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## European Commission proposal on driving and rest time rules for coach tourism drivers

### IRU position on the European Commission proposal for specific derogations on driving and rest time rules for coach tourism drivers

#### I. IRU POSITION

IRU welcomes the European Commission (EC) [proposal](#) for specific derogations on driving and rest time rules applicable to coach tourism drivers in the EU. This acknowledges the specificity of coach tourism as a people's business, including the fact that the current rules are not suited for group tourism by coach.

At the same time, IRU invites European legislators to make use of this groundbreaking EC proposal to further improve safety, the quality of coach drivers' jobs, and services to customers. This can be achieved by introducing the following amendments.

**1. Drivers engaged in national tourism journeys should also have the possibility to postpone their weekly rest for up to 12 consecutive days (12-day derogation) to complete a single service**

Reasoning: This is already possible for international occasional passenger transport, to the disadvantage of operators of domestic services, particularly those of countries with large territories.

**2. Drivers making use of the 12-day derogation should be able to take the compensation for the missed weekly rest before the end of the third week following the use of the derogation**

Reasoning: The driver's flexibility to take additional days of rest should also be aligned with the applicable rules. Unlike the current situation which demands the compensations to be added to the regular rest immediately after the use of the derogation, the driver should have the choice to take the compensation at any time before the end of the third week, to align this provision with the general rule. This takes into account the seasonality of the coach tourism business. There is no reasonable justification to prevent drivers engaged in the use of the derogation from taking their compensation before the end of the third week.

**3. Drivers should be able to postpone the start of their daily rest period by one hour once per week (between two weekly rests) if their driving time does not exceed 7 hours**

Reasoning: The EC proposal allows drivers engaged in a single occasional passenger transport service, lasting eight days or more, to postpone once, by one or two hours, the start of their daily rest period depending on the number of hours driven.

However, most tourism tours are shorter than eight days. The average distance and time of a tourism journey is 300km or 4.5 hours. A typical coach tourism journey includes visits to tourist attractions during which the coach driver is normally waiting for the group to return.

This option would empower the driver to better respond to passengers' needs, including during late evening events.

**4. Drivers should be allowed to split the 45-minute break into a maximum of 3 breaks of at least 15 minutes each, as proposed by the EC**

Reasoning: The proposal provides drivers with an additional choice to conveniently split their obligatory break into three separate breaks of at least 15 minutes each, while keeping the current option to split a break into two breaks of 15 and 30 minutes. This reflects the specificity of coach tourism tours, with more and shorter stops, to meet customers' requirements.

**5. Allow coach tourism drivers to take the same two consecutive reduced weekly rests as truck drivers**

Reasoning: The current rules allow truck drivers to take two consecutive weekly rests within any four consecutive weeks, and adequately compensate them for the reduced weekly rests. Coach drivers need such a derogation to adjust to demand spikes due to the high seasonality of the tourism business. This should apply to both national and international coach tourism journeys.

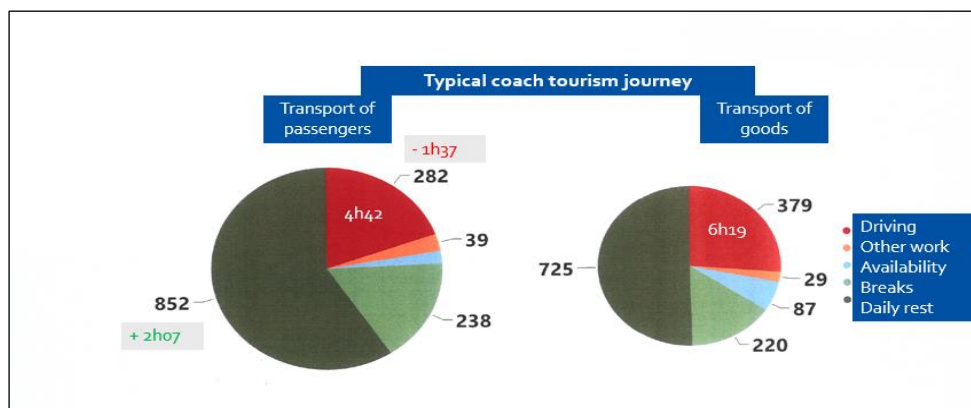
**6. Allow drivers to continue driving beyond the maximum allowed driving time to enable the group to reach their destination in case of exceptional circumstances**

Reasoning: The current rules allow the driver, in well-defined exceptional circumstances, to exceed the maximum allowed driving time and postpone breaks and rest times to ensure the safety of persons, of the vehicle or its load. The provision is written with goods transport in mind and requires adaptation to the specific situation of passenger transport. Hence, a coach tourism driver should be able to exceed the maximum allowed driving time and postpone rest to reach a suitable stopping place in exceptional circumstances which may affect passengers' wellbeing.

