



Annex **05**
(WP 02 - Del 07)

Country case studies on the implementation of directive 2003/59/EC



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Professional driving – more than just driving!

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Austrian case study on the implementation of the European Directive 2003/59/EC (WP 2, del 07)

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A. Baseline

To become a professional driver in Austria, there are three options:

1. Class C (or D) driving licence and an accident-free driving experience (the longer the better). Professional requirements are defined as: good eyesight; concentration ability; C driving licence; good orientation sense; good responsiveness; willingness to travel and technical skills.¹ After a three-year work experience in truck (bus) driving with C (or D) licence and a minimum age of 21 years, a person can participate in the final apprenticeship exam to become a professional driver.²
2. In Austria we have the dual system for vocational education and training; this refers to a reciprocal and complementary system between education and company training during the apprenticeship. Since 1987, a three-year apprenticeship prepares for cargo transportation as well as passenger transportation; the focus depends on the apprentice's employer. Requirements for apprenticeships in professional driving are defined as: physical endurance; technical understanding; eye-hand coordination; insensitivity of the skin; spatial imagination; mathematical and computational skills; organizational talent; interpersonal competences; logical and analytical thinking; good responsiveness; retentiveness; working independently and psychic endurance. Within the three-year apprenticeship, the apprentice makes his class C (or D) driving license. This is already possible at the age of 17 and the apprentice then can drive for training purposes. After the three-year apprenticeship the apprentice takes the final apprenticeship examination, which is recognized as initial qualification (theoretical as well as practical) for the Certificate of Professional Competence (CPC).
3. If a person has already completed an apprenticeship as construction technician, motor-vehicle electrician, motor-vehicle technician, agricultural-engines technician or forwarding merchant, and also has the C driving licence, then the person is allowed to participate in the final apprenticeship examination to become a professional driver. They also have to complete a simplified additional test.³

Before the implementation of the Directive, many companies voluntarily offered training programs for their drivers. Often, they were conducted as company instructions. For example, authorised agents for dangerous goods held specialised trainings. Important topics during the trainings were road responsibilities and economically efficient driving.⁴

¹ http://www.beruflexikon.at/sonstige_beruf2895_2 (20.06.2011).

² http://www.beruflexikon.at/sonstige_beruf2895_3 (20.06.2011).

³ http://www.beruflexikon.at/lehre_beruf8_1 (31.01.2011).

⁴ Cf. Interview 2, 16 June 2011.

B. Preparing for the Directive's implementation

In preparation for the Directive's implementation, several preliminary meetings were held to hear the opinions of stakeholders such as employers and employees, social partners, trade unions, etc. In 2006, the requirements of directive 2003/59 were laid down in the Bundesgesetzblatt BGBl I Nr. 153/2006 and hence legally anchored in Austrian Law.⁵ Detailed provisions for implementing Directive 2003/59 were issued with „Bundesgesetzblatt BGBl II Nr. 139/2008“ (Federal Law Gazette) in 2008. Both BGBl's regulate the CPC qualification (initial and periodic training) in Austria. Responsible for the implementation of the Directive 2003/59 is the Ministry for Transport, Innovation and Technology, although the provincial governments of Austria's nine provinces are in charge for implementing the Directive. The CPC is inscribed in the driving license with the Code 95 (C95).

The biggest change in Austria in the context of the new regulations is that every professional driver who received his C/C1 driving licence (license for road freight transport) after 9 September 2009 must acquire the initial qualification, whereas drivers who obtained their licences before 10 September 2009 do not have to acquire the initial qualification, but have to complete the periodic training within five years (until 2014).⁶

Before the implementation of the Directive, professional drivers in Austria did not have systematic training: Class-C licence holders had to renew their licence every five years; the only requirement to receive the extension was to provide a medical certificate. Previously there had been vocational education and training (VET) programmes and opportunities for professional drivers in Austria (for example, ADR- or cargo security courses), but training was not mandatory. The decision to participate depended basically on the company employing the driver.

C. Directive implemented

As mentioned previously, Austria's Bundesgesetzblätter BGBl I Nr. 153/2006 and BGBl II Nr. 139/2008 regulate the CPC qualification and its implementation. Austria has chosen the **test-only option for the initial training**. Therefore, only the exam has to be completed; vocational education and training is not needed to receive the initial qualification for CPC. The results of the exams indicate that some candidates are not able to complete the test without any regular training. In 2010, 282 drivers registered for the initial qualification exam in the course of their C-driving licence, 78 of them failed the initial qualification test.⁷ An expert from the ministry of transportation believes that the driving schools do not sufficiently cover all the subject areas. Therefore, some experts recommend a compulsory number of training units. However, a VET-provider stated that the final examination would be so easy that anyone could pass without any trouble. He therefore does not believe there is any reason to offer vocational education and training for the drivers to pass the initial qualification.

Until now, VET-providers do not have a complete evaluation of the **periodic training**, since drivers have to complete the periodic training until 2014. The periodic training was generally estimated as very positive, but some experts criticised that Austria and the Directive do not have specific regulations as to whether the periodic training should be theoretical or practical – that training will probably only be theoretical and not practical, because costs are lower for theoretical training. Generally, the experts welcomed the Directive's intent to give an already experienced driver the possibility for further development. However, an interviewed VET provider fears that the employers will arrange in-company trainings for all their employees and choose the cheapest possible provider. This probably will not achieve the desired learning effects.⁸

⁵ http://www.ris.bka.gv.at/Dokumente/BgblAuth/BGBLA_2006_I_153/BGBLA_2006_I_153.pdf.

⁶ Professional drivers who received their driving license D (license for passenger transport) after 9 September 2008 must participate in the initial and periodic training. Drivers with license D, who received their licences before 10 September 2008, do not have to do the initial training, but they must have regular training within five years.

⁷ Cf. Interview 2, 16 June 2011.

⁸ Cf. Interview 5, 2 July 2011.

Some interviewees raised concerns about the Directive's implementation, because **problems** are appearing **concerning the practical implementation** and, in particular, the recognition of the CPC in cross-border traffic. Many stakeholders in Austria expressed a concern that drivers receive a compulsory vocational education and training, which they thought the Directive required. An expert stated that he and many other stakeholders wanted the introduction of measures beyond the Directive.⁹ A VET provider explained that, in general, he welcomes the measures set by the Directive. However, the implementation failed in bigger parts, because the freight carriers put through most of their interests. In his opinion, the Directive's implementation is a farce, since the examination can be easily passed without preparation. In this sense, it might not be an appropriate tool to increase the quality of the profession.¹⁰

However, an expert criticised that employers still do not have the obligation to make sure that their drivers receive the CPC; the drivers themselves are responsible to complete the initial qualification.¹¹ Several other interviewees also addressed this problem. Another expert stated that this is one of the biggest problems, because the employers are not responsible for supervising the fulfilment of the initial CPC qualification. Trade unions and the Chamber of Labour (*Arbeiterkammer*) in Austria have tried to hand over the responsibilities from the driver to the companies, because currently the initial qualification means another obstacle for drivers, and most of the interviewed experts fear that this finally contributes to a decreasing number of drivers.¹² Since 2011 there is a new collective agreement for cargo transportation (*Kollektivvertrag Güterbeförderung*); according to this agreement employers are obliged to pay for the periodic training courses for their employees and have to release them from work for participating in the training courses, although the time for participating in the training course is not paid.¹³ In 2009, 9,234 people received a C driving licence in Austria; in 2010, this number decreased to about a third (3,745). However, only 282 applicants made the initial qualification at the same time. Those figures show the decrease of C driving licence holders in Austria even within one year.¹⁴

Another expert criticised the implementation as improper because, originally, the initial qualification should have been arranged independently from the apprenticeship. At first, the apprenticeship was not accepted as equivalent with the initial qualification. This was changed afterwards, now the final apprenticeship examination is recognised as initial qualification in accordance with the Directive.¹⁵ However, those drivers who do the apprenticeship also must participate in the periodic training. Through the implementation of the Directive 2003/59/EC, Austria has enhanced the apprenticeship, although so far it has no impact on the number of apprentices.

