driving instead of originals, so that trucks are not obliged to start their work from company's headquarters.

Extending the scope of the attestation forms so that they include also other activities, currently not accounted for in the form, such as period of unemployment, work on the site of the company and other.

These are easy changes that could be achieved now and that could facilitate significant benefits to everyday work, however a **one step further solution** to reduce the administrative burden in a significant way would be through the use of **on-board computers**. ECG suggests to either replace the digital tachographs with on-board computers or to integrate the digital tachographs into the on-board computers. Here are some of the benefits of such solution:

a) Compared to analogue and digital tachographs, on-board computers are capable of storing a significant amount of relevant data related to the driver, which is not limited to just the usage of the vehicle. This is possible through continuous interaction with the driver as well as built-in pulses from the used equipment. In this way, there is no need for a separate administration of working hours;

b) With the use of General Packet Radio Service (GPRS), data can be sent to the home-base through the air (encrypted) in real-time, instead of downloading when the driver is finally present at the office. In this way, data from all drivers is immediately and digitally present at the office;

c) Storage devices (such as driver cards) used by on-board computers can be read by anybody with appropriate hard- and software, thus also by enforcement authorities, provided that local laws allow this. Storage devices are personal and can be used in all vehicles, provided that the vehicle is equipped with similar hard- and software; A future development could include the usage of external storage devices used by authorities or drivers, on which relevant and necessary information can be downloaded in a readable format;

d) On-board computers are fitted with two storage device slots, for registering co-drivers' resting hours at the same time when applicable. A continuous administration for both drivers is therefore guaranteed.

e) On-board computer software can be adjusted/alterd to comply with new regulations and laws.

The big advantage of on-board computers over digital tachographs is that digital tachographs only store vehicle related data and on-board computers store driver related data as well as vehicle related data. This creates the possibility of a real-time overview of all actions, including possible legislative conclusions.

As demonstrated, on-board computers can solve the majority of the listed problems. On top of this they can help the logistics industry to run their business in a more efficient way. Besides legislation information there is also an integrated order management and track & trace system between the office (planning) and the truck (driver). Also integrated is active route navigation. Based on equipment tracing, the security of the truck, the driver and the load is increased. Active

management of (possible) traffic problems supports the driver in avoiding these places and has a positive impact on traffic conjunction and safety.

On-board computers allow also motor management. By analysing truck behaviour (how the driver is using his equipment) it is possible to learn a lot and advise driving improvements. This has a very positive impact on CO<sup>2</sup> reduction and fuel consumption.

**ECG's suggestion would be to certify on-board computer suppliers to replace or integrate the current digital tachographs into the on-board computers. On-board computers are capable of recording driving and working time of a driver in a safe manner, but at the same time have many other functions which can help to reduce the administrative burden, improve logistics efficiency and reduce fuel consumption and hence CO<sub>2</sub> emissions.** There are many examples of on-board computers used in practice. It is possible to arrange an on the ground demonstration. ECG will submit a more detailed report very soon and could arrange a presentation of one of the leading suppliers of on-board computers for the High Level Group to show how this solution works and how legal obligations could be safeguarded at a lower cost to the businesses.

## **2. Directive 2002/15/EC on the organization of the working time of persons performing mobile road transport activities.**

The following 'information obligations' resulting from the regulation have been considered burdensome and costly:

- Maintaining records to show compliance with the Working Time Directive in respect of each mobile worker.
- Providing copies of the hours worked, at the request of a mobile worker.
- Providing to an enforcement officer copies of records relating to time worked by mobile workers as the officer may require

The estimated cost of the 'information obligations' resulting from the directive in UK has been estimated by British Department for Transport at 12 million pounds.<sup>2</sup>

### **Suggestions:**

The use of the on-board computers could significantly reduce the administrative burdens described above. (Please see point 1).

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<sup>2</sup> <http://www.dft.gov.uk/about/simplificationplan/secadminburdens/excellistofregs.xls>

### **3. Regulation No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation No 2913/92 establishing the Community Customs Code**

Current EC Customs requirements for short sea shipping are complex. Goods onboard ships automatically lose their Community status when the ship leaves the port of a Member State and thereby the customs territory.

The situation has been simplified for the operators by the application of a status of an 'authorised regular shipping service'. When a vessel with the 'status', traveling between two EU ports, arrives at the EU port of destination, it does not have to prove that the goods on board have a Community status. For example the transport of Mercedes cars from Rotterdam to UK by Cobelfret Ferries, which has a 'status' does not require any documentation.

However the 'status' does not have the widespread application within the shipping industry because once a ship with Community status goods onboard calls at a non-EU port whilst en-route to another EU port, the goods lose the EU-status and have to be subject to normal clearance procedures. For example Cadillac cars transported from Antwerp to Piraeus by Grimaldi Group need to be accompanied by a T2L form.

Therefore, despite the simplification for the operators through the application of a status of an 'authorised regular shipping service', a certain number of administrative formalities is still required.

#### **Suggestions:**

The solution would be an application of European Maritime Transport Space without Barriers (as advocated by ECSA).

We welcome European Commission's Action Plan published just this week on the issue, but urge for the swift resolution of the problem.

### **4. In solving the administrative problems ECG would like to advocate the use of modern technology. We support the measures mentioned in the Logistics Action Plan and ITS Plan to simplify administrative burdens such as:**

- The concept of E-freight (paper-free, electronic flow of information accompanying a physical flow of goods) which would enable the automation of the exchange of content related data for regulatory or commercial purposes.

This concept, if implemented by all actors in the supply chain: operators, manufacturers, shippers, freight forwarders, dealers and customs authorities could bring significant cost savings, reduction in transfer time, accuracy (electronic document eliminates manual entry errors), visibility (electronic messages allow for online tracking and tracing) and could improve environment by reduction of paper.

- Interoperable electronic fee collection.

This measure could significantly reduce the administrative burden associated with the payment for the road tolls across Europe. Currently in Europe payment for the road toll in some countries requires a stop at the fee collection point (for instance Spain, Italy, Poland). The drivers need to stop, very often wait in a queue, then they receive an invoice which they have to keep for a record. The application of electronic fee collection would reduce the time and administrative burden.

Some countries in Europe already have electronic fee collection systems (Germany, Austria, Czech Republic). However because the systems are not interoperable, an international operator providing a service from the Czech Republic to Germany across Austria, is subject to three different systems



and hence three different calculation methods, three different on-board devices and three different invoices etc. An application of an interoperable electronic fee collection would provide cost, paper and equipment savings.

The electronic fee collection device should also be integrated into the on-board computers in order to avoid the multiplication of devices in the trucks.

- Creation of 'Single Window' for VAT and excise duties. This concept would provide a considerable facilitation. Nowadays in order to complete the VAT refunding processes, operators which provide cross border transport, need to visit multiple agencies in multiple locations to obtain necessary papers and clearance. The single window system would increase the efficiency through time and cost savings and would reduce administrative burden.