**II. ANALYSIS**

As recognised by the European Commission, the coach tourism business has very different operational and service patterns compared to traditional road freight and scheduled passenger transport. Coach tourism tours follow a leisure rather than a transport pattern. As a rule, the pure transport parts are shorter, offering tourists the opportunity to stop and visit places of interests, while drivers are waiting and resting. In many cases, drivers have to adapt to tourists' needs and change plans, i.e., when visits to places of interests or dinners take more time than expected.

Typically, as shown in the figure below, the daily driving pattern of a coach tourism driver covers between four to five hours driving time, which makes fatigue less likely overall. Average passenger transport driving times are about 90 minutes shorter than average goods transport driving times. In addition, passenger transport drivers have slightly more than two additional hours of daily rest than goods transport drivers.



In the case of long-distance tours, the maximum allowed driving time is spent on driving only during the trip to the destination or on the way back to the place of origin.

#### **1. 12-day derogation and compensation for the missed weekly rest**

The EC proposal allowing drivers to postpone their weekly rest by up to 12 days (24-hour periods) on national tours aligns the rules with those for international journeys. From a road safety perspective, it does not make any difference whether one is driving abroad or in a home country when using the derogation.

However, the current rule, which implies the obligation to take the compensation immediately after using the derogation, makes the optimal use of the derogation impossible. The revision must also review and update the remaining conditions attached to the use of the derogation, such as those related to tachographs, which have become obsolete.

The exemption would make it possible to reduce the number of drivers needed to provide the service on longer domestic trips, which is very important given the current shortage of drivers. The proposal would enable operators to offer more attractive national tours, making coach tourism more attractive for customers and increasing the market share of group tourism by coach (at the expense of private cars), thus creating more well-paid and green jobs. It can also increase the competitiveness of Europe as a tourist destination when it comes to offering and organising multiple-day trips for foreign tourists, in comparison to other tourist destinations in direct competition with EU countries.

#### **Splitting the 45-minute break into a maximum of 3 breaks of at least 15 minutes each**

This proposal would offer drivers better opportunities to react and adapt to specific situations during their trips without violating driving and rest time rules, while reducing drivers' stress. Companies will also benefit by offering a more diverse and wider service to customers. This will help a significant portion of occasional passenger transport operators to enlarge their service offer while improving road safety and driver wellbeing.

#### **Possibility to postpone taking the daily rest by 1 hour for all coach tourism journeys**

Postponing the daily rest without exceeding regulatory driving time and without reducing daily rest will allow drivers to better meet specific tourists' demands, such as late-night cultural events, tourist group dinners, or unforeseen traffic situations, while allowing the driver to transport tourists to their accommodations safely and comfortably.

The service offer will become much more attractive to the general benefit of coach tourism and European tourist sites and cities, which would otherwise not be fully served, except by private cars.

Bearing in mind the average daily driving time of coach drivers, the new provision is unlikely to increase road safety risks.

#### **Introducing a derogation, similar to the current derogation for international freight transport, allowing the possibility for coach tourism drivers to make use of two consecutive reduced weekly rests**

The inability under current rules to reduce drivers' weekly rest to 24 hours on a consecutive basis significantly limits coach tourism companies' operational flexibility, particularly during seasonal activity peaks. As a result, the coach tourism sector is losing market share due to the failure of the current rules to reflect the specificity of group tourism by coach and the existence of seasonality. The proposed flexibility would enable companies to provide a consistent service to customers, with better planning, and a better use of scarce resources. Evidence from the freight transport sector shows that the derogation does not create safety risks.

Being able to make the most out of tourist seasons will increase drivers' overall income and, as a result, increase the attractiveness of the profession for incumbent and future

drivers. Small coach operators, in particular, would benefit from being able to better plan and organise their tourist offers due to greater flexibility in the use of scarce resources.

**Reaching a suitable stop in case of exceptional circumstances to ensure the wellbeing of passengers**

Current rules specifically allow for a deviation from driving and rest time rules to ensure the safety of drivers, the vehicle, or its load, but there is no mention of passengers. However, there have been numerous reported cases of drivers being unable to reach the hotel, which could be just a few kilometres away. The driver is then faced with the stressful decision of either stopping the vehicle in an unsuitable place, potentially causing customer dissatisfaction, or breaking the rules on the final mile to bring tourists safely to their hotel. We are, therefore, calling for a specific derogation in case of exceptional circumstances, which would allow coach tourism drivers to also consider passengers' situation and wellbeing in applying this flexibility and driving the extra time to the final destination. This would make it less stressful for drivers and significantly improve the quality of services for passengers.

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