

## **AGREED MINUTES**

### **of the Latvian – Polish Joint Committee meeting on International Road Transport Issues held in Riga, 16<sup>th</sup> – 17<sup>th</sup> October, 2008**

The delegations have agreed upon the following agenda:

1. Exchange of information regarding the development of road transport between Latvia and Poland;
2. Establishment of final quota of third country international goods transport permits for the year 2008 and preliminary for 2009;
3. Passenger transport;
4. Control of international road haulage operations and related issues, including, implementation of social rules according to the EC Regulation 561/2006 and Directive 2006/22 and documents recognized as a proof for rest periods and for other cases when a vehicle has not been driven;
5. Introduction of road user charges according to the Directive 2006/38/EC of the European Parliament and of the Council of 17 May 2006 amending Directive 1999/62/EC on the charging of heavy goods vehicles for the use of certain infrastructures;
6. Miscellaneous, including exchange of viewpoints concerning:
  - further development of the ECMT quota system;
  - draft Regulations of the Road Transport Package under discussion at the EU Council and the Parliament;
  - Working time directive 2002/15, excluding/including of self employed drivers.

The composition of the two delegations is annexed to the agreed minutes.

#### **1. Exchange of information regarding the development of road transport between Latvia and Poland**

The delegations exchanged information on the statistical data regarding the development of trade and international goods transport between Latvia and Poland.

According to the information presented by the Latvian side import volume from Poland has considerably increased starting from the year 2005 and has reached 777 millions of Euros in 2007, however, the export rates were higher in 2005 than in the year 2007. The main products that are exported to Poland are metal, wood and mineral products.

The Latvian delegation presented the information related to organization of road transport operations in Latvia and the statistical data concerning the structure of the fleet of the Latvian carriers.

The Polish delegation informed that the statistical data on trade volume corresponds to the information provided by the Latvian side and marked that the cargo turnover between Latvia and Poland has doubled since the year 2004.

Both sides exchanged information on the structure of administration of road transport sector and administration of issuing digital tachograph cards in Latvia and Poland.

Both delegations stated that international road transport operations between Latvia and Poland have increasing tendency.

## **2. Establishment of final quota of third country international goods transport permits for the year 2008 and preliminary for 2009**

Taking into consideration the increasing volume of road transport operations between EU Member countries and third countries the Latvian delegation proposed to liberalize third country transport operations or to exchange additional 500 third country permits above the present quota of 2000 permits for the year 2008 and to establish the preliminary quota of 3000 permits for the year 2009.

The Polish delegation informed that they have considered a possibility to limit third country transport operations. Nevertheless, the Polish side confirmed that despite the tense economic situation they are ready to maintain the present quota of third country permits for the Latvian carriers.

Both sides agreed on the quota of third country road transport permits in the amount of 2000 permits for the year 2008 and on the preliminary quota of 2000 permits for the year 2009.

The Polish side agreed to evaluate the proposal of the Latvian side on granting additional permits and provide information on their decision in written form in due time.

The Latvian delegation suggested to finalize the discussion regarding the main document which proves third country road transport operation. The Polish side sustained their position on this issue which was expressed during the previous Joint Committee meeting in the year 2006. The Latvian side informed that they are planning to consult experts of the European Commission concerning this issue.

With regard to the proposal to organize a meeting of experts from Poland, Latvia, Estonia and Lithuania, which was discussed during the previous Joint Committee meeting in the year 2006, the Latvian side informed neither Estonian nor Lithuanian side has supported this initiative.

Taking into consideration their different approach to the issue of interpretation of the basic documents that are subject to control of third country operations both sides agreed to return to the discussion during the next Joint Committee meeting.

### **3. Passenger transport**

The delegations exchanged information on the regular passenger transport routes between Latvia and Poland.

The Latvian side informed on the regular routes to Poland operated by the Latvian carriers and marked the successful cooperation with the Polish colleagues.

