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Subject: Proposal for a Directive of the European Parliament and of the Council amending Directive 2003/59/EC on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers and Directive 2006/126/EC on driving licences
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– Opinion of the European Economic and Social Committee

Delegations will find attached a copy of the above-mentioned opinion.

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European Economic and Social Committee

TEN/633

Initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods and passengers

OPINION

European Economic and Social Committee

Proposal for a Directive of the European Parliament and of the Council amending Directive 2003/59/EC on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers and Directive 2006/126/EC on driving licences
[COM(2017) 47 final – 2017/0015 (COD)]

Rapporteur: **Pasi MOISIO**

Referral	Council of the European Union, 20/02/2017 European Parliament, 01/03/2017
Legal basis	Article 91 TFEU
Section responsible	Transport, Energy, Infrastructure and the Information Society
Adopted in section	16/05/2017
Adopted in plenary	31/05/2017
Plenary session No	526
Outcome of vote (for/against/abstentions)	185/0/0

1. Conclusions and recommendations

- 1.1 The EESC recognises that despite certain shortcomings, the Directive on the qualification and periodic training of drivers of heavy goods vehicles¹ has had generally positive effects for the European road transport sector. Creating a harmonised training system has helped to improve professional drivers' ability to perform their job, developed a common level of service in the road transport sector, and enhanced the attractiveness of the sector to new entrants.
- 1.2 The EESC considers that the proposal under discussion² to amend this directive has the potential to further consolidate the EU principle of freedom of movement and to be a further step towards a healthier and more open EU transport market that is based on fair competition and can also be overseen more effectively and equitably.
- 1.3 The EESC endorses the objectives set in amending the Directive on the qualification and periodic training of drivers, namely to improve road safety in Europe, as well as professional drivers' health and safety at work. The Committee has pointed out in particular that excellent results have been achieved in the area of road safety over the past few years, and thus urges the Commission to continue with measures to reinforce the positive trend.
- 1.4 The EESC likewise welcomes the Directive's objective of harmonising and streamlining administrative procedures in the different Member States, so that driver training sessions and programmes run in any Member State under the Directive are recognised as such and are mutually approved without latitude for interpretation or separate additional requirements. However, we would point out that mutual recognition of training requires absolute uniformity in respect of the scope and quality of training organised in the different Member States. More effective oversight and closer cooperation between the European Commission and Member State authorities will be needed in order to ensure this.
- 1.5 Falsified driver-specific cards showing existing professional qualifications and falsified certificates for training that has not actually been completed distort competition on the transport market and harm the interests of professional drivers operating within the rules. The EESC urges that a watertight system be created to ensure that driving licences and driver qualification cards are authentic. With reference to point 1.4 of our recommendations, the oversight of authorised training establishments operating in different countries should be enhanced in the future so that the scope and quality of training provided can be verified in each and every case.

1 [OJ L 226, 10.9.2003, p. 4](#)

2 [COM\(2017\) 47](#)

- 1.6 Furthermore, it is of the utmost importance to enhance the concordance and consistency of EU legislation applying to a single target group and sector, in this case professional drivers of heavy goods vehicles. This increases both the legal protection of individuals operating within the scope of the rules and the general credibility of EU provisions.
- 1.7 The revision of the directive is intended to align it more closely with the latest broad trends that are highly relevant to transport, such as digitisation and decarbonisation. The EESC endorses this approach and notes that although transport is rapidly automating and robotisation is becoming prevalent in the sector, the central role of the human factor must also still be borne in mind. The growing need for digital skills must therefore be recognised in relation to training of drivers, as well as the importance of drivers' skills in achieving low-carbon targets.
- 1.8 A key challenge in the area covered by the directive is to ensure that periodic training in particular meets professional drivers' individual needs and to tailor its content so that it provides optimum support for the specific tasks of each driver. Thus the directive should allow flexibility and discretion, both in terms of the content of periodic training sessions selected and of the methods for delivering training.
- 1.9 The EESC emphasises that there should be a uniform opportunity during training to drive a vehicle even before having obtained the initial qualification. It is important to ensure that learners continue to enjoy the right to also drive vehicles used in commercial transport, which is necessary for instance to allow on-the-job learning in companies under guidance and supervision, and that this is accepted as being part of their initial qualification training. The revised directive should not take away this right. On the other hand, it should be ensured that the right to combine commercial transport operations and training does not trigger unhealthy competition in the transport sector or weaken the position of workers in the sector.
- 1.10 Although the Commission's proposal is in the main well-balanced and a step in the right direction, the EESC would nevertheless like to put forward certain specific changes, additions and suggestions which in our view would further enhance the way it is implemented in practice and applied to driver training. These proposals are presented in more detail in the general and specific comments below.

