

**From:** Robert Zwartevelde, Director EVO

<b>Consultation paper concerning revision of the Community legislation on access to the road transport market and admission to the occupation of road transport operator.</b>
---

<b>EVO position paper</b>
---------------------------

9th August 2006
-----------------

***EVO represents the interests of some 30,000 companies in the Netherlands across all sectors of industry (wholesale, retail, construction, industry, agricultural and business services) that transport goods for their own account or by contracting this out to a transport company. In total, EVO members employ some 1.3 million people, and account for 70 percent of all goods shipped, from, to and within the Netherlands.***

***EVO is member of the European Shippers Counsel (ESC) who represents the interests of users of freight services in all modes of freight transport (deep sea shipping, short sea shipping, air transport, road transport, rail, inland waterways both within Europe and overseas.***

### **Opinion**

As users of transport for own account as well as users of external road freight transport services we have both a direct and indirect interest in a liberated and fully competitive market with no limitations whatsoever as to access to the road transport market or admission to the occupation. In our opinion the regulations on the access to the road transport market should be withdrawn. Only in that way will the Community achieve a free single market. A liberated road transport market and freedom of cabotage will also give a positively contribution in achieving the goals set out in the Lisbon agenda.

### **Access rules**

The road transport market is one of the last markets in which there are still access rules. These rules serve no purpose but to obstruct the access to the market by new companies. Withdrawal of the regulations as to market access will lead to greater transport efficiency, fewer empty vehicles, a better protected environment and less traffic congestion. Transport companies will suffer less of an administrative burden and enforcement will be able to focus on more important aspects than administrative measures - such as road safety.

If the European Commission decides to revise rather than withdraw the regulation as to access to the road transport market, then the requirements imposed on hauliers/carriers should be as low as possible. In that case we are of the opinion the enclosed answers should be leading.

### **Cabotage**

The European transport market should be a European transport market. This means freedom to all European companies in providing services, also unlimited cabotage, in all EU member states. All requirements aimed at protecting economies of individual member countries reduce Europe's competitiveness, raise costs for all and mean a step away from the single European market. Limitation of cabotage disrupts the single market significantly. Companies should be able to choose the transport company that best fit their requirements. Whether it be Polish, Dutch or Italian, it should not make any difference. Only then Europe will be able to compete with the United States and Asian countries.

Although EVO is naturally happy to accept stepwise implementation of cabotage, it is of the opinion that a revision of the regulation should have the ultimate objective of allowing cabotage without limitation. Both incidental and structural cabotage should be permitted.

All legislation aimed at restriction of cabotage is artificial and increases administrative burdens for both companies and enforcement bodies thus disadvantaging economic growth and making legislation artificially complex. Concerning the employment aspects EVO is of the opinion that the requirements of the country in which the transport company is based or originates should be leading.

### **Follow-up**

Due to the time limits and the holiday season it has been impossible for EVO and the European Shippers Counsel (ESC) to discuss your consultation Europe wide. Because the decisions that have

to be taken are very fundamental and the opinion of transport users throughout Europe is of great importance we plead for an Evaluation Committee or stakeholders meeting to discuss the outcomes of the consultations and to advise the follow-up.

EVO – the Dutch Organisation for Transport for OwnAccount - represent the interests of companies that use their owntransport facilities as well as the users of external transportservices.  
Postbus 350, 2700 AJZoetermeerT 0793467346, F 079 3467700, [www.evo.nl](http://www.evo.nl)

<b>Answers to consultation paper on revision of Community legislation on access to the road transport market and on admission to the occupation of road transport operator.</b>
---

**Part A access to the market and cabotage**

Q 1: Is the merging of goods transport and passenger transport a real simplification?

Answer: No - a real simplification is withdrawal of the regulations on access to the market.

Q 2: No opinion

Q 3: No

Q 4: No

Q 5: No

Q 6: Yes

Q 7: Yes

Q 8: No

Q 9: No

Q 10: No opinion

Q 11: No uniform journey form is required because the CMR conditions and waybill are uniform and give sufficient information.

Q 12: No opinion

Q 13: No opinion

Q 14: No opinion

Q 15: No opinion

Q 16: No opinion

Q17: Varying rules and unclear definition of cabotage are bad for the single European market. About the definition of cabotage EVO would say: if Europe wants to be a single market, cabotage should mean transport by non-member states within the European Union. The term cabotage should simply not apply to EU transport companies within the European Union.

Q18: Although EVO is happy to accept a stepwise implementation of cabotage, EVO thinks that the revision of the regulation on cabotage should have the ultimate objective of cabotage without limitations. Both incidental and structural cabotage should be allowed.

Q19: No areas should be added. Instead of extra areas, rules concerning rates and conditions should be deleted and left to the market. Concerning driving times and rest periods the Community law is sufficient. National driving and rest time rules will disturb the free market.

Q 20: EVO is of the opinion that the employment requirements of the country in which the transport company is based or originates should be leading.

Q 21: As set out in our position paper EVO is of the opinion that the regulations concerning access to the market and occupation should be withdrawn and left to the market.

**Part B admission to the occupation of road haulage operator**

Q 1: No

Q 2: No

Q 3: EVO wants a withdrawal of regulations for admission to the occupation.

Q 4: No - Requirements for admission to the occupation do not need to be checked. Enforcement should check more important things such as road safety.

Q 5: Depends on the reason of disqualification. If this was because of administrative measures alone: No. If the company did not meet road safety measures: Yes.

Q 6: In our opinion these regulations should be withdrawn entirely

Q 7: This depends on the case. It is logical that reason that someone who commits repeat offences should be denied the right to establish an undertaking in any occupation.

Q 8: No

Q 9: No

Q 10: No

Q 11: No opinion

Q 12: No

Q 13: Yes. The system should replace the current system. Risks to cover and guarantees should be left over to the parties concerned.

Q 14: No, no dispensation is needed if these regulations are withdrawn.

Q 15: No

Q 16: See our position paper. We are of the opinion that regulations on access to the road transport market as well as occupation road haulage operator should be withdrawn.

Q 17: Yes withdrawal of these regulations.

Yours sincerely,  
drs. M.J.H. van der Kuijl  
Director EVO

<http://www.evo.nl>