The Polish side informed on the 2 regular routes to Latvia operated by the Polish passenger transport companies.

The Latvian side asked the Polish side to inform whether in own account transport operations the EU certificate form is a sufficient document and no lists of passengers and other forms are required.

The Polish side confirmed that both countries perform own account passenger transport operations in accordance with the EU legislation.

The Latvian delegation asked the Polish delegation to clarify the information that a charge of 20 PLN is no longer being collected for every passenger that enters the territory of Poland by coach or bus in occasional passenger transport operations.

The Polish delegation explained that this issue is in the competence of the Ministry of Finance and according to the Polish regulation there is no charge for the passengers of those countries which do not apply similar tax to the passenger transport vehicles registered in the territory of Poland. Taking into account that Latvia has not introduced such charge the Polish side agreed to provide detailed information on this issue in written form in due time.

### **4. Control of international road haulage operations and related issues, including, implementation of social rules according to the EC Regulation 561/2006 and Directive 2006/22 and documents recognized as a proof for rest periods and for other cases when a vehicle has not been driven**

The Latvian delegation asked the Polish delegation to inform whether the national legislation in Poland requires any document which proves driver's regular weekly rest period.

The Polish delegation informed that in Poland in cases which are not mentioned in the EU form "Attestation of Activities" a note from the employer is required, form of which is not specified and contains the name and surname of the driver, period of rest, reason of not performing the duties, name of the employer and signature of the manager of the company. This requirement is extended also to the cases when a driver has had regular weekly rest.

### **5. Introduction of road user charges according to the Directive 2006/38/EC of the European Parliament and of the Council of 17 May 2006 amending Directive 1999/62/EC on the charging of heavy goods vehicles for the use of certain infrastructures**

The Latvian delegation informed that in accordance with the Directive 2006/38/EC of the European Parliament and of the Council of 17 May 2006 amending Directive 1999/62/EC on the charging of heavy goods vehicles for the use of certain infrastructures Latvia is planning to introduce road vignette for trucks with permissible total weight over 12 tons starting from the second half of 2009. It has been decided that the vignette will be electronic. It could be purchased by fuel card, credit card, by mobile phone or by internet. It is foreseen that the payment will be fixed in the amount of 9 EUR per day and applied only on main roads. The carriers will be able to purchase day, week, month and year vignettes. An electronic database will be used for control of the vignette system. The vignettes will be issued taking into consideration ecological standards of the vehicles, number of axles etc. After the final decision on introduction of the vignette is taken, appropriate information will be provided.

The Polish delegation informed that the Polish side is currently preparing national legislation on introduction of the abovementioned Directive. After these legal acts come into force the present time-based vignette system in Poland will be replaced by the distance-based road charge. The charge will be collected electronically and be imposed on motor vehicles with permissible total weight over 3.5 tons. The charge will be applied on the TEN-T road network and certain alternative roads. The Polish side will provide additional information in due time.

## **6. Miscellaneous:**

### **- further development of the ECMT quota system**

The delegations exchanged viewpoints on the perspective development of ECMT multilateral quota system. The Latvian side emphasized the important role of ECMT licenses for the Latvian carriers, especially with the respect to the road transport operations to/from the Russian Federation, which have facilitated the development of road transport market in Latvia as well as promoted the purchase of new vehicles corresponding the requirements of Euro 3, Euro 4 and Euro 5 ecological categories. Therefore the Latvian side supports maintenance of the present ECMT quota as well as the existing coefficients and bonuses for at least two years after 2010, which would give the opportunity for carriers to use the purchased vehicles.

The Polish delegation informed that the Polish side supports the maintenance of the present ECMT quota as well as the existing coefficients and bonuses for the Euro 3 vehicles after 2010. The Polish side marked the important role of the ECMT quota system in the international road transport market in Poland.