An expert explained that by doing the apprenticeship one receives, at least, a formal job security (*Berufsschutz*).¹⁶ In Austria, very few apprentices are in professional driving; in 2009, there were 12 apprentices in professional driving, in 2010, this number decreased to seven apprentices.¹⁷ In the opinion of an expert, so few people do the apprenticeship, because the law does not allow a person to drive a truck at the age of 15 years when apprenticeships usually start in Austria. Thus, apprentices will only be engaged by those companies that can offer

⁹ Cf. Interview 4, 23 June 2011.

¹⁰ Cf. Interview 5, 2 July 2011.

¹¹ Cf. Interview 4, 23 July 2011.

¹² Ibid.

¹³ Cf. Interview 6, 8 July 2011. Since 2012 for drivers in the passenger transportation employers have to pay for periodic training courses and, if training courses are conducted on weekends the employer has to pay surcharges to driver, since drivers are obliged to keep their resting time (45 hours). For cargo transportation this is not yet regulated accordingly.

¹⁴ Cf. Interview 2, 16 June 2011.

¹⁵ Interview 2, 16 June 2011.

¹⁶ The *Berufsschutz* is part of the Austrian Retirement Law and concerns qualified employees (e.g. an apprenticeship of minimum two years).

If a qualified employee is disabled, then the *Berufsschutz* can - after a specific assessment - result in a disability pension. Online: <http://www.ak-tirol.com/online/page.php?P=332&IP=47755&AD=47751&REFP=0#faq47753> (04.07.2011).

¹⁷ Cf. <http://wko.at/statistik/Extranet/Lehrling/inhalt.htm> (29.01.2011).

their apprentices additional tasks to learn besides driving a truck. Therefore, it would make more sense to start the apprenticeship in professional driving at the age of 18 years.¹⁸

D. Exams

The initial qualification consists of a theoretical and a practical test. The theoretical test takes 4.5 hours for the oral and written sections. In the first part, multiple-choice questions have to be answered (60 to 80 multiple-choice questions differing from province to province). In the second part of the theoretical exam, the candidates discuss 'real life scenarios'. The **theoretical part** tests knowledge on the following subjects: rational driving; fuel consumption; cargo safety; social and labour law; health, transport and environmental safety; and economic environment of the transport market.¹⁹ The **practical test** for the initial qualification has two options: If the CPC and the practical exam for the driver's license are pursued together, then the candidate completes a 45 minute practice test (driving a vehicle) for the driving licence and then continues with another 45 minutes of driving to pass the CPC qualification. If the candidate is only performing the practical exam for the initial qualification, then a 90-minute practice test (driving a vehicle) has to be completed. To take part, the candidate has to register for the exam at least six weeks before the exam with the appropriate provincial government office, although the examination must not take place in the federal province of residence. The exam to receive the initial qualification varies from province to province: costs for the initial qualification range from 260 to 270 Euros (2011).²⁰

No specific regulations apply to the periodic training; the periodic training does not necessarily need to be conducted in theoretical or practical courses. The 35 hours of periodic training can be done only as theory without practice. The periodic training does not have an examination, but the candidate has to be present in the different modules.²¹

E. Periodic training

In order to continue practising the profession, drivers must participate every five years in training courses (35 hours). The subjects of these training courses contain an actualisation of the knowledge of the drivers, emphasising traffic safety and rational fuel consumption. The modules can be mainly theoretical or practical. Of the total 35 hours, 28 hours are assigned to specific topics: improvement in rational driving (7 hours); optimisation of fuel consumption (7 hours); ensuring cargo safety (5 hours); knowledge of social law conditions (4 hours); knowledge of the rules of the road for freight transportation (1 hour); health, transport and environmental safety, service and logistics (3 hours) and knowledge of the business environment (1 hour). The remaining seven hours can be done in special training courses for C licence. An approved training body must conduct the periodic training.

Drivers who want to do the periodic training for both C and D licences he must complete 42 hours of periodic training – 28 hours to a prescribed topic, 7 hours in special training courses for C licence and 7 hours in special training courses for D licence.

To obtain the authorization as a training centre to conduct CPC trainings, a request has to be made in the appropriate provincial government office. The following documents must be presented: a training program,

¹⁸ Cf. Interview 2, 16 June 2011.

¹⁹ Grundqualifikation und Weiterbildung – Berufskraftfahrer – WKO. Online: http://portal.wko.at/wk/suche.wk?DstID=0&ChID=0&reiter=InternetAktiveInhalte&init=1&itemoffset=0&pagesize=20&details=1&sortierung=TopInhalte&suchbegrifftext=Grundqualifikation&quicksearch_submit=Suchen, p. 1-2. (30.01.2011).

²⁰ Ibid., p. 2-3.

²¹ Cf. Grundqualifikation und Weiterbildung für LKW- und Buslenker, Februar 2009, p. 18.

information about instructors, information about teaching materials, the estimated class size and the description of a quality-assurance system. Every training provider has its particular measures of quality assurance.²²

F. Execution of the training by public and private providers

As aforementioned Austria's Bundesgesetzblätter BGBl I Nr. 153/2006 and BGBl II Nr. 139/2008 regulate the initial and periodic training for the CPC. The local governments of the nine provinces are responsible for the implementation of the Directive.

The *Fachausschuss Berufskraftfahrer* is an institution of the *Arbeiterkammer* (The Chamber of Labour) and the *Österreichischer Gewerkschaftsbund* (Austrian Federation of Trade Unions) and consults with drivers on employment conditions, training or salaries. Since 2008, the *Fachausschuss* also serves as an approved training centre for CPC qualification.

Other VET key players such as the WIFI (*Weiterbildungsinstitut der Wirtschaftskammer* – Institute for Further Training in Business of the Chamber of Commerce), the bfi (*Berufsförderungsinstitut* – Vocational Training Institute), the 'ÖAMTC' (Austrian Automotive Club) as well as officially approved driving schools are authorized to offer courses for CPC qualification. Each of the nine Austrian provinces can approve its own training bodies.

According to a stakeholder, the free market will indicate which provider will be most suitable to conduct the trainings. In his opinion, it would be the best, if private providers took over this job. In any case, they would have to prove that they have the adequate training methods and contents required by the Directive.²³

An expert from the Chamber of Commerce (WKO) regretted that Austria has chosen the test-only option for the initial training, without requiring participation in specific training courses. The expert thinks a minimum amount of educational units and stronger and more standardized regulations would be necessary. The exam results show that some drivers do not manage to pass the test without a proper vocational education and training. According to data from Lower Austria (*Niederösterreich*), 2,305 people received the C licence in 2010, but only 125 of them participated in the test to receive the initial qualification. In opposition to the previously mentioned stakeholder, an expert of the WKO believes that driving schools could not cover the needed subject matters; for example, they do not have enough expertise concerning specific regulations or social provisions. When asked who should be responsible for the training, he opted for independent institutes that do not concentrate primarily on their revenues; for example, the bfi, the WIFI or the provincial chambers of labour (*Arbeiterkammer*). He knew, however, that so far the courses are rarely visited, which is a result of the non-mandatory procedure and the long transition period. The expert also mentioned problems with the AMS (Austrian Public Employment Service), which offered the payment of C licences for unemployed people to increase the number of professional drivers, but the costs for the initial qualification were not included; therefore, the measure did not have the desired effects.²⁴

G. Reflection on the implementation

According to the experts, the regulation means **an additional burden on the driver**. The drivers must fulfil the requirements of the new regulation, so they are personally responsible for obtaining the CPC (although costs for periodic training have to be covered by the employer). A stakeholder from a logistics company estimated that currently a maximum of 20% of freight carriers invest in their drivers and pay the initial CPC qualification for them. According to an interviewed stakeholder, the regulation is a generally useful instrument to increase road safety

²² Cf. BGBl II Nr. 139/2008, p. 11.

