

Summary of the main legislative changes in the road transport sector at European level - known as the Mobility Package - published in the Official Journal of the EU on 31 July 2020.

Regulation 1054/2020 amending Reg. 561/2006 and Reg. 165/2014 (driving and rest periods) - click here for Reg.1054/2020		It shall take effect 20 days after its publication
Reg. 561/2006 will apply to vehicles (including vehicles with trailer or semi-trailer) over 2.5 tons that are performing international transport or cabotage.	By exception (art.1 point 1)	It shall apply from 1 July 2026
In the crew, a driver can take a break of 45 minutes on board of the vehicle, provided he is not involved in assisting the other driver.	Art. 1, pt. 5	20 days from publication (20.08.2020)
2 weekly reduced weekly rest period of 24 consecutive hours are permitted in international transport, outside the Member State of establishment and the State of residence of the driver, provided that in any 4 consecutive weeks there is at least 2 normal weekly rest periods. In this case, the normal weekly rest period following the 2 reduced rest periods must be preceded by a rest period taken as compensation for the 2 reduced rest periods.	Art. 1, pt.6, letr. a) and b)	20 days from publication (20 August 2020)
Normal weekly rest periods may not be carried out on board the vehicle, but in a suitable accommodation. Any costs will be supported by the employer.	Art. 1, pt.6, letr. c)	20 days from publication (20 August 2020)
The driver must return to the employer's operational center, in the Member State of establishment of the employer OR to the driver's place of residence , every 4 consecutive weeks, in order to spend at least a normal weekly rest period. The Member State of establishment of the employer is very strictly defined in Article 1, point 3 of Regulation 1055/2020.	Art. 1, pt.6, letr. d)	20 days from publication (20 August 2020)
The driver manually enters in the tachograph the symbol of the country in which he enters, after crossing the border, at the beginning of the first stop in the respective country, at the nearest stopping place after crossing the border.	Art. 2, pt.11, letr.c) and d)	20 days from publication (for analog tachograph). 18 months after the entry into force of Posting Dir.1057 . (for digital tachograph). (2 February 2022)
The driver must present for inspection any information recorded manually or any printed document during the current day and during the previous 56 days.	By exception(Art. 2, pt.11)	31.12.2024

DIRECTIVE 1057/2020 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL laying down specific rules on Directive 96/71 / EC and Directive 2014/67 / EU on the posting of drivers in the road transport sector and amending Directive 2006/22 /EC as regards control requirements and Regulation (EU) No 1024/2012 - Click Here for Dir. 1057/2020		It shall take effect upon publication. It applies 18 months after its entry into force
International transport in transit is not a situation of detachment	Art.1 pt. 5	18 months from publication (2 February 2022)
Bilateral transport - from / to the Member State of establishment is not considered detachment. This exception also applies to at most one international transport operation (not cabotage!) taken on the route. This exemption for additional activity operates from the date on which the driver must manually register the border crossing data. (ac. Reg 1054/2020). If there is no additional activity for the tour, then a maximum of 2 international transport operations are excluded for the return	Art. 1 pt. 3	18 months from publication (2 February 2022)
Non-bilateral international transport operations fall within the scope of the Directive on sectoral rules on posting (detachment) , and are not exempt.	Art. 1 pt. 2 (see also pt. 12, 13 of the preamble)	18 months from publication (2 February 2022)
Combined transport operations - the nature of the service on the initial or final road segment is judged by the road segment itself - whether it is only within a Member State or non-bilateral international transport or bilateral transport. In the first 2 cases, the rules of detachment will apply.	Article 1 pt. 6 in conjunction with Art. 1 pt.2 and motivation 12	18 months from publication (2 February 2022)
A driver who performs cabotage operations as defined in Regulation (EC) No 1072/2009 and (EC) no. 1073/2009, is considered to be posted (detached) under Directive 96/71 / EC.	Art. 1 pt. 7	18 months from publication (2 February 2022)
In case of detachment , the collective agreements (contracts) that have been declared generally applicable in the geographical area in question must also be respected.	Art. 1 pt. 9	18 months from publication (2 February 2022)
Member States may impose, in connection with the detachment, only the following administrative requirements and control measures: 1. submission of a posting statement , at the latest at the start of the posting, in the form of a multilingual form on the IMI (Internal Market Information System) website 2. submit on request, in paper or electronic format, evidence of transport operations (eg CMRs) and tachograph records, in particular the country codes in which the driver was located.	Art. 1 pt. 11	18 months from publication (2 February 2022)

