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**ECONOMIC COMMISSION FOR EUROPE
INLAND TRANSPORT COMMITTEE**

Working Party on Road Transport

One hundred-and-third session
Geneva, 29-31 October 2008
Item 4 (a) of the provisional agenda

**EUROPEAN AGREEMENT CONCERNING THE WORK OF CREWS OF VEHICLES
ENGAGED IN INTERNATIONAL ROAD TRANSPORT (AETR)**

(Proposed amendments)

Note by the secretariat

1. The Inland Transport Committee at its seventieth session (19-21 February 2008) authorised an exceptional session of the Working Party on Road Transport (102nd) in order to accelerate the adoption of the amendments to the AETR to harmonize it with the EU legislation concerning driving and rest times of professional drivers (Regulation 561/2006 and Directive 2006/22) and strengthen compliance with these rules; the Committee stressed the importance of rapidly finding a compromise on the outstanding issues.
2. In an attempt to find a solution, a meeting of experts from Russian Federation, Ukraine, Belarus, the European Commission and the ECE secretariat was held in Moscow, Russian Federation, on 7 September 2008.
3. The present document, prepared by the secretariat, is an outcome of that meeting. Compared to document ECE/TRANS/SC.1/2007/3/Rev.2, it contains a new proposal of amendment to Article 8 and the "Attestation of activities" form.

4. Taking into account that this proposal was accepted as a solution to the outstanding issues by all the delegations participating in that meeting, the present document is submitted to the Working Party for examination in view of a final adoption of amendments.

Article 8 (Rest periods)

Amend article 8 of the AETR to read as follows:

“1. A driver shall take daily and weekly rest periods as defined in article 1, paragraphs (o) and (p).

2. Within each period of 24 hours after the end of the previous daily rest period or weekly rest period, a driver shall have taken a new daily rest period.

If the portion of the daily rest period which falls within that 24-hour period is at least 9 hours but less than 11 hours, then the daily rest period in question shall be regarded as a reduced daily rest period.

3. By way of derogation from paragraph 2, within 30 hours of the end of a daily or weekly rest period, a driver engaged in multi-manning must have taken a new daily rest period of at least 9 hours.

4. A daily rest period may be extended to make a regular weekly rest period or a reduced weekly rest period.

5. A driver may have at most three reduced daily rest periods between any two weekly rest periods.

6. (a) In any two consecutive weeks, a driver shall take at least:

- (i) Two regular weekly rest periods; or
- (ii) One regular weekly rest period and one reduced weekly rest period of at least 24 hours. However, the reduction shall be compensated by an equivalent period of rest taken at one time before the end of the third week following the week in question.

A weekly rest period shall start no later than at the end of six 24-hour periods from the end of the previous weekly rest period.

[...]

Add a new Article 8, paragraph 6 (b) to the AETR to read as follows:

(b) By way of derogation from paragraph 6 (a), a driver engaged in one service of international carriage of passengers, other than on a regular service, may postpone the weekly rest period for up to twelve consecutive 24-hour periods following a previous regular weekly rest period, provided that:

- (i) the service lasts at least 24 consecutive hours in a Contracting Party or a third country other than the one in which the service started, and**

(ii) the driver takes after the use of the derogation:

- either two regular weekly rest periods,

- or one regular weekly rest period and one reduced weekly rest period of at least 24 hours. However, the reduction shall be compensated by an equivalent period of rest taken en bloc before the end of the third week following the end of the derogation period,

and

(iii) after 1 January [2014], the vehicle is equipped with recording equipment in accordance with the requirements of Appendix IB of the Annex, and

(iv) after 1 January [2014], in case of driving during the period from 22:00 to 06:00, the vehicle is multi-manned or the driving period referred to in Article 7 is reduced to three hours."

[...]

Add a new Article 8, paragraph 6 (c) to the AETR to read as follows:

(c) By way of derogation from paragraph 6 (a), drivers who are engaged in multi manning shall take each week a regular weekly rest period of at least 45 hours. This period may be reduced to a minimum of 24 hours (reduced weekly rest period). However, each reduction shall be compensated by an equivalent period of rest taken *en bloc* before the end of the third week following the week in question.

7. Any rest taken as compensation for a reduced weekly rest period shall be attached to another rest period of at least 9 hours.

8. Where a driver chooses to do this, daily rest periods and reduced weekly rest periods taken away from base may be taken in a vehicle, as long as it has specially fitted sleeping facilities for each driver as foreseen by the constructor's design, and it is stationary.

9. A weekly rest period that falls in two weeks may be counted in either week, but not in both."

APPENDICE 3 DE L'ANNEXE À L'AETR

FORMULAIRE D'ATTESTATION D'ACTIVITÉS * / **ATTESTATION OF ACTIVITIES** *

(RÈGLEMENT (CE) 561/2006 OU L'AETR **) / (REGULATION (EC) 561/2006 OR THE AETR **)

À remplir en dactylographie en caractères latins, et à signer avant tout voyage/To be filled in by typing in Latin characters and signed before a journey

À joindre aux enregistrements de l'appareil de contrôle qui doivent être conservés/To be kept with the original control device records wherever they are required to be kept

Les fausses attestations constituent une infraction/False attestations constitute an infringement

Partie à remplir par l'entreprise (Part to be filled in by the undertaking)

1. Nom de l'entreprise/Name of the undertaking.....
2. Rue, code postal, ville/Street adress, postal code, city.....

Pays/Country :

3. Numéro de téléphone (y compris le préfixe international)/ Telephone number (including international prefix).....
4. Numéro du télécopieur (y compris le préfixe international) Fax number (including international prefix):.....
5. Adresse courrier électronique/e-mail address):.....

