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Group of Experts on European Agreement Concerning Work of Crews of Vehicles Engaged in International Road Transport (AETR)

Twelfth session

Geneva, 27-28 June 2016

Report of the Group of Experts on European Agreement Concerning Work of Crews of Vehicles Engaged in International Road Transport (AETR) on its twelfth session

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I. Attendance

1. The AETR Group of Experts held its twelfth session in Geneva from 27 to 28 June 2016, chaired by Mr. R. Symonenko (Ukraine).
2. Representatives of the following UNECE member States participated: Belgium, Germany, Hungary, Netherlands, Russian Federation, Spain, Sweden, Turkey and Ukraine.
3. The European Union (EU) and the following UNECE non-governmental organizations were represented: Confederation of Organisations in Road Transport Enforcement (CORTE) and International Road Transport Union (IRU). Continental Automotive and Stoneridge Electronics participated as observers.

II. Adoption of the agenda (agenda item 1)

4. The Group of Experts adopted the session's agenda (ECE/TRANS/SC.1/GE.21/29).

III. Programme of work (agenda item 2)

A. Development of proposals for amending the AETR Agreement, including Article 22bis

5. The Group of Experts continued to discuss the proposed changes to Article 22bis as well as to Article 14 (to make regional economic integration organizations eligible to accede) based on the consolidated proposal contained in ECE/TRANS/SC.1/GE.21/20.
6. The Russian Federation presented an amendment proposal related to Articles 22 and 22bis and Appendix 1B (ECE/TRANS/SC.1/GE.21/2016/1).
7. The European Union presented its views on a possible way forward: amendment of Article 22bis in a package with an amendment of Article 14 (to make regional economic integration organizations eligible to accede) and with the update of smart tachograph rules as per Regulations 165/2014 and 2016/799.
8. Following a discussion, the European Union volunteered to prepare a formal proposal for the next session which would include: (a) the latest amendment proposal of the Russian Federation to Articles 22 and 22bis, (b) the modification to Article 14 to make regional integration organizations eligible to accede, and (c) the necessary adjustments to all relevant parts of the AETR Agreement to accommodate references to Regulation 165/2014 and 2016/799. The Group of Experts welcomed this offer.
9. The Joint Research Centre, as requested by the Group of Experts at the previous session, provided information about the legal status of "Digital Tachograph System, European Root Policy, Version 2.1".

B. Update of Amendment proposals of AETR, Article 14

10. The Group of Experts was informed about the status of the amendment proposal to allow four non-UNECE member States to accede to the AETR Agreement. The amendment was accepted and would enter into force on 5 July 2016. The Group of Experts requested the secretariat to communicate the acceptance of the amendment proposal to Algeria, Jordan, Morocco and Tunisia.

C. Application of Regulation (EC) No. 561/2006 in the “AETR area”

11. The European Union provided an update on the process of revising EU Regulation 561/2006. Information about evaluation of existing rules, a plan for next steps (public consultation during the third quarter of 2016, legal proposal in first semester of 2017, the adoption process during 2017-18 and entry into force by 2020) was provided. The possible revision of Regulation 561/2006, among others, should clarify: (a) whether or not weekly rest periods can be taken on board of a vehicle, (b) how mixed activities should be recorded, and (c) whether the scope should be extended to include vehicles below 3.5 tons driven by professional drivers.

12. The Group of Experts stressed the importance of harmonized provisions of EU Regulation 561/2006 and the AETR Agreement. To this end, a number of experts suggested that the revision of both the Regulation and AETR Agreement should be done simultaneously and include all AETR Contracting Parties. In their opinion, the discussion on this agenda item should continue in the Group of Experts to reflect on the legal proposals at the time of their initial formulation so as to seek the positions from all AETR Contracting Parties on these proposals. In this respect, the European Commission offered to the Group of Experts to timely keep it updated on the different steps to be carried out with respect to the revision of Regulation 561/2006.

D. Exchange of information on issuing digital tachograph cards

13. At the eighth session, experts agreed to support the tabling of an amendment proposal to introduce new Article 10bis (Annex, ECE/TRANS/SC.1/GE.21/20). The secretariat informed that thus far no Contracting Party formally tabled the amendment proposal to the Working Party on Road Transport. At the current session, none of the Contracting Parties volunteered to do it.

14. The delegate of Union of Chambers and Commodities Exchange of Turkey requested that Turkish government’s presentation on the results of the project to establish a national driving times and rest periods data monitoring centre (ECE/TRANS/SC.1/GE.21/26, para. 12) be further postponed.

15. The Group of Experts reflected on the informal document No.2 (June 2016) submitted by the Russian Federation and posing questions about point 5, section IV of AETR Appendix 1B. The Group of Experts agreed that the number of cards issued to the workshop should not exceed the number of certified fitters working in the workshop. The good practice in this area is to personalize the workshop cards for each fitter. Should non-personalized cards be used, the national legislation should establish a mechanism of notification by workshops to competent authority on fitters using specific non-personalized cards.

IV. EU Regulation No. 165/2014 of the European Parliament and of the Council (agenda item 3)

16. AETR Contracting Parties continued to discuss EU Regulation No. 165/2014 and related Regulation 2016/799.

17. The European Union made a presentation on the milestones for the implementation of second generation ‘smart’ tachographs as per EU Regulations 165/2014 and 2016/799.

18. The non-EU AETR Contracting Parties informed that they need more time to study and assess Regulation 2016/799. The question whether Regulations 165/2014 and

2016/799 can be introduced into the AETR Agreement via Article 22bis was also raised. The Russian Federation further informed that currently no support can be given to integration of the second generation smart tachographs into the AETR Agreement due to, among others, the use on the territory of the Russian Federation of the GLONASS navigation system and no competence to use Dedicated Short Range Communication by the relevant AETR authority. Finally the Russian Federation stated that the integration of second generation smart tachographs into the AETR Agreement should be the competence of UNECE. The EU was requested to provide Russian translation of Regulation 2016/799 so that it can be thoroughly examined.

V. Other business (agenda item 4)

19. The Group of Experts did not discuss any other business.

VI. Date and place of next meeting (agenda item 5)

20. The Group of Experts was informed that the next meeting is scheduled for 24 October 2016 in Palais des Nations in Geneva. The Chair encouraged experts to submit documents before the deadline (12 August 2016).

VII. Adoption of the report (agenda item 6)

21. The Group of Experts adopted the report of this session.
