



Country case study
on the implementation of directive 2003/59/EC
The Netherlands

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A. Baseline

The infrastructure was set up at the time that compulsory training for road transport drivers was introduced in 1975. At that time we were experiencing industrial relations problems due to conflicts between the trade unions and employers' organisations. The only point they agreed on concerned an improvement in driver quality and driver skills. As a result of this legislation, any truck drivers operating truck with a permissible total laden weight of over 7.7 tonnes must hold a CPC, a certificate of professional competence. In 1975 the two sides of industry played an important role in the implementation of this new law. Several associations were created for this purpose:

- CCV to determine the skills required by drivers and how examinations should be organised [today this is the competent authority for the implementation of the directive 2003/59]
- VTL
- SOOB [training and development fund] to provide funding for training purposes. The budget is determined jointly by the trade unions and employers. The funds are used to encourage companies to train drivers and to recruit apprentices, and also to launch promotional campaigns aimed at those seeking work.

The Netherlands levy system is an initiative of the social partners used to overcome some of the bottlenecks. It finances the activities that contribute to good labour relations in the sector. The funds, raised for the benefit of the SOOB (Training and Development Fund for Professional Haulage), are used to finance the following activities:

- Activities in the field of training and development by VTL or other corporations working in this field.
- Supply of information about working conditions in the sector and activities necessary for their observance.
- Research in the field of labour market and working conditions.
- Cost in aid of the Stichting Functiewaardering voor het Beroepsgoederenvervoer over de weg en de Verhuur van Mobiele Kranen (foundation for job assessment in the sector and rental of movable cranes).
- Activities concerning company health service in the branch by the sectoral foundation for company health service (Gezond Transport) or other corporations working in this field.

B. Preparing for the Directives implementation

After consultation with the Ministry of Transport and Public Works, the CCV Council (consisting of employers and employees associations) has established a taskforce to provide advice to the Ministry concerning the implementation in the Netherlands. The underlying idea was that a proposal supported by all parties to the Ministry would serve as a guarantee for a suitable and effective implementation in the Netherlands. The Ministry agreed with this and was willing to support a proposal that is supported by the transport and logistics sector.

The mentioned taskforce has used a number of basic assumptions to produce the advisory report for the Ministry. For the initial qualifications, these were:

- The initial qualification can be obtained in the Netherlands only through testing.
- Everyone is subject to the same tests, regardless of followed curriculum.
- If possible, the Third EU Driver's License Directive and the Professional Competence Directive will be combined (into one project), to create efficient and consistent exam courses. However, a political decision concerning the Third Driver's License Directive must be awaited.
- A phased implementation of the new system. Exams can be replaced by new ones earlier than 2008/2009, provided this does not lead to a more difficult system prematurely.
- To maintain the current Dutch combination of the driver's license and professional competence in the practical exam.
- To combine as many exams as possible, so as to use the time as efficiently as possible. The driver as well as the employer is to be burdened as little as possible.
- No double taxes. For instance: skilled driver C makes a switchover to D, and gains a shortened process within the possibilities of the directive.
- Adhere to the content of the directive.
- Adjust implementation to other countries, in timing and content, to prevent competitive disadvantages.

Concerning the periodic training, the following main points were central:

- Both the driver and employer should not sustain any unnecessary burden.
- The refresher course must offer added value.
- To be filled in as flexible as possible, i.e. by means of preference modules.
- Adjust implementation to other countries, in timing and content, to prevent competitive disadvantages.

C. Directive implemented

The directive is implemented in the Regeling Rijbewijzen. Obstacles were harmonization of exams of CPC and driving licence. There is a public list of recognised training providers and programs [some of these already existed before the implementation]. Competent authority is responsible for implementation and monitoring the implementation. In this case the ministry of transport is the competent authority. Implementation is fully completed.

D. Exams

Regarding the practical exams for the initial qualification, the taskforce was searching for a maximal balance between the exams for the driver's license and those for the professional competence. Taking the minimum requirements as well as the practical execution into account, the taskforce came up with the following schematic model. In this case, the practical test and test (on either a terrain or as simulator) of 30 minutes each, take place at the approved training institute under supervision of CCV.

E. Periodic training

In order to continue practising the profession, drivers are required to participate in mandatory five-yearly training courses, with a total duration of 35 hours. The subjects of these training courses contain an actualisation of the knowledge of the drivers, emphasising traffic safety and rational fuel consumption. In the taskforce it was decided for so-called 'preference menu' system. The CCV, labour market parties and the Ministry are publishing a framework on an annual basis, containing a varied assortment of approved courses. This will result in a very

flexible system that complies with the diverse training needs of the sector and can anticipate on recent developments, while complying with the specific conditions of the directive.

F. Execution of the training by public and private providers

According to the directive, only certified training institutes can teach the training courses. In order to receive this approval, the institutes are required to hand over their training program for that course, the qualifications of the instructors as well as information concerning the utilised methods. After a written approval for five years of the training course by CCV (based on process and contents), the compliance hereof is to be observed, which suggests a system of supervision. In the taskforce there has been discussion concerning a system of random sampling. This system involves pre-registration and confirmation of the courses, exams and participants by the training institutes by means of an automated Internet system. With the help of pre-registration, CCV is put in a position to perform random checks.

G. Reflection on the implementation

See evaluation report of ministry of transport.

H. Competition and European context

The introduction of the guideline implies a financial consequence of nearly 90 million euro for the transport sector on an annual basis. In this calculation, the cost of stationary vehicles and the deprived turnover of companies have not been taken into account.

Considering these structural financial consequences, combined with the current state of affairs, the sector make a strong appeal to the government to take financial measures, either by means of subsidies from the Netherlands or Europe, or by means of fiscal measures.

Furthermore it was of importance that this directive was not to be introduced earlier than in the other countries, for this would otherwise lead to undermining the competitive position of the Netherlands. After introducing the guideline in Europe, it is essential to stay alert: the European Commission will have to maintain supervision concerning the compliance with the regulations and the quality differences between the nations. In addition, agreement is to be reached concerning the enforcement of the directive.

I. Prospects

No additional remarks.

For further information on the project please consult:

www.project-profdrv.eu

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