<p>3. to send through IMI, at the request of the authorities, documents regarding the remuneration related to the posting period, the timekeeping, the employment contract and the proof of payment. The transmission will be made through IMI within a maximum of 8 weeks from the date of the request.</p>		
<p>The driver will be allowed to contact the company headquarters during the inspection to provide evidence that is not available on board.</p>	<p>Art. 2 pt. 3 letr. b)</p>	<p>18 months from publication (2 February 2022)</p>
<p>Regulation 1055/2020 amending Regulations (EC) no. 1071/2009, (CE) nr. 1072/2009 and (EU) no. 1024/2012 in order to adapt them to the evolutions of the road transport sector (market access) – Click here for Reg. 1055/2020</p>		<p>Enters into force 20 days after publication, Applies 18 months after entry into force. (22 February 2022)</p>
<p>Licensing will be mandatory for companies operating international transport with vehicles under 3.5 tons. Licensing shall be exempt for companies using vehicles under 3.5 tonnes provided that they only carry national transport in the Member State of establishment.</p>	<p>By exception (Art.1 pt. 1)</p>	<p>It shall apply 21 months after its entry into force (22 Mai 2022)</p>
<p>Companies using only vehicles under 2.5 tonnes remain exempt from authorization.</p>	<p>Art. 1 pt. 1</p>	<p>It shall apply 21 months after its entry into force (22 Mai 2022)</p>
<p>Companies must have a real and stable registered office in the territory of a Member State (where is established) . In this sense, the following conditions will be necessary: 1. the company has, in that particular Member State, a headquarters where the originals of its main documents can be found: transport contracts, vehicle documents, employment contracts, payroll, time sheets, transport documents, etc. 2. Vehicles used for international transport shall return to one of the operational centers in that particular Member State where is established within 8 weeks of their departure. 3. It effectively and permanently carries out its administrative and commercial activities at the declared headquarters.</p>	<p>Art.1 pt. 3</p>	<p>It shall apply 18 months after its entry into force (22 February 2022)</p>
<p>Cabotage operations may not be carried out with the same vehicle in the same Member State more than 4 days after the end of the previous cabotage operation in that State.</p>	<p>Art. 2 pt.4</p>	<p>It shall apply 18 months after its entry into force (22 February 2022)</p>

Obligations of EC and Member States assumed by these legislative changes	
Unique official website for Safe and Secured Parking Spaces (Art. 1 point 7 of the Reg. 1054. amending Reg.561)	No deadline
Unique website through the European Labor Authority - with information on sanctions applicable in the Member States (Point 23 of the Preamble to Regulation 1054, amending Regulation 561)	No deadline
Prepares a report on the availability of adequate rest areas and secure parking spaces (Art. 1 point 7 of the Reg.1054, amending Reg. 561)	31 December 2024
One or more new modules for the Internal Market Information System (IMI) (Point 32 of the Preamble to the Directive 1057, amending Directive 96)	No deadline
Specifications for the operation of the IMI public interface	6 months after the publication of the posting directive for the transport sector
The Commission shall establish a common formula for calculating the degree of risk of the companies	10 months after the publication of the directive amending the posting
The Commission will assess the impact of the posting directive 1057 and report to the EP and the Council	31 December 2025
Member States shall adopt their laws and regulations necessary to comply with the posting directive in the transport sector and shall apply them from the date of its application.	18 months from publication of Posting Directive (2 February 2022)
The national electronic registers will also contain the registration numbers of the vehicles available to the enterprise, the number of persons employed on December 31, the classification of the enterprise according to the degree of risk.	14 months from the date of entry into force of the act regarding a common calculation formula regarding the degree of risk.

The **full text of the Mobility Package**, can be found published at the following internet addresses:

Directive 1057/2020 of the European Parliament and of the Council laying down specific rules for Directive 96/71 / EC

<https://eur-lex.europa.eu/legal-content/en/ALL/?uri=CELEX:32020L1057>

Regulation 1054/2020 amending Reg.561 on driving and rest periods

<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32020R1054>

Regulation 1055/2020 amending Reg. 1071/2009 and 1072/2009, regarding the access to the market

<https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A32020R1055>