

JOINT POSITION

ON THE HARMONISATION OF CERTAIN SOCIAL LEGISLATION RELATING TO ROAD TRANSPORT REGULATION (EC) No 561/2006 AND REGULATION (EU) 165/2014

BACKGROUND:

The General Approach of the Council of the European Union (doc. 15084/18) contains an exception for vehicles supplying ready-mixed concrete.

Currently, the General Approach of the Council of the European Union dated 28 November 2018 on page 10, point 7, is as follows:

Article 13, is amended to:

(b) the following point (q) is added:

„(q) vehicles used for the delivery of **ready-mixed concrete**.“;

We welcome this exception very much as ready-mixed concrete is a building material which, due to its physical material properties and its rapid change in consistency, can only be processed in a very short period in order not to lose the quality properties specified by the regulations. Too long transports make concrete useless and turn it into avoidable waste. In this context, ready-mixed concrete is a building material of short distances.

We would like to stress that the intake of ready-mixed concrete is a correct and important step and considers the increasingly high volume of traffic on German and European roads, which makes just-in-time planning for such material transports impossible.

1. REQUEST BY THE SIGNATORIES

We kindly ask you to support this exception for ready-mixed concrete - proposed by the Council - in the trilogue.

However, asphalt as well has material properties very similar to ready-mixed concrete. Both materials, do not allow for too long transports without endangering the use and quality of the product. Asphalt can only be processed in a very tight time window to the required quality.

Too long transport times cause asphalt, which is transported at temperatures e.g. between 160°C and 180°C to cool down, making it more difficult or even impossible to process on site. Mastic asphalt is transported at 230° and too long transports dissolve the binding material within the mastic asphalt,

making further processing impossible. These properties cause both ready-mixed concrete and asphalt to become useless and therefore avoidable waste, if transported for too long.

Because of their similar material properties ready-mix concrete and asphalt, are also in competition with each other in road construction in Germany and beyond. The sole inclusion of transport concrete in the list of exceptions to the regulation on tachographs would be an unequal treatment compared to asphalt and would lead to a distortion of competition.

Considering enabling the efficient use of material (in view of environmental impact and avoidance of unnecessary waste due to transport times) and avoiding the distortion of competition between ready-mixed concrete and asphalt and Fédération Nationale des Travaux Publics (FNTP), Fédération Française du Bâtiment (FFB), Hauptverband der Deutschen Bauindustrie (BAUINDUSTRIE) and Zentralverband des Deutschen Baugewerbes (ZDB) therefore kindly request the following clarification:

2. REQUEST BY THE SIGNATORIES

Article 13, paragraph 1 of Regulation (EC) No 561/2006 should be amended as follows:

„(q) vehicles used for the delivery of ready-mixed concrete and asphalt.”

Please do not hesitate to contact us if you have any further questions.

With kind regards,

Fédération Nationale des Travaux Publics



Nicolas Gaubert
Chef du service Europe

Fédération Française du Bâtiment



Eric Jourde
Director general

Hauptverband der
Deutschen Bauindustrie



RA Frank Kehlenbach
Geschäftsführer
Geschäftsbereich Europa und Auslandsbau

Zentralverband des
Deutschen Baugewerbes



RA Dr. Philipp Mesenburg
Director Legal Affairs