### **- draft Regulations of the Road Transport Package under discussion at the EU Council and the Parliament**

Both delegations exchanged viewpoints regarding the amendments in the EU legislation included in the Road Transport Package and liberalization of cabotage road transport operations. Both sides marked that there are many matters that need to be improved in order to facilitate road transport operations in the European Union.

The Polish side informed that disregarding certain reservations concerning the provisions of the Road Transport Package including introduction of the national register Poland has supported this Package under the framework of the political agreement at the Council of Ministers.

The Latvian delegation informed that they support more liberalized approach to the cabotage issue and agrees with the Presidency proposal. Taking into consideration the geopolitical aspect the transit cabotage is attractive to the Latvian carriers in order to avoid empty journeys.

After the accession to the European Union (EU) in case of Latvia the transitional period according to the formula of 2+2+1 years was applied. The second part of 2 years period ended on 30<sup>th</sup> April, 2008, and the Latvian side informed the EC on cancellation of cabotage restrictions from the 1<sup>st</sup> May, 2008. At the moment 15 EU countries have already opened their cabotage market to Latvian carriers.

The Polish delegation informed on the present national legislation regarding the goods transport cabotage operations. For the time being 11 EU Member Countries including Poland have not opened their cabotage transport market to the Latvian carriers.

**- Working time directive 2002/15, excluding/including of self employed drivers**

The Latvian side informed that Latvia supports the opinion that the Directive 2002/15/EC is applicable to self employed drivers in order to avoid the distortion of competition.

The Polish side considers that at present time the Directive 2002/15/EC should not be extended to the self employed drivers.

The meeting was held in a friendly and constructive atmosphere. Both delegations emphasized the usefulness of the meeting.

The Polish delegation proposed to organize the next Joint Committee meeting in Poland in 2009, the exact time and place of which will be agreed by correspondence.

Done in Riga on 17<sup>th</sup> October, 2008, in two originals in the English language.

For the Latvian delegation



Mr. Māris Pēkalis

For the Polish delegation



Mr. Bogdan Oleksiak

*Annex**Composition of the delegations:**Polish delegation:*

<b>Mr. Bogdan Oleksiak</b>	- Deputy Director of Road Transport Department, Ministry of Infrastructure, Head of Delegation
<b>Mr. Krzysztof Lewczak</b>	- Head of Division, Road Transport Department, Ministry of Infrastructure
<b>Ms. Monika Zukowska</b>	- Senior Expert, Road Transport Department, Ministry of Infrastructure
<b>Mr. Hubert Jednorowski</b>	- Head of Division, Road Transport Inspectorate
<b>Ms. Anna Brzezinska - Rybicka</b>	- Deputy Director of International Road Transport Bureau
<b>Ms. Anna Gawlik</b>	- Association of International Road Transport Carriers (ZMPD)
<b>Mr. Bogdan Leszczynski</b>	- Polish Chamber of Road Transport and Forwarding
<b>Mr. Stanislaw Lorenc</b>	- Polish Employers Association of Road Transport

*Latvian delegation:*

<b>Mr. Māris Pēkalis</b>	- Director of Road Transport Department, Ministry of Transport, Head of Delegation
<b>Mr. Aivars Olants</b>	- Head of Foreign Relations and European Affairs Division, Road Transport Department, Ministry of Transport, Head of Delegation
<b>Ms. Annija Novikova</b>	- Senior Officer, Foreign Relations and European Affairs Division, Road Transport Department, Ministry of Transport
<b>Ms. Daiga Ancāne</b>	- Deputy Head of Road Transport Division, Road Transport Department, Ministry of Transport
<b>Ms. Indra Gromule</b>	- Head of International Road Carriage Coordination Division, Road Transport Administration

- Mr. Alvis Keziks** - Expert, Road Transport Administration
- Mr. Imants Zālītis** - Director of the Latvian Association of Passenger Carriers
- Ms. Ligija Golubeca** - Interpreter