

EU LEGISLATION UPDATE

JANUARY 2006



OPPORTUNITIES FOR DIALOGUE

FIVA meets with European Commission transport safety and Culture

On 20 January, Michel de Thomasson (FIVA President), Horst Bruning (FIVA Legislation Commission Chairman) and Andrew Turner (EPPA, consultant) met in Brussels with Stephan Tostmann, the head of the Commission's DG Transport and Energy (TREN) Road Safety Unit and Theodossios Mastrominas, Deputy Head of Culture in DG Sport and Culture.

The meeting with Mr. Tostmann was arranged because he is a new appointee and FIVA wanted to take the opportunity to meet with him to ensure that he is aware FIVA, the importance of the preservation and use of historic vehicles and to highlight the concerns that FIVA has about the impact that some road safety legislation might have on the historic vehicle movement. The meeting was very constructive, and has been found in the past, FIVA was warmly welcomed and advised that the Commission would strive to ensure that its road safety policies and legislative initiatives do not have a detrimental effect upon FIVA's activities and interests. FIVA made reference during the discussion to the drivers licence Directive, e-safety initiatives and the proposed required use of daytime running lights as examples of legislation where FIVA has had lobby in the past. Mr. Tostmann also made clear that he will ensure that FIVA is included in relevant consultations from his department.

The objective of the meeting with Mr. Mastrominas was to further develop FIVA's relationship with the Culture DG given that it is responsible for preserving European Heritage. FIVA last met with Mr. Mastrominas in 2003, so the meeting was used as an opportunity to inform him of relevant internal and external developments - the research project, the European Road Safety Charter and issues FIVA has needed to lobby. The meeting was very positive, with Mr. Mastrominas confirming that his DG will defend the interests of FIVA within Commission policy making and inviting FIVA to apply for the next round of cultural funding which will begin in 2007.

These meetings are a part of FIVA's programme to maintain relationships with relevant decision makers in Brussels with the specific objective to develop allies so that if/when regulatory problems arise, FIVA can resolve the issue as effectively as possible. In both cases, FIVA also told the officials about, and offered verbal invitations to, the FIVA event which will be held in Brussels later this year to announced the Research Project results. Both expressed enthusiasm and support and said that once the date of the event is confirmed, they certainly hope they will be able to attend.

INFORMATION

EU air quality legislation

Austria' Environment Minister, Mr. Proll, (the Current president of the European Environment Council) has said that the draft EU legislation introducing limits on fine particulate matter in air must set down mandatory targets rather than only being an inspirational goal as proposed by the Commission – and that the Austrian Presidency will ensure that the issue is a priority for the next 5 months and he hopes to reach agreement on the text in June.

Mr Pröll made the comments to the EP Environment Committee and were in response to the European Commission's proposal for a non-binding target to curb particulates of up to 2.5 microns in diameter (PM2.5) which would require member states to cut concentrations of the pollutant by 20% from 2010 to 2020. Legal EU limits on larger particulates (PM10) are already in force. However, after Mr. Proll's comments, Commission official Matti Vainio (who FIVA met in 2004 to discuss vehicle bans resultant from EU Air Quality legislation) told the committee the current EU monitoring infrastructure was too patchy to set binding limits now saying that it might only be possible to impose limits five years from now.

European social rules for road transport

At the beginning of February, the European Parliament adopted the agreement on the proposal to improve driving times and rest periods for professional drivers and step up checks on lorries. The agreement is that drivers will have to have at least two full days off every two weeks and a longer rest period each day. The new legislation adopted complements the working time legislation and strengthens the existing social rules in the road transport sector. Member States will still be free to apply even stricter rules in the case of road transport carried out entirely within their own territory, but they will not be allowed to fall short of the minimum rules laid down in the European legislation. This amounts to a major social advance in certain countries and will serve to prevent social dumping.

The package brings in an obligatory minimum daily rest of 9 hours for drivers (instead of the present 8 hours) and an obligatory rest of at least 45 consecutive hours every two weeks. This "weekend off" for professional drivers, in the form of a real rest for two full days at least every fortnight, is currently not practiced in most Member States. The new Directive will also reduce the maximum driving time for professional drivers from up to 74 hours a week to no more than 56 hours a week.

These new rules will be accompanied by a gradual increase in the number of checks from 1% to 3% of days worked by drivers as well as a tripling of the number of operations carried out jointly by Member States and an electronic information exchange system will be set up to facilitate cooperation between the national authorities responsible for carrying out the checks.

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The FIVA Legislation Commission members are: Horst Bruning (Chairman); Tidde Bresters, Andrew Burt, David Davis, Adalberto Gueli, Winfried Kallinger; Patrick Rollet, Svend Aage Tholstrup; and Carla Fiocchi (Secretariat)