²³ Cf. Interview 3, 22 June 2011.

²⁴ Cf. Interview 4, 23 June 2011.

and to minimize fuel consumption. However, he perceives technical developments as more relevant for these issues.²⁵ From a freight carrier's perspective, the labour value of the driver is increasing because of the Directive; however, this leads to increased labour costs for the freight carriers. In a best-case scenario, this could result in more productivity. The stakeholder was sceptical towards this aspect, because he did not believe in this best-case scenario. In his opinion, most drivers are not very ambitious about becoming further educated.²⁶

To address the **shortage of professional drivers**, experts believe that different measures are needed. The Directive alone can not solve this problem. According to an expert, the salaries are not the only problem, but also the modalities of the driver's total payment: a basic salary plus specific wages. Moreover, many other circumstances impede the drivers from working appropriately: The many controls on the roads mean that every week a driver must face several controls; in particular when crossing borders. Often drivers face problems when driving internationally because of the different deadlines for implementing the Directive in other Member States.²⁷ Also, a driver shortage results from the bad image of working conditions for professional driving, such as not family-friendly working time, long hours of sitting, the bad perception of truck accidents in the media, etc. Therefore, a change of image and new political strategies is needed. In addition, the freight carriers must assume responsibility for the CPC of their drivers (not only for periodic, but also for the initial CPC qualification). All these factors lead to the result that many young people are not becoming professional drivers. In Austria, to be competitive and to maintain the status quo, the sector needs labour migrants. However, most migrant drivers who come to Austria already have a CPC issued in their home countries (for example, Poland, Czech Republic).

H. Competition and European context

According to an expert, the Directive should have the long-term aim of comparability. Until now, the situation is still too unregulated and has many unresolved questions, for example, acknowledgement of the CPC in other European Member States. Even within Austria there are no uniform regulations.²⁸ Most of the experts in Austria do not believe that the Directive leads to more mobility of Austrian drivers within Europe, although it is easier for professional drivers from Eastern European Countries to find work in Austria.

Methodology:

This case study is based on **desk research** and the evaluation of seven **interviews** with stakeholders and experts from the Chamber of Commerce, the Ministry of Transport, the Chamber of Labour, a logistic company, a freight carrier and VET providers. The case study also contains the results of a **group discussion** with drivers who currently visit CPC courses in a driving school.

For further information on the project please consult:

www.project-profdrv.eu

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²⁵ Cf. Interview 1, 14 June 2011.

²⁶ Cf. Interview 3, 22 June 2011.

²⁷ Cf. Interview 1, 14 June 2011.

²⁸ Cf. Interview 1, 14 June 2011.



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

Germany

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A. Baseline

Professional driving has been recognised as an occupation with formal/public initial vocational education and training to become a "Facharbeiter" (skilled-worker) in Germany in 1974 with all related rights such as social benefits in case of vocational disabilities¹. This - at this time 2-year dual system apprenticeship scheme – has been a huge step forward for the recognition of professional driving as a fully skilled profession especially because earlier attempts to increase the drivers' status from unskilled work to such a skilled worker have not been successful. This success had to suffer a setback in 1983 when the Federal Social Court deprived this status with driving being again a semi-skilled work ("Anlernberuf") and professional drivers lost their related rights again. The major aspect has been that drivers did not have the right for social benefits in case of vocational disability any longer, but were in such cases redirected to the general labour market. (Borch, Clauß, Weißmann, 1995) The profession "professional driver" has been regenerated in 2001 as a 3-year apprenticeship scheme involving the relevant social partners and leading to a skilled worker certificate just as the majority of recognised/formal initial vocational education and training schemes in Germany do. The term "Berufskraftfahrer" (professional driver) is therefore assigned for drivers holding such a "Facharbeiterabschluss" (skilled-worker certificate), while drivers who do not have this recognised certificate are usually referred to as "Krafffahrer" (drivers). The professional driver certificate can be reached via the 3-year dual system apprenticeship scheme, via a retraining lasting about 21 months incl. a 9-month traineeship or via an external assessment of professional competence ("Extrenenprüfung") after at least 4,5 years of professional experience as driver. All three schemes are regulated by the corresponding legal regulation² and its curriculum³.

History and legal regulation of the profession
"Berufskraftfahrer" in Germany

Although professional driving is legally recognised as skilled work, it has ever been only a minor percentage of drivers who indeed followed one of these tracks to get professionally trained and work as professional drivers. The majority of German drivers always worked exclusively based on their driving license. There are unfortunately no figures available about the actual percentage of German professional drivers (holders of the corresponding skilled worker certificate). Estimations and research results indicate percentages between

Status of the recognised/formal vocational training for
"Berufskraftfahrer" in Germany

¹ A similar scheme with a slightly different syllabus also existed in the former GDR but is not fully recognised today. (bast, 2008).

² See: http://www2.bibb.de/tools/aab/ao/berufskraftfahrer_2001.pdf

³ See: <http://www.kmk.org/fileadmin/pdf/Bildung/BeruflicheBildung/rip/Berufskraftfahrer.pdf>

2% and 23% (among others BAG, 2007; bast, 2008). Interviews with employers show that although they appreciate and welcome such a vocational training they do not require it and also do not foster it by e.g. offering financial benefits for "professional drivers" compared to drivers without specialised vocational training or by offering company placements for an apprenticeship (only about 7% of the companies offer such placements, IHK Stuttgart, 2008). This is also displayed in rather high drop-out rates from the traditional dual system apprenticeship because apprentices leave the apprenticeship after obtaining the driving license because the title of a skilled worker has no added value for them. However, participation in formal initial vocational training for professional drivers has increased over the past years (2006: 970, 2007: 1.838, 2008: 2.060, 2009: 2.133, 2010: 2.416; BIBB, 2010) although these numbers are still not sufficient to effectively address the driver shortage (BAG, 2007; IHK Stuttgart, 2008). Generally the driving licence has been widely considered as sufficient professional qualification by employers and employees and employers primarily recruited from the external labour market and from related professions (such as armed forces or motor-mechanics). (BAG, 2007) This situation is widely argued as being a result of the generally bad image of truck driving in Germany and of the profession being widely seen as a pure unskilled job with many routine tasks, little flexibility and low qualification requirements that can be carried by everybody holding the appropriate driving license (Borch, Clauß, Weißmann, 1995), what is also reflected in the discussion about the recognised/ formal professional driver apprenticeship described above. This opinion is partial still existing among drivers and employers and widely spread among public.

Directive 2003/59/EC is therefore perceived ambivalently. On the one hand it is a great step forward because all drivers are required to receive a certain level of vocational training and this promises that also the professions image of not needing such training might change within and hopefully also beyond the branch. On the other hand it is a worrying step backwards when considering the struggle about the status of professional drivers to be recognised as skilled workers carrying out a profession that needs a proper vocational training, etc. and provides access to further vocational education and training and related social benefits.

Continuous training always played a certain role for drivers and especially big and medium-size companies offered regular training courses for their drivers also beyond the legally compulsory ones such as ADR. However, small companies did rarely follow this approach. (BAG, 2010) Major training topics have been ADR, load security, eco driving, driver safety training and first-aid. Research showed a slight difference in further training participation between professional drivers and non-trained drivers. (bast, 2008) Employers considered this kind of company-based training as necessary activities in order to prepare and/or update their employees for their job as driver in rather short time and with little effort. They primarily trained topics related to their company specific needs. (BAG, 2007) A number of training providers developed a set of specific offers to implement such training for their clients as public and/or in-company training within the further education market. There are no Germany-wide statistics available with regard to further training.