2. **Background**

- 2.1 Directive 2003/59/EC was implemented across the EU from 2007 to 2009. It requires all professional drivers of goods vehicles or buses and coaches in EU territory working for transport companies registered in the EU Member States, as well as self-employed drivers working as professional drivers in the commercial transport sector, to complete compulsory basic training in order to gain the required qualification.

- 2.2 Directive [2003/59/EC](#) also established the principle of lifelong learning as part of a professional driver's work by laying down an amount of periodic training at regular intervals to maintain professional skills.
- 2.3 The European Commission estimates there to be a total of around 3.6 million drivers of goods vehicles or buses and coaches working for transport companies (2.8 million drivers of goods vehicles and 0.8 million bus and coach drivers) in the 28 EU Member States who fall under the scope of this directive³.
- 2.4 The amount of basic training is 140 or 280 hours, depending on the driver's age and any previous qualifications. Every driver must complete at least 35 hours of periodic training per five-year period.
- 2.5 Several points were identified that needed revision based on the large number of broad-based reports and the impact assessment requested by the Commission in recent years. Problems and disparities were also noticed in the application and interpretation of the directive in different Member States.
- 2.6 In a public consultation carried out with a view to revision of the directive⁴, the Commission received almost 400 responses from professional drivers, transport companies and transport workers, as well as organisations representing their employers, in different Member States.
- 2.7 Both the consultation and the various reports yielded exactly the same findings about problems with the directive. The Commission believes that there is a general awareness of the problems noted in everyday practice, in the transport of both goods and passengers by road, and that they have been seen as a factor hindering uniform and equitable operations in the EU transport market.
- 2.8 The problems can be divided into three types⁵:
- There is not always mutual recognition of training.
 - Training content does not always fully match the individual driver's training needs for their job profile.
 - Disparities and problems exist with interpreting permissible exemptions from the scope of application of the directive, which has created legal uncertainty for professional drivers.

³ [SWD\(2017\) 27 final](#) – Commission Staff Working Document – Impact Assessment, 1 February 2017, p. 10.

⁴ For the consultation conclusions, see:
https://ec.europa.eu/transport/road_safety/sites/roadsafety/files/pdf/consultations/cpc_main_conclusions.pdf.

⁵ Commission Staff Working Document [SWD\(2017\) 26 final](#), Executive Summary of the Impact Assessment accompanying the Proposal for a Directive amending Directives [2003/59/EC](#) and [2006/126/EC](#).

- 2.9 In addition to the issues listed above, serious inconsistencies and contradictions are apparent in relation to minimum age requirements between the directive on the initial qualification and periodic training of drivers and the general provisions on driving entitlements set out in the directive on driving licences. These have created real problems in the Member States and a solution must be found without delay.
- 2.10 The Commission considers a further argument for revising the Directive to be the objective of better and lighter regulation in accordance with the REFIT principles.
- 2.11 It is believed that revising the directive will make it clearer, improve consistency and create new jobs in the transport sector, which includes SMEs. By addressing the problems identified and revising the directive accordingly, the Commission believes it will also be possible to achieve considerable cost savings, both for drivers and for their employers.

3. General comments

- 3.1 At present the Member States have to choose between two alternative implementation approaches at national level with respect to initial qualification of drivers: (1) course attendance and a shorter test, or (2) a longer test only. To increase flexibility and choice, and drawing attention to the differences in individual qualification levels, the EESC recommends that the directive also be updated by incorporating into it an explicit right to apply both models in parallel⁶.
- 3.2 It is important in practical training for professional drivers to emphasise subject areas relating to transport and road safety and to health and safety at work, improvement of digital knowledge and skills, and the teaching of environment-friendly, fuel-efficient and anticipatory driving methods.
- 3.3 When considering this issue, it is important to bear in mind the main shortcoming highlighted by professional drivers and other transport sector players in the consultations, namely that the content of training does not always match the driver's individual training needs for their job profile. The content of courses must therefore be tailored so that they are optimally adapted for each driver. The EESC points out that this will both enhance the attractiveness of training and motivate professional drivers to learn.
- 3.4 Thus if the new directive aims to make compulsory the inclusion of certain subject areas in initial qualification and/or periodic training programmes for professional drivers, these should be defined as flexibly, broadly and loosely as possible, while taking account of the EESC's views set out in point 3.1 above.

⁶ [COM\(2012\) 385 final](#), Table 1, page 6.

