

Opinion of the Economic and Social Committee on the 'Proposal for a Directive of the European Parliament and of the Council on the training of professional drivers for the carriage of goods or passengers by road'

(2001/C 260/16)

On 21 February 2001 the Council decided to consult the Economic and Social Committee, under Article 71 of the Treaty establishing the European Community, on the above-mentioned proposal.

The Section for Transport, Energy, Infrastructure and the Information Society, which was responsible for preparing the Committee's work on the subject, adopted its opinion on 6 June 2001. The rapporteur was Mr Kielman.

At its 383rd plenary session of 11 and 12 July 2001 (meeting of 11 July) the Economic and Social Committee unanimously adopted the following opinion.

1. Introduction

1.1. Regulation (EEC) No 3820/85 of 20 December 1985 on the harmonisation of certain social legislation relating to road transport lays down requirements for the vocational training of professional drivers for the carriage of goods or passengers by road.

1.2. The content of the training which leads to the certificate of professional competence is specified in Directive 76/914/EEC. An annex to this directive states that 'training leading to the award of a certificate of professional competence shall include at least the following subjects, to the extent that they are not already covered by training for a driving licence'.

1.3. The regulation and the directive are out of date. The regulation dates from 1985 and the directive from 1976. The content of training is therefore particularly out of date, where it is not covered by Community rules relating to the driving licence (Directive 91/439/EEC).

1.4. Except in two countries, France and the Netherlands, there is no Community requirement to undertake professional training, which means that most professional drivers pursue their occupation on the basis of the driving licence alone. There are of course stricter requirements for certain kinds of goods transport, such as the transport of dangerous substances.

1.5. The Commission considers the introduction of solid basic and continuous training to be important in the interests of improved road safety, safety during stops and standard of

service; it will also make for improved driver efficiency and will have a beneficial impact on employment.

1.6. The harmonised introduction of generalised compulsory training is also a practical example of the combined approach sought in Europe, with the opening up of the transport market and growth in competition going hand-in-hand with harmonisation of social matters and conditions of employment.

1.7. The proposal for a directive develops a Community framework which encompasses the existing vocational training under Regulation (EEC) No 3820/85 and offers a way of solving specific problems of the road haulage market, such as recruiting new drivers and ensuring that drivers have the requisite skills.

2. General comments

2.1. The Committee agrees with the Commission that an end needs to be put to a situation where professional drivers involved in the transport of goods and passengers by road can operate without any form of professional training. It also endorses the — pragmatic — proposal for compulsory minimum basic training, of the kind already existing in the Netherlands and France.

2.2. The Committee also concurs with the Commission as to the problems which the introduction of full basic training over a total of 420 hours would pose. Compulsory full basic training would create problems in the labour market. Even now there is a considerable shortage of skilled drivers.

2.3. The required basic minimum training takes 210 hours, distributed over six 35-hour weeks, i.e. half the number of hours required for the full training course. It is compulsory for all new drivers, regardless of their age or of the category of vehicles they will be driving. The introduction of this basic minimum training will, the Committee feels, provide younger drivers with the necessary professional skills. The proposed length of the training needs to be studied in the light of existing training arrangements and the requirements for the driving licence and professional competence in the Member States. The possibility of increasing the number of training hours in the short term should be studied.

2.4. In addition to the minimum basic training, the Commission proposal also makes provision for compulsory continuous training — five days every five years. In conjunction with the proposed minimum basic training, this appears to be a good solution, particularly given that experience in France has shown continuous training to be beneficial.

2.5. The Committee endorses the Commission's proposal that professional drivers already working at the time of the directive's entry into force be exempted from the minimum basic training requirements, but also agrees that this category of driver should nonetheless have to undertake continuous training every five years. In practice this amounts to one day a year.

2.6. The Commission suggests that criteria be laid down for the approval of training bodies. The Committee does not consider this particularly important, however. What is much more important is that objective criteria be laid down for the testing of training bodies, preferably by the competent authorities of the Member State in question.

3. Specific comments

3.1. The Committee is not sure what target group the Commission has in mind. Article 2 of the proposal for a directive defines professional drivers as drivers engaged in the transportation of goods or passengers 'for payment'. Do self-employed drivers fall under this definition or not? The Commission has given the Committee to understand that all goods vehicle drivers not listed among the exemptions set out in Article 3 of the proposal for a directive are covered by the definition, providing that they are using vehicles of more than 3.5 tonnes capacity. Drivers of passenger vehicles are covered if more than nine persons including the driver are being transported.

3.2. The Committee does not understand what the Commission means by the statement in the explanatory memorandum that basic training will help to improve road safety 'during stops'. The Committee asks the Commission to clarify this.

3.3. The Committee feels that the explanatory memorandum to the proposal and the annex on minimum vocational training requirements do not make it clear whether full basic training will take 420 hours or 630. The Commission has indicated that this ambiguity is the result of printing/translation errors and has confirmed that full training will total 420 hours.

3.4. In Article 9 the Commission states that professional drivers are to undergo basic and continuous vocational training in the Member State in which they are normally resident in order to prevent 'driving licence tourism'. As in the same article the Commission proposes the mutual recognition of diplomas and certificates, the Committee considers it unimportant where a professional driver undergoes his basic or continuous training. It feels that restricting choice to the Member State of normal residence is inconsistent with the proposal for mutual recognition.

3.5. The Committee feels that in its proposal the Commission does not place enough emphasis on the qualitative aspect, e.g. the examination standards to be maintained by the Member States. The Committee considers that high-quality examinations are the only way to ensure that the individuals in question are actually trained. This aspect is therefore as important as the length of the training itself.

3.6. The Commission proposes that trainers should have five years practical experience as professional drivers and should have completed a full course of basic and continuous training. The Committee feels that this is too restrictive. It wonders whether it will be possible to find sufficient training staff complying with these requirements. The Commission must at all events incorporate a multi-year transitional arrangements into the directive to ensure that the qualification requirements for trainers can be complied with.

3.7. The Committee points out the need also to apply this directive to the candidate countries on accession, in order to secure road safety in an enlarged EU and to avoid distortions of competition.

4. Summary and conclusions

4.1. In general the Committee endorses the Commission's proposal for the introduction of compulsory minimum basic training for professional drivers combined with periodic testing of the required qualifications, if necessary followed by specific further training every five years. This will above all contribute to greater road safety and improved services, as well as having a beneficial effect on employment.

4.2. The Committee feels that the Commission should specify the target group of the proposal. What does 'for payment' mean? The Commission should also clarify its statement that basic and continuous training will help improve road safety 'during stops'.

4.3. The Committee feels that the Commission concentrates on the quantitative aspect, i.e. the minimum number of

training hours, paying insufficient attention to examination standards.

4.4. The Commission proposes that professional drivers should have to undergo basic and continuous vocational training in the Member State in which they are normally resident. This appears consistent with the rules laid down in the directive on driving licences. The Committee wonders, however, whether this provision is not unnecessarily restrictive in relation to basic and continuous training, particularly as the Commission also proposes the introduction of mutual recognition of diplomas and certificates.

4.5. Finally, the Committee points out that the requirements proposed by the Commission for trainers, i.e. five years practical experience as a professional driver and full basic and continuous training, will make it very difficult to find sufficient qualified staff. The Committee suggests that the Commission reconsider this part of the proposal.

Brussels, 11 July 2001.

*The President
of the Economic and Social Committee*

Göke FRERICHS