Perception of directive 2003/59/EC in Germany

Continuous training for drivers before the directives implementation

B. Preparing for the Directives implementation

The directive has been transferred into German law in 2006. At this point especially the Federal Ministry of Transport, Building and Urban Development, the German Chamber of Commerce, different federal associations related to transport such as the driving instructors association and industry associations, the German Road Safety Council, education providers and specialised publishing houses have been involved. Further or specific measures with regard to the preparation of the directives implementation are not known.

Involvement of stakeholders

C. Directive implemented

Directive 2003/59/EC has been implemented into German law with the *"Berufskraftfahrerqualifikationsgesetz"*⁴ (professional driver qualification law, "BKrFQG") and the *"Berufskraftfahrerqualifikationsverordnung"*⁵ (professional driver qualification regulation, "BKrFQV") in 2006. The first change has been introduced in May 2011 in order to pick up difficulties and open issues discovered during the first years of application. The law and the regulation strongly follow the European directive. In addition the responsible bodies at regional level published FAQ- and explanatory statements in order to clarify open questions by VET providers, drivers and employers. The "BKrFQG" is considered as part of traffic and driving license law in Germany and is administrated at regional level by the chambers of commerce in terms of initial training and by the ministries of traffic for periodic training.

Legislation and regulation of the directives implementation in Germany

The German implementation of directive 2003/59/EC includes the options test only and training (140 hours) and test. The third option with training (280 hours) and test has not been chosen because the skilled worker certificate "Berufskraftfahrer" would have been devaluated with this option. This would have led to a decrease of the entry level into the profession. (Bundesregierung, 2006) The test and training option is perceived rather negatively by the interviewed drivers (and partially employers) because they experienced that holders of the CPC are not capable of implementing the job competently after following the course and passing the test especially compared to those entrants being "Berufskraftfahrer" with the related formal training. However, the interviewed employers have been rarely in touch with holders of the CPC but considered the initial qualification in general as good.

Chosen implementation options

The formal public initial vocational education and training scheme to become a "Berufskraftfahrer" exists in parallel but those passing through this system obtain together with their skilled-worker certificate also the driver CPC as required in the "BKrFQG" and by directive 2003/59/EC. This has been regulated in the "BKrFQG" and also applies to other formal IVET schemes that include driving as part of the initial training such as "Fachkraft im Fahrbetrieb" (skilled transport employee, CPC with limitation to passenger services).

Effects on other IVET schemes in Germany

The "BKrFQV" limits the topics eligible for periodic training to the ones specified in annex 1 of the directive (this annex has been transferred into annex 1 of the German "BKrFQV") that is also the thematic basis for the initial CPC training. It requires all those topics to be

Effects on CVET in Germany

⁴ See: <http://www.gesetze-im-internet.de/bkrfqg/index.html>

⁵ See: <http://www.gesetze-im-internet.de/bkrfqv/index.html>

covered within the periodic training (BAG, 2010). Regularly offered continuous training such as ADR, first aid or training in forklift driving have not been touched by the directives implementation because it has not been integrated into the training topics that became accepted for periodic training and/or are not eligible for periodic training in Germany. Other continuous training offers such as eco driving, load security and partially driver safety training have been adjusted by the training providers in order to meet the requirements on periodic training in terms of length and content. One interviewed employer indicated that they had to stop their previously offered continuous training offers in favour of the accepted training modules.

Major obstacles and challenges faced in the overall implementation so far have been reported to be (see stakeholder interviews and BAG, 2010):

Obstacles faced during implementation so far

- the mutual recognition of different deadlines for the directives implementation in the different European countries that led to partially very worrying effects and reactions by authorities and other stakeholders
- the regionally organised administration of the directive in Germany (due to the German federalism) that leads to very different approaches to handle the directives implementation all over Germany
- a general information gap about the directives implementation in Germany and about related European matters by the different stakeholders such as employers, VET providers, drivers and involved authorities; this information gap leads that far that some groups of drivers/employers are not aware that they are also concerned by periodic training
- the CPCs implementation approach that does not follow a vocational education and training approach and pedagogical considerations but rather an administrative approach what challenges quality matters
- there is a training holdup expected as of 2012 because a big part of employers and drivers is waiting till the very last moment in order to attend periodic training
- the assumption of costs is not clarified what leads to difficulties in terms of acceptance of the periodic training and to uncertainty on the side of drivers and employers

D. Exams

Exams are only implemented for the initial CPC in Germany. They are organised and implemented by the German chambers of commerce who are also the competent body for the examination in a big part of the initial vocational education and training examinations in Germany. They are primarily working with examination boards as they are used within "Berufskrafffahrer" examinations. This means they are composed of voluntary representatives from vocational schools and employers.

Exams within initial qualification

For the test only option there is a 240 minutes theoretical test and a practical test about 210 minutes. The theoretical test contains multiple-choice questions, open questions and the explanation of practical situations. The practical test includes a 2 hour practical driving test, practical tests in load security or emergency situations and in handling critical

Organisation of and experiences with exams for test only option

situations (bad weather or road conditions, driving by day and night). The driving license is pre-condition for attending this test. There are no reports or statistics available. In general it is expected that this option will only be chosen very rarely. (BAG, 2010)

The training and test option includes a theoretical test only that last for 90 minutes and followed the same procedure as in the test only option but without the practical examination. Therefore the driving license is not necessary for this option. However, practical driving is part of the 140 hours compulsory training. The chamber of commerce reports more than 3.000 of these exams all over Germany in 2009 with a failure ratio of about 20%. The examination numbers are strongly increasing, e.g. in Cologne the number of examinations tripled in the first 8 months of 2010 compared to the same period in 2009. (BAG, 2010)

Organisation of and experiences with exams for test and training option

Further information about the assessment criteria and tools are not available. Examinations are not included in periodic training.

E. Periodic training

As outlined above the German "BKrFQV" limits periodic training to the topics outlined in annex 1 of the directive/ annex 1 of the "BKrFQV". It is required that the 35 hours of periodic training cover all the topics raised in this annex (BAG, 2010) and they may not interfere with other regulated certificates such as ADR. When the "BKrFQV" has been launched it has been widely agreed to divide the content in annex 1 into the following five modules each lasting for seven hours:

Legal regulation of periodic training

- Eco training, economical driving
- Load security
- Safety technique and safe driving
- Social provisions for freight transport
- Interface driver: service provider, image maker and professional

However, each training concept to be applied in periodic training has to be approved by the responsible authority in the region in order to be implemented. But most of the training providers and employers follow this concept of five standard modules. It is unfortunately not possible to provide numbers for the participation in periodic training because this information is not collected and evaluated centrally and therefore not available. Nevertheless so far especially economical driving and load security have been reported as being most popular. (BAG, 2010)

Approval of courses

A majority of the interviewed stakeholders (employers, VET providers and drivers) nevertheless raise that these generally applied periodic training modules might be too rigid in terms of content and time arrangements. The majority of interviewed drivers ask specifically for regular first aid training in the framework of these modules in order to be prepared for cases of emergency on the road. In one interview it has been reported that previous training offers better met the companies and their drivers needs, but had to be stopped in favour of the less suitable general periodic training modules. VET providers and companies report that they try to interpret the module content as wide as possible in order to adjust them to company and drivers needs. However, there is a general worry and

Experiences with periodic training

dissatisfaction observable that periodic training will be treated as time that has to be sat out in the classroom listening to the teacher/trainer. One interview partner (employer) e.g. doubts that the five general modules indeed offer or are handled with enough flexibility to be more than pure repetition after five years. The interviewed drivers perceive the periodic training surprisingly positive, but worry that they might just have to follow five days of the same lectures every five years without real benefit for them. They strongly stress the need for praxis-oriented training what can be interpreted as a request for learner centred methods based on the related discussion with the drivers during the interviews.