- 3.5 Since professional drivers of heavy vehicles are often required because of their work to complete other types of training under EU law, it would make sense for these training sessions to be more comprehensively approved as part of the periodic training provided for in the directive on qualification and training requirements for drivers. This would avoid overlaps in training, reduce red tape and save money, as well as boosting drivers' motivation to take part in training.
- 3.6 The revised directive provides the option of completing periodic training courses in the form of e-learning. The EESC sees this positively and regards it as an essential improvement in the training of professional drivers. This in itself enhances digital skills and is particularly helpful for operators in remote regions. E-learning brings training to the learner, who does not have to travel what may often be a long distance to receive traditional forms of instruction.
- 3.7 It is regrettable that the Commission has not made it possible to divide the seven-hour training day into parts, but that it still has to be conducted as one block session. This is a real problem for drivers and transport companies. Coordinating work and training, improving learning outcomes and providing e-learning options require more flexibility. What is essential for achieving the objectives of periodic training is to provide a total of 35 hours training, not to have 7-hour training sessions. This recommendation would also serve the REFIT objectives.
- 3.8 The skills attained are demonstrated with a separate driver qualification card or an indication of valid qualifications based on entering the EU code that proves them in the driving licence. These options are left to the Member States' discretion. Falsified documents have proved to be a growing practical problem. The EESC therefore recommends that a database be created as a matter of urgency at EU level where different parties could check in real time that the professional qualifications of a driver are actually valid. It might be possible to do this by including data on professional qualifications in the RESPER system⁷, which shares national driving licence information between the Member States. This would enable Member State authorities to simultaneously establish the validity of both driving entitlements and professional qualifications.

4. **Specific comments**

- 4.1 The EESC urges that the contradictions concerning minimum age requirements between the EU driving licences directive⁸ and the directive on the initial qualification and periodic training of drivers be eliminated without delay. To do this, it is proposed that an exemption be written into the driving licence directive whereby driving licences can be issued in accordance with the age limits provided for in Directive [2003/59/EC](#).

⁷ <https://www.eucaris.net/kb/resper/>

⁸ [OJ L 403, 30.12.2006, p. 18](#)

- 4.2 In the EESC's view it is essential to ensure that exemptions from the scope of application which are to be incorporated into the directive are also in all respects identical to the exemptions⁹ relevant to drivers of heavy vehicles contained in the regulation on driving time and rest periods¹⁰. Although some progress has been made here with the current proposal for an amendment to the directive, disparities still remain between the exemptions set out in the above-mentioned rules. If the lists of exemptions are not fully harmonised, the inconsistencies and contradictions between these rules applying to professional drivers will not be completely eliminated either.
- 4.3 Although the objective of improving road safety is very welcome, the EESC has reservations about the requirement in the current proposal for a directive that at least one subject relating solely to road safety be included in the periodic training (in practice on one of the five days of periodic training). Instead, the requirement could be framed, in line with the proposal in the directive¹¹ and also complementing it, by including in the periodic training at least one day of training "with specific emphasis on road safety, health and safety at work, and the rationalisation of fuel consumption". This would ensure that fuel-efficient and anticipatory driving methods are also included in any training programme for professional drivers in the EU. These areas are an integral part of road safety.
- 4.4 In several Member States on-the-job training is an essential part of initial qualification training for drivers. During on-the-job training the driver performs practical commercial transport duties under guidance and supervision. This possibility should be kept so as to ensure that drivers already become familiar with the work during their training and in this way fully guarantee that new entrants to the sector have professional skills. The EESC therefore strongly opposes the amendment contained in the proposal for a directive that would prevent drivers from engaging in commercial transport operations during the initial qualification training. However, we would emphasise that this right to engage in commercial transport operations must always be fully incorporated into training (under supervision), and should on no account lead to distortions of competition or social dumping.
- 4.5 The EESC welcomes the option provided in the amended directive to approve compulsory training courses based on other EU rules (e.g. additional training on disability awareness for the carriage of passengers, ADR training for driving of hazardous goods, and animal transport) lasting up to seven hours, or one day, as part of the periodic training. However, it is important to broaden this option to allow several training days in order to avoid training overlaps and reduce costs. Multiple training requirements are not consistent with the principles of better and lighter regulation, and they do not treat equally drivers working in different transport sectors, some of whom are regularly required to complete both periodic training under the Directive as well as other statutory training relevant to their duties.

9 [OJ L 102, 11.4.2006, p. 1](#)

10 [OJ L 102, 11.4.2006, p. 1](#), Articles 3 and 13.

11 [OJ L 226, 10.9.2003, p. 4](#), Article 7(1).

- 4.6 The proposal amending the directive would still allow e-learning, as a method by which part of both the initial qualification and periodic training could be completed independently. This change is essentially very welcome, but the EESC considers that the maximum amount of e-learning should be laid down more precisely, so that the vague definition of "partly" in the proposal does not lead to widely diverging interpretations and practices in different Member States.
- 4.7 In the EESC's view it absolutely must be made possible for the single periodic training day to be split into parts. Unfortunately the proposal for a directive does not provide for this, and there is a real risk that contradictions will result. Given that part of the training can be delivered via e-learning, there should be a flexible solution for instance to split one seven-hour training session on the same subject so that part of the training takes place on one day in classroom sessions or practical exercises, and the other part is continued on another day by e-learning. This is essential not least because necessary instruction facilities are often located in different places.

Brussels, 31 May 2017

Georges DASSIS

The president of the European Economic and Social Committee
