DIRECTIVE 2006/1/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
of 18 January 2006
on the use of vehicles hired without drivers for the carriage of goods by road
(codified version)
(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EURO-
PEAN UNION,

Having regard to the Treaty establishing the European Com-
munity, and in particular Article 71 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Economic and
Social Committee (1),

After consulting the Committee of the Regions,

Acting in accordance with the procedure laid down in Article 251
of the Treaty (2),

Whereas:

the use of vehicles hired without drivers for the carriage of
goods by road (3) has been substantially amended (4). In the
interests of clarity and rationality the said Directive should
be codified.

(2) From a macroeconomic point of view, the use of hired
vehicles permits, in certain situations, an optimum alloca-
tion of resources by limiting the wasteful use of factors of
production.

(3) From a microeconomic point of view, this possibility
brings an element of flexibility to the organisation of trans-
port, and thus increases the productivity of the undertak-
ings concerned.

(4) This Directive should be without prejudice to the obliga-
tions of the Member States concerning the time-limits for
transposition into national law of the Directives set out in
Annex I, Part B,

HAVE ADOPTED THIS DIRECTIVE:

Article 1

For the purposes of this Directive:

(a) ‘vehicle’ means a motor vehicle, a trailer, a semi-trailer, or a
combination of vehicles intended exclusively for the carriage
of goods;

(b) ‘hired vehicle’ means any vehicle which, for remuneration
and for a determined period, is put at the disposal of an
undertaking which engages in the carriage of goods by road
for hire or reward or for its own account on the basis of a
contract with the undertaking which makes the vehicles
available.

Article 2

1. Each Member State shall allow the use within its territory,
for the purposes of traffic between Member States, of vehicles
hired by undertakings established on the territory of another
Member State provided that:

(a) the vehicle is registered or put into circulation in compliance
with the laws in the latter Member State;

(b) the contract relates solely to the hiring of a vehicle without a
driver and is not accompanied by a service contract con-
cluded with the same undertaking covering driving or accom-
panying personnel;

(c) the hired vehicle is at the sole disposal of the undertaking
using it during the period of the hire contract;

(d) the hired vehicle is driven by personnel of the undertaking
using it.

2. Proof of compliance with the conditions referred to in para-
graph 1, points (a) to (d) shall be provided by the following docu-
ments, which must be on board the vehicle:

(a) the contract of hire, or a certified extract from that contract
giving in particular the name of the lessor, the name of the
lessee, the date and duration of the contract and the identifi-
cation of the vehicle;

(b) where the driver is not the person hiring the vehicle, the driv-
er’s employment contract or a certified extract from that con-
tract giving in particular the name of the employer, the name of
the employee and the date and duration of the employ-
ment contract or a recent pay slip.

If need be, the documents referred to in (a) and (b) may be replaced
by an equivalent document issued by the competent authorities of
the Member State.

(2) Opinion of the European Parliament of 10 February 2004 (OJ C 97 E,
(4) See Annex I, part A.
Article 3

1. Member States shall take the necessary measures to ensure that their undertakings may use, for the carriage of goods by road, under the same conditions as vehicles owned by them, hired vehicles registered or put into circulation in compliance with the laws in their countries, provided that the conditions laid down in Article 2 are satisfied.

2. Member States may exclude from the provisions of paragraph 1 own-account transport operations carried out by vehicles with a total permissible laden weight of more than 6 tonnes.

Article 4

This Directive shall not affect the regulations of a Member State which lays down less restrictive conditions for the use of hired vehicles than those specified in Articles 2 and 3.

Article 5

Without prejudice to Articles 2 and 3, this Directive shall not affect the application of the rules concerning:

(a) the organisation of the market for the carriage of goods by road for hire or reward and own account and in particular access to the market and quota restrictions on road capacities;
(b) prices and conditions for the carriage of goods by road;
(c) the formation of hire prices;
(d) the import of vehicles;
(e) the conditions governing access to the activity or occupation of road-vehicle lessor.

Article 6

Directive 84/647/EEC is hereby repealed, without prejudice to the obligations of the Member States relating to the time-limits for transposition into national law of the Directives listed in Annex I, Part B.

References to the repealed Directive shall be construed as references to this Directive and should be read in accordance with the correlation table set out in Annex II.

Article 7

This Directive shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.

Article 8

This Directive is addressed to the Member States.

Done at Strasbourg, 18 January 2006.

For the European Parliament

J. BORRELL FONTELLES

For the Council

H. WINKLER

For the European Parliament

The President

The President

J. BORRELL FONTELLES

H. WINKLER
ANNEX I

Part A

Repealed Directive with its amendment

(referred to in Article 6)


Part B

List of time-limits for transposition into national law

(referred to in Article 6)

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## ANNEX II

### Correlation Table

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