So far primarily big- and medium-size companies started the implementation of periodic training for their drivers while small companies (being the majority of such companies in Germany) did so far not start with the periodic training just as companies with trucks below 12 tonnes. The funding programme De-Minimis, that supports the implementation of periodic training financially, has been very supportive in the implementation of periodic training so far. Financing of the courses is not regulated. Usually it would be an obligation of the drivers in Germany because it is a requirement to access the occupation (BAG, 2010) but this is discussed very controversially and one of the major conflicts with regard to periodic training. However, so far the majority of courses are financed by the employers.

Implementation of periodic training so far

There is a training holdup expected as of 2012 that primarily concerns small companies and their employees that is increased by the economical revival and the limitation of training for drivers primarily to weekends (BAG, 2010). Please find further information on periodic training in the BAG publication "*Marktbeobachtung Güterverkehr: Auswirkungen des Berufskraftfahrer-Qualifikations-Gesetzes*" (see references for download).

Expected training holdup as of 2012

F. Execution of the training by public and private providers

Based on §7 of the "BKrFQG" the following providers are recognised to deliver initial and periodic training:

Legal recognition of providers

- driving schools for classes CE and DE
- companies being recognised for apprenticeship training for related professions such as "Berufskraftfahrer"
- education providers being recognised as providers for retraining within related professions such as "Berufskraftfahrer"

Other providers obtain recognition, if they fulfil the following requirements regulated in §7 of the "BKrFQG":

- proof of personal and content-wise conditions to implement the training
- working with an appropriate number of trainers in relation to participants
- availability of training rooms and material for theoretical training
- proof of continuous training of trainers
- no existence of aspects that might speak against the personal reliability of the provider

Permission can be obtained by applying to the responsible regional authority that grants such permissions. There are no figures available how many providers received permission to carry out training. However, it can be expected that nearly no applications have been rejected. The permission is granted unlimited but can be withdrawn. The applications are usually evaluated by administrative officers of the responsible regional authority (usually

an authority related to the ministries of traffic).

The courses are primarily offered by private training providers and driving schools. Vocational schools are not involved they only provide training in the framework of the formal vocational training for "Berufskraftfahrer". In some cases training institutes have been founded by companies in order to carry out the courses on their own. Requirements on trainers vary strongly between the different regional authorities responsible for the recognition of training courses. In general one can say trainers need to provide records of their qualification and area of work and they have to proof their didactical and pedagogical qualification for theoretical training. Trainers need to proof professional experience as professional driver (or similar profession) or "Kraftverkehrsmeister" (industrial master for road traffic) or equivalent driving experience especially as driving instructor for trucks for the practical training parts. In order to proof the didactical and pedagogical qualification the training for trainers ("Ausbildung der Ausbilder") used for the in-company part of apprenticeship training is widely recognised as proof. This training for trainers requires the participation in a theoretical and practical test carried out by competent bodies such as chambers of commerce and a voluntary training. The qualification of driving instructors is also perceived as sufficient in order to deliver all parts of the required training. However, in the majority of cases this is not sufficient to deliver high quality training and additional training is necessary for trainers with regard to their didactical and pedagogical competence, especially when it comes to the implementation of a learner centred training approach and to training topics that are originally not included in the driving license curriculum. That's why some providers such as DEKRA offer own compulsory qualification and certification schemes as well as continuous training on a regular basis for all of their trainers.

Recognition procedure of training providers and qualification of trainers

Generally the quality level seems satisfying, although observations indicate some quality shortfalls in terms of training competence in the case of small local or regional driving schools (BAG, 2010) and in terms of training material that has been developed on the level of driving license training only. A majority of the interviewed drivers fear that especially courses implemented as in-company courses and with internal trainers might be reduced to "signatures on a sheet of paper" instead of actually taking place especially in small companies. The same applies to untrustworthy training providers. Due to the missing learning culture, the rather missing acceptance of periodic training and the expected training holdup it is worried that there will be a trend to cheap providers/offers with low quality in order to fulfil this "obligation" with as less financial effort as possible in future. This fear goes in line with the worry expressed by the interviewed drivers to end up in pure lectures. The pedagogical component and quality of such training can therefore be considered as being of special importance in future in order to assure the quality of training.

Quality within training

The responsible authorities implement spot tests in order to control quality and misuse. There is no information available about the frequency and criteria of such spot tests. Experience indicates that they are implemented rarely and without regularity.

G. Reflection on the implementation

The way how the directive is perceived by different groups of stakeholders is very heterogeneous. As mentioned above, partially it is considered as positive because all drivers have to have at least a minimum of vocational training what supports the recognition of truck drivers as being more than an unskilled worker as it has been often perceived in the past. Others argue that it is a step back because the actual formal profession "Berufskraftfahrer" (professional driver) has far higher requirements than included in the driver CPC. Especially the professional drivers who already attended a professional driver apprenticeship or retraining consider the CPC as proof for their so far only rarely recognised and accepted qualification but at the same time they considered the driver CPC as far too little compared to their own qualification and to the jobs requirements.

The driver CPC in relation to the formal IVET scheme "Berufskraftfahrer"

With regard to effects on the "Ausbildungsberuf" opinions differ strongly. Some stakeholders fear that the number of people "learning" the occupation "Berufskraftfahrer" as a skilled worker will even turn less and that the drivers CPC will overrule the qualitative better VET scheme because of the introduction of the CPC being the easier and faster way to work as driver compared to a 3 year apprenticeship or 21 month retraining. Others believe that the CPC will make the apprenticeship (or the equivalent retraining) more attractive because of the lower costs to enter into this profession. However, so far there are no in- or decreases in the number of companies offering apprenticeships and in the number of apprentices but also the driver CPC is not considered as a fast way/ alternative to the apprenticeship by employers. (BAG, 2010)

Expected effects on the formal IVET scheme "Berufskraftfahrer"

All interviewed stakeholders expect an increase of the already existing driver shortage because the introduction of the driver CPC is an additional obstacle to enter into this occupation especially for career changers. An effect experienced already by the interviewed employers is that they are losing seasonal drivers (primarily retired workers from different branches but also students during semester breaks) who used to drive during summer months as holiday replacement. They do not want to make the effort and attend the necessary courses in order to work a few weeks as holiday or sick-leave replacement. However, interviewed employers and drivers agree that the driver CPC is no measure against the driver shortage, other stakeholder nevertheless hope for such an effect on the long run by increasing the qualification level of drivers in general.

Perceived effects on the driver shortage

In general there are not yet any effects monitored in terms of the quality of professional drivers and indicators for effects are only expected within the next years. Some stakeholders expect a positive effect in terms of quality in future but doubt that a real similar qualification level can be reached in Europe or only in Germany. Same applies for the public image of drivers, some stakeholders nevertheless expect an improvement in future but this is also doubted because information about qualification requirements and these changes in the qualification requirements on drivers are not enough communicated to public in order to have a real positive effect.

Professionalisation and drivers image

Employers and drivers evaluate the directive as having no effect on road safety because there are far more aspects that are dominant in this regard but are not touched by the introduction of the driver CPC. However, interviewed drivers believe that the periodic training is going to have a positive effect on their job performance in general. Nevertheless

Perceived effects on road safety

also the opposite point of view is regularly reported from employers and drivers who do not see the added value for their work or business (see among others BAG, 2010).

Quality is an aspect that preoccupies a big part of the interviewed stakeholders in one way or the other. This will be a topic that will require additional attention, dialogue and exchange among the different stakeholders involved in future. This is especially applicable, when it comes to pedagogical quality that requires the establishment of quality consciousness with regard to the driver CPC training being part of vocational education and training.

Quality as the crucial aspect of success

H. Competition and European context

The conducted interviews express a strong concern by the stakeholders that some countries might implement the directive properly (although with differences due to the different national interpretations) and in other countries the implementation reality will not have any effect on drivers' actual abilities. It is therefore generally doubted that the directive will make a difference in terms of comparability of drivers' qualification levels at the European level in future. This doubt is one of the major reasons for the stakeholders to be suspicious about the directives implementation in Germany and all over Europe with regard to reaching a general minimum level of vocational training for professional drivers in Europe. In general, the attempt to introduce a minimum vocational training for drivers is perceived as a welcome and valuable step for professional driving in Europe, but it is doubted that it will be reached in this way. This is also reflected in the employers' answers that the directive has no effect on their recruitment strategies. They don't consider the driver CPC as a quality indicator or an indicator for an applicants' abilities and indicate that they are either not considering to hire drivers from abroad and/or that they apply other criteria for recruitment independently from the CPC.