Le soussigné (I, the undersigned):

6. Nom et prénom/Name and first name
7. Fonction dans l'entreprise/Position in the undertaking:.....

déclare que le conducteur/declare that the driver:

8. Nom et prénom/Name and first name.....
9. Date de naissance: (jour/mois/année)/Date of birth (day/month/year):
10. Numéro du permis de conduire ou de la carte d'identité ou du passeport/Driving licence number or identity card or passport

11. qui a commencé de travailler dans l'entreprise le (jour/mois/année)/who has started to work at the undertaking on (day/month/year)

au cours de la période/for the period:

12. du (heure/jour/mois/année) / from (hour/day/month/year) :.....
13. au (heure/jour/mois/année) / to (hour/day/month/year) :.....
14. était en congé de maladie ***/was on sick leave
15. était en congé annuel ***/was on annual leave
16. était en congé ou repos ***/was on leave or rest
17. conduisait un véhicule exclu du champ d'application du règlement (CE) 561/2006 ou de l'AETR ***/drove a vehicle exempted from the scope of Regulation (EC) 561/2006 or the AETR
18. effectuait autre travail que la conduite ***/performed other work than driving
19. était disponible ***/was available
20. **Lieu /Place:**..... **Date/date:**.....

Signature/signature

21. Le soussigné, conducteur, confirme ne pas avoir conduit un véhicule relevant du champ d'application du règlement (CE) 561/2006 ou de l'AETR au cours de la période susmentionnée. (I, the driver, confirm that I have not been driving a vehicle falling under the scope of Regulation (EC) 561/2006 or the AETR during the period mentioned above).

22. **Lieu /Place:**..... **Date/date:**.....

Signature du conducteur/signature of the driver:

* Ce formulaire peut être obtenu en version électronique et en version imprimable à l'adresse suivante/ This form is available in electronic and printable versions at the following address : <http://www.unece.org/trans/main/sc1/aetr.html>

** Accord européen relatif au travail des équipages des véhicules effectuant des transports internationaux par route/European Agreement concerning the Work of Crews of Vehicles engaged in International Road Transport.

*** Ne cocher qu'une seule case/Choose only one box.

ДОБАВЛЕНИЕ 3 ПРИЛОЖЕНИЯ К ЕСТР

БЛАНК ПОДТВЕРЖДЕНИЯ ДЕЯТЕЛЬНОСТИ* /ATTESTATION OF ACTIVITIES*

(Регламент 561/2006 (ЕС) или ЕСТР**)/ (REGULATION (EC) 561/2006 OR THE AETR**)

Заполнить печатными латинскими буквами и подписать до рейса/ To be filled in by typing in Latin characters and signed before a journey
Приложить к записям контрольного устройства, которые должны сохраняться/ To be kept with the original control device records
wherever they are required to be kept

Подделка бланка подтверждения является правонарушением/ False attestations constitute an infringement

Часть, подлежащая заполнению предприятием (Part to be filled in by the undertaking)

1. Название предприятия /Name of the undertaking

2. Улица, почтовый индекс, город/Street address, postal code, city

Страна/Country :

3. Номер телефона (включая международный код)/Telephone number (including international prefix).....

4. Номер факса (включая международный код)/Fax number (including international prefix).....

5. Адрес электронной почты/e-mail address:

Я, нижеподписавшийся (I, the undersigned):

6. Фамилия и имя/ Name and first name:

7. Должность на предприятии/Position in the undertaking:

заявляю, что водитель/declare that the driver :

8. Фамилия и имя/Name and first name:

9. Дата рождения: (день/месяц/год)/ Date of birth (day/month/year):

10. Номер водительского удостоверения или удостоверения личности или паспорта/Driving licence number or identity card or passport.....

11. / who has started to work at the undertaking on (day/month/year)

в течение периода/for the period:

12. с (час/день/месяц/год)/ from (day/month/year):

13. по (час/день/месяц/год)/ from (day/month/year):

14. находился в отпуске по болезни^{***}/ was on sick leave

15. находился в ежегодном отпуске^{***}/ was on annual leave)

16. находился в отпуске или на отдыхе/was on leave or rest

17. управлял транспортным средством, не подпадающим под действие положений Регламента 561/2006 (ЕС) или ЕСТР^{***}/drove a vehicle exempted from the scope of the (EC) Regulation 561/2006 or the AETR

18. выполнял другую работу, отличную от управления транспортным средством,^{***}/was performing any work other than driving of a vehicle

19. был на месте/was available

20. Место/Place:..... Дата/date:

Подпись/signature

21. Я, нижеподписавшийся, водитель, подтверждаю, что в течение указанного выше периода не управлял транспортным средством, подпадающим под действие положений Регламента 561/2006 (ЕС) или ЕСТР.
(I, the driver, confirm that I have not been driving a vehicle falling under the scope of the the (EC) Regulation 561/2006 or AETR during the period mentioned above).

22. Место/Place:..... Дата/date:

Подпись водителя/signature of the driver :

* Настоящий формуляр можно получить в электронном и печатном варианте по следующему адресу/ This form is available in electronic and printable versions at the following address: <http://www.unece.org/trans/main/sc1/aetr.html>

** Европейское Соглашение, касающееся работы экипажей Транспортных средств, производящих международные Автомобильные перевозки/European Agreement concerning the Work of Crews of Vehicles engaged in International Road Transport.

*** Выбрать только одну позицию/Choose only one box.