Perceived European dimension of the directives implementation

The topic of competition has not been raised by the interviewed stakeholders and experience shows that it plays a rather inferior or even no role in the branch's discussion in Germany. If at all, it is rather perceived as positive that with the directive all European drivers are required to have of basic vocational training.

Perception of stakeholders on the directives role within competition

References and methodical approach applied:

For the preparation of this case study a number of interviews lasting each 20 – 60 minutes have been conducted by DEKRA (DE) and ITB (DE). The results have been integrated into the case study. The following (groups of) stakeholders have been interviewed:

- 7 employer companies with 5-25 employed drivers have been interviewed represented by managers of the company and in one case the owner, they are located in Baden-Württemberg, Thüringen and Hamburg
- 5 training providers represented by (full- and part-time) trainers, managers and owners from northern Germany
- 5 professional drivers with 5 to 20 years of experience as professional driver, working for transport companies all over Germany and working as drivers in long-distance transports within Germany and Europe, three of them hold a certificate as "Berufskraftfahrer" (professional drivers trained in the framework of the German dual system or occupational retraining scheme both leading to the same skilled worker certificate), 2 of them attended a continuous vocational training to become "Kraftverkehrsmeister/ Industriemeister Kraftverkehr" (industrial master in road traffic) when the interviews were implemented
- 1 representative of a labour union

(Furthermore several interviews with the different stakeholders published in journals and newspapers have been reviewed in order to enrich the interview results.)

Further references used for the preparation of the case study:

- BAG (2010). *Marktbeobachtung Güterverkehr: Auswirkungen des Berufskraftfahrer-Qualifikations-Gesetzes*. available at: www.bag.bund.de (01.04.2011)
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- IHK Stuttgart (2008). *Kraftfahrer dringend gesucht: Wege aus der Personalkrise im Personen- und Güterverkehr*. available at: www.stuttgart.ihk.de (01.04.2011)

Annexes:

- Berufskraftfahrerqualifikationsgesetz (BKrFQG)
- Berufskraftfahrerqualifikationsverordnung (BKrFQV)

For further information on the project please consult:

www.project-profdrv.eu

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



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Prepared by:	Peter Klingler, DEKRA Albasafe Akademie Kft.		

A. Baseline

A system of initial qualification and periodic training for professional drivers already existed for several decades. It was several times modified but its main pillars remained the same. They led to a very specific sub-structure, a division of professional drivers into the following categories:

1. Drivers, who were only active on national level, within the borders of Hungary,
2. Drivers, who were active on national and international level, abroad,
3. Drivers, who did transport for company purposes only (works traffic).

Drivers belonging to category 1 had to do once an initial qualification (5 days training, 8 hours/day, final written and oral exams) and could afterwards work without any additional trainings. Drivers belonging to category 2 had to do an initial qualification (5 days training, 8 hours/day, final written and oral exams) which's curriculum to a certain extent varied from the one Cat 1. had to do (e.g. international paperwork, traffic rules and signs). Having successfully passed the final written and oral tests, the international drivers had the right to work for a maximum of 5 years. At the end of this period, they had to participate in a periodic training session, which was practically the same like the initial qualification. Drivers belonging to category 3 did not even have to do an initial qualification. The relevant driving license was enough to let them to work for a company.

The whole system, all curricula and examination regulations were setup and controlled by the National Transport Authority (Nemzeti Közlekedési Hatóság, NKH), which was under the auspice of the Ministry of Transport. It was as well this state authority which carried out examinations and accredited private education providers for giving training in this field. Only companies accredited by NKH were able to train truck drivers.

It has to be mentioned that another opportunity to become professional driver was and is existing in Hungary. In direct comparison to the mentioned system it is a by far longer, from a certain perspective deeper going education of up to 600 hours out of which 70% are theory and 30% practice. This is a so called OKJ-education (Országos Képzési Jegyzék) and as such part of Hungary's national qualification framework and linked to the Ministry of Education. It is, however, not in demand at all, as everybody votes for the shorter and cheaper solution of NKH. Additionally it is told that the OKJ-education is not reflecting the needs of the nowadays job profile of a professional driver.

The coexistence of these two systems is a result of a rivalry of influences and competences, principally between the Ministries of Transport and Education. It is as well the reason, that the system in use of NKH is not integrated into the VET.

B. Preparing for the Directives implementation

By order of the Ministry of Transport, the National Transport Authority (NKH) defined a work group of experts which started to deal with the task of setting up a concept for the transfer of all requests coming from the EU-Directive into the existing Hungarian system. A proposal was worked out, later on discussed between NKH and the relevant Parliamentary committees and in its basic ideas as well taken over into the final version. These basic ideas are as followed:

- The initial qualification can be obtained through test only.
- The periodic training can only be obtained through a test at the end of 35 hours training.
- Due to the already existing system and its inherent substructure of drivers into categories with varying starting situations, the implementation of the new system will be introduced step by step with various deadlines:
 - truck drivers who finished their initial qualification before the deadline of 09.09.2009 and only had a license for working in Hungary have to do a first periodic training latest before 09.09.2014;
 - truck drivers who finished their initial qualification before the deadline of 09.09.2009 and were active on national and international level only have to keep their rhythm of 35 hours periodic trainings within 5 years, meaning their individual deadline;
 - truck drivers who only did transport for company purposes only (works traffic) and did not have any initial qualification yet, have to do a first periodic training latest before 09.09.2012.
- Professionals who until now only drove small trucks and/or transporters (2.8-3.5 t) had to do an initial qualification as well. Due to the EU-Directive, there is in the future no need for them anymore for any kind of additional qualification or training besides the driver's license and the regular medical test which is regularly requested in Hungary.
- The Official Curriculum + Syllabus is to be designed by the experts of the National Transport Authority and regularly updated. Experts are employed by the Training and Testing Supervisory Department, The National Transport Authority, Head Office, Central Road Transport Office, Division Training and testing Supervision.

Until today many transport company owners react cautiously restrained towards the fact that the implementation is in progress – simply because it is about something new. Knowing about what is going to come up or has already happened, they tend to react relatively relaxed, for two reasons: 1. the number of training hours remained the same for initial qualification and periodic training (for former drivers on international level), which means that these driver's downtime is not going to change (and this is nowadays the majority of drivers, mainly at bigger haulier companies). 2. the costs related to initial qualification and periodic training are usually paid by the drivers, so even there no change is to be expected for transport company owners. In general, the way the Directive was implemented does not cause too many changes to the structure of education and training of professional drivers, which already existed in Hungary before 9.9.2009.

C. Directive implemented

As already mention within topic A. Baseline, the way of implementing the Directive in Hungary ensured a smooth transfer from the already existing system of initial qualification and periodic training into the new system by

keeping the given best-practices of the past and building-in the requests coming along with the Directive and ensuring the anchoring the national regulations. The "test only" decision finally lead to a kind of "status quo" arrangement between the National Transport Authority (NKH) and the training companies. NKH gave out the recommendation to set the initial qualification to 5 days, just as it was before, in the "old" system.

As a result of the specific situation in Hungary, a coexistence of the used system setup by the National Transport Authority (NKH) and a not-demanded VET-approach, setup by the Ministry of Education, initial qualification and periodic training are not part of Hungarians NQF.

The NKH is responsible for the accreditation of those training companies who want to train professional drivers, for the curriculum, the examination regulations, the examination itself and the handing out of the licenses. After many details of how the concrete implementation will be managed and how the curriculum will look like were at the beginning for a long time unclear and some of them only officially published right before the deadline of 9.9.2009, the implementation is in progress and obviously not facing any serious problems. NKH is trying to support the implementation by informing about the relevant changes on their homepage, they own magazine and at various occasions. However, there are still many drivers and entrepreneurs who are not or not sufficiently informed about the changes. Additionally, many existing drivers of previously (point A.) mentioned category 1 (with national license only) and 3 (works traffic) seem to wait until the very last moment of their individual deadline until they go for their first periodic training – in order to save time (until the next 5 years period starts ticking) and money. It was, however, as well possible to observe some months before the first deadline, 9.9.2009, that drivers of these two categories/groups decided to do for the initial qualification for international drivers exactly for the same reason: to win time (from the exam day on, for each of them a 5-years-period for the next, first periodic training started to count, according to the old system) and to save money (there were rumours that the new period training is going to be much more expensive; on the other hand those drivers who already had a license for national transportations only had to do a shorter education and an easier exam, in order to get the international license).

D. Exams

Examination is done by NKH, the National Transport Authority, which is defining time and locations (often at the approved training institute) for exams and sending out assessors. All test materials and procedures are on the basis of domestic legislation and EU harmonised wherever necessary.

Driver should know everything as for D/L acquisition and for CPC as per the Directive. Theory test sheets are evaluated by the use of "correction templates". Case studies are scored by different scores as per the difficulty of the question. Candidate's scores are added and either candidate passes or he/she fails. Candidate passes the theory test if he/she reaches 60% (60 points of 100).

The subjects are as followed:

Theory:

Rational driving based on safety regulations; application of regulations; health, driving safety, service, logistics

Practice:

On-road driving; Practical knowledge relating vehicle driving; driving on a special terrain or on simulators

Theory test in detail:

Besides the examinees, only examiners, tellers and testing supervisors may be present in the testing room. In case of a written test (test sheets + case studies), examinees fill in the form with their personal data and start answering test questions by signalling of the examiner simultaneously at the same time. Filled test sheets are collected from the examinees as they signal to be ready by raising their hands or at latest as the time of the exam

expire. In case of a failed test (subject), only the failed test of that subject has to be repeated. Theory tests can be led by two examiners only (simultaneously).

Written tests contain 40 test questions per subject (there are 3 subjects as per the Directive - see above). Written tests should be done both at the initial qualification and at the periodic training. There are always 3 x 40 = total of 120 questions to answer. Maximal failed points are 10 per subject.

The case study test is physically handled in a separate room. Case studies are arriving at the scene in closed envelopes. Depending on the number of candidates, there are several series (marked with A, B, C, etc) of case study papers, all closed in envelopes by categories. Envelopes may be opened in the test room only, immediately prior to the start of test. Closed envelopes with the case study solutions may be opened after the last filled case study is collected from the candidates. Candidates sitting next to each other should be given case study sheets of different category only (A, B or C, perhaps D, ...). If a candidate fails in answering case study correctly, the test has to be repeated.

Practical test in detail

Practical test only has to be done for the acquisition of the initial qualification. The three test elements should be regarded as separate test events. If candidate fails only that test element has to be repeated in which he/she failed. Practical test evaluation is done right at the scene after completing the test element.

Test questions for practical knowledge are tell me - show me like questions that are answered orally or shown by the candidate, these are regarded as practical tests. Candidate chooses a test question sheet from a stack of 3 (= three subjects as per the Directive) and answers a tell me - show me like question. There are several questions on a test sheet. Examiner evaluates upon the overall performance of the candidate.

Next type of practical test is driving on a special terrain or by the use of a top-of-the-range simulator. Following exercises have to be completed:

- stopping by emergency braking
- stopping by emergency braking on partly dry/partly slippery surfaces
- curve techniques
- passing narrow corridors also while bending.

Next practical test element is the on-road driving. Test is evaluated right after driving. The same test evaluation sheet is to be used as for the D/L acquisition, however with less failure marks only (7 vs. 10). Driving test examiner has to be with special regard to the eco-driving concept.

E. Periodic training

From the perspective of the basic idea of the Directive, Hungary is exceeding the given requests by building in a mandatory written test after the 35 hours of periodic training course. The reason for this solution can be seen in the past, as the system of qualification and regular training which existed before the implementation of the Directive included as well a test at the end of the training for the international drivers. Consequently, the authority in charge of implementing the new Directive did not want to step back regarding once established standards. On the other hand, the mandatory written test automatically forces to do the 35 hours of training in one block, within one week with the test at the end. This way, the once intended flexibility of the approach is lost and the time-out of truck drivers is a complete week.

F. Execution of the training by public and private providers

Training institutes, which are usually private companies, are delivering the trainings based on Directive 2003/59. For the official accreditation which is issued by NKH you need to prove that you have sufficient trainers with all relevant qualifications experts, all relevant training materials and premises for theory and practical courses.

Providers usually offer both, initial and periodic training.

G. Reflection on the implementation

The responsible state authority, NKH, is today observing first positive effects of the Directive. Among them can be mentioned "the diminishing of the road accidents, a better preparedness of the drivers and a better image of the employers and of the whole country" abroad. Seen from this perspective, the Directive to a certain degree already now brought what it should bring.

The common understanding among drivers, entrepreneurs and to a certain extent even schools about the Directive, however, is a wrong one. The whole implementation is rather perceived as an additional burden, which is making their everyday, hard life in times of a bigger economic crisis even more complicated – independent from the fact, that the changes are for some of the stakeholder rather small or even invisible.

There are no signs that the initiative led to an increase of driver's employability yet. It might be too early, on the other hand other factors like the economic crisis which is still very much present in Hungary and caused in general a high unemployment rate is influencing the driver's market much more. In general, however, it has as well to be underlined that based on the given general situation in Hungary (drivers are usually not employed but work with sub-contracts for bigger hauliers, drivers are earning little money and the economic success of the whole industry is built on this fact (competitiveness on international level), drivers have to pay all trainings by themselves, education is not part of Hungarian NQF) there is only very little, rather theoretic chance that the initiative with its in-built intention will once lead to an increase in driver employability.

Despite some deviating perceptions of different stakeholders, a kind of slight improvement into the direction of a better education, more openness and seriousness towards the issues of safety, environment and sustainability can be observed and has the potential to work in the long-term as a basis for further, deeper going improvements.

H. Competition and European context

(Can we indeed speak of a EUROPEAN directive? Is there a level playing field? Does the implementation of the directive enable a better comparability of qualifications of professional drivers from different European countries? What is the opinion of the branch, the stakeholders, the schools?)

There is no such perspective of any of the stakeholders in Hungary and cannot be, simply because they have no comparative values from other countries and are otherwise concentrating on their business, which usually comes along with a national restricted perception.

I. Prospects

No plans or trends yet.

For further information on the project please consult:

www.project-profdrv.eu

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

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Prepared by:	Caterina Boschi (Tk Formazione, IT)		

A. Baseline

Before the implementation of the Directive, professional truck drivers were requested to have just driving license "C" or (drivers less than 21 years old that want to drive a vehicle of over 7,5 t) a special CPC named "KC"; professional bus drivers were instead requested to have both driving license "D" + special CPC named "KD".

The training content of the Course was less detailed and suitable than now and prices of Courses were lower than now.

Many driving license "C" were granted in the frame of the levy system.

B. Preparing for the Directives implementation

Italy started to implement the directive from 2005 to 2010 by a set of legislative and ministerial decrees.

The implementation involved from the beginning more drivers than company owners/employers. Furthermore it has been introduced quite "softly" as (See section C and E) licences related to carriage of goods and issued within 2009 can be automatically converted in CPC within 2014. So, we can't speak of "company owners' reaction".

C. Directive implemented

The Directive has been implemented from 2005 to 2010 by a set of legislative and ministerial decrees (see below)

Decreto legislativo, 21 novembre 2005, n.286

"Disposizioni per il riassetto normativo in materia di liberalizzazione regolata dall'esercizio dell'attività di autotrasportatore"

MINISTERO DEI TRASPORTI, DECRETO 7 febbraio 2007

"Enti per la formazione dei conducenti professionali e programmi del corso e procedure d'esame per il conseguimento della carta di qualificazione del conducente".

MINISTERO DEI TRASPORTI, DECRETO del Capo di Dipartimento dei trasporti terrestri 7 febbraio 2007, n.372

"Gestione dei punti della carta di qualificazione del conducente".

MINISTERO DEI TRASPORTI, DECRETO del Capo di Dipartimento dei trasporti terrestri, 7 febbraio 2007, n. 371

"Rilascio della carta di qualificazione del conducente".

Circolare - 27/03/2007 - Prot. n. 29092/23.18.03 - Carta di qualificazione

"Norme in materia di rilascio della carta di qualificazione del conducente ai sensi della direttiva 2003/59/CE (1 parte)"

Decreto Legislativo 22 dicembre 2008, n. 214

"Modifiche ed integrazioni al decreto legislativo 21 novembre 2005, n. 286, recante disposizioni per il riassetto normativo in materia di liberalizzazione regolata dell'esercizio dell'attività di autotrasportatore"

Decreto Ministeriale 16 ottobre 2009 (G.U. n. 259 del 6.11.2009)

"Disposizioni applicative in materia di formazione accelerata per il conseguimento della Carta di qualificazione del conducente e riordino delle disposizioni del decreto 7 febbraio 2007"

Ministero Delle Infrastrutture e Dei Trasporti , Decreto Dirigenziale - 22/10/2010 - (G.U. n. 258 del 4.11.2010)

Rilascio CQC

Nuove disposizioni in materia di rilascio della carta di qualificazione del conducente.

The competent authority responsible for the implementation of the Directive is the Government, specifically the Ministry of Transport. The implementation is quite fully completed: currently the Transport Department is still elaborating the evaluation questionnaires related to the final test of the initial training.

The CPC introduced by the directive is a new professional certificate in Italian named "Carta di Qualificazione del Conducente" (CQC). In terms of national qualification, the CQC is overall an essential requirement to perform the professional driver's activity. The CQC is issued after training and test. It is not really referenced into national qualifications framework as Italy hasn't yet fully established a national qualifications framework.

Nevertheless, the Government doesn't have much interest in supporting the implementation of the directive besides laws and regulations, as the transport sector represents just the 1 % the GDP (no financial incentives are available for instance for new drivers who want to start this career).

Inspections are done on the road to drivers by the traffic police or to employers by the Department of Labour just to verify that drivers have the CPC, drive in conformity of transport rules (speed, work/rest cycle etc.) and, in case, fine employers and/or drivers.

Due the directive implementation, some schools had to change some aspects of their internal organization (i.e. new pc, new courses timetable – more intensive schedule, further trainers, new kind of trainers like engineers etc.)

D. Exams

The final test of the initial training should take place in the premises of the "Motorizzazione civile" (local government office that issues driving licenses and registers vehicles). It should consists of 2 questionnaires (respectively on the common and specialized part; both have 60 questions to be completed in 120 minutes, max 6 errors: it means multiple-choice sections of the driving written test (just "ticking the right answer").

Waiting for the elaboration of the questionnaires by the Transport Department, the test is an oral examination. The examiners will be 2 officers of the Transport Department (one of them should be an expert on the technical area, like an engineer).

At the present time the Nord-West area (Lombardia and Liguria Regions) is already testing written exams. In the rest of Italy exams will be oral till September. Starting from September 2011, every Region should have written exams.

The CPC is issued by the competent local "Motorizzazione civile".

Instead, after the end of the periodic training, the body that provided the Course just forwards the participants attendance list to the competent local "Motorizzazione civile" that will issue the updated CPCs.

No deviations from the training programs.

The assessment is on the competences learned during the training course.

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 aim of (initial and) periodic training shouldn't be just the driving activity but the awareness of being professional driver and the role of that profession in the society.

Nevertheless, such "periodic training" provides in fact just theory and, at the present time, it has not yet been put into practice: the CPC was introduced in Italy in 2007 and, since 2007, initial training is mandatory (but old licences related to carriage of goods and issued within 2009 can be automatically converted in CPC within 2014.); it means that the first periodic training should start in 2012. In the meantime (till 2014), most of the driving licences were/are/will be automatically converted in CPC, just a few new truck drivers had/ have to apply ex novo for their CPC and attend initial training + exams. It means that when in 2012 the periodic training activity will be provided, it will be the "first" training ever done by most of the truck drivers.

Here the periodic training program:

- a) General programme (21h) [a.1. to know the controls of the vehicle and behaviour of the driver (7h); a.2. to know behaviour rules and responsibility of the driver (7h); a.3. to know professional risks. Psycho-physical conditions of the driver (7h)];
- b) Special programme (14h) for truck drivers [b.1) load and unloading of good; tasks of the driver (7h); b.2) regulations of carriage of goods (7h)];
- c) Special programme (14h) for bus drivers [c.1) duties of drivers as regards company and passengers (7h); c.2) regulation of carriage of passengers (7h)]

The periodic training has to be done "from 6 months before"/ "to 2 years after" the CQC expiring date.

2 years after the CQC expiring date, the driver must instead not only attend the training course but also pass the exam.

F. Execution of the training by public and private providers

The training (initial or periodic) is provided by private single driving schools, driving schools' associations or by organizations functionally related to road transport associations /confederations.

In order to provide training courses they should have obtained a quality certificate from the competent authority that states the accordance with the requested requirements (in terms of premises, didactic material, trainers, vehicles etc. specified in the regulations).

Providers that already offers initial training are going to offer also periodic training.

Professionals involved in initial and periodic training:

- a) teacher for the theory: the teacher should have a specific qualification and, in the past 5 years, should have provided lessons for at least 3 years
- b) driving instructor: the instructor should have all the driving licenses, a specific qualification and, in the past 5 years, should have provided lessons for at least 3 years

c) doctor expert on legal medicine, socialized medicine or occupational medicine or, in the past 5 years, should have provided lessons for at least 3 years in training courses related to the road transport activities.

d) expert on business organization particularly of road transport companies that, in the past 5 years, has worked in a road transport company for at least 3 years or that published specific text on legal-administrative activity related to the road transport.

The following profiles are considered as expert on business organization:

d1) teacher of letter a) that have the certificate of eligibility for access to the profession for carriage of goods and passengers.

d2) people that, in 3 years out of the last 5, were teacher in training courses for professional truck or bus drivers.

G. Reflection on the implementation

See H.

The directive doesn't much address shortage of professional drivers nor increase road safety.

Till now, the implementation has not increased drivers employability nor their quality. With regard to the quality, it could be increased if exams and related training were more practical oriented (particularly medical and legal training could be reduced)

H. Competition and European context

In Italy, the general opinion of the branch is founded on lack of motivation and lack of faith in the directive and in the related implementation.

The directive is differently implemented in every EU countries, due to different previous regulations, branch system and role of the truck sector in the economic national output (so we can't maybe yet speak of a European directive)

Specifically, in Italy, the sector has never made a strong appeal to the government.

Nevertheless, until 15 years ago, the profession was quite satisfactory: although training didn't have a priority in the branch, efforts and incomes of professional truck drivers were well balanced (retired truck drivers working in that period have pretty earned and are today completely autonomous and satisfied from an economic point of view). On the contrary, today more difficulties have to be faced by truck drivers: new strict regulations, more fees and expenses, no bargaining power on customers (customers don't favour high quality professional drivers but the cheapest offer), more competition, new mandatory tools (i.e. digital tachograph), more strict rules on work/rest cycle....), no balance between high efforts and money earned etc.

The new regulation and the related training are, therefore, perceived as duty and/or obstacle from drivers and employers. They are not interested in it nor in a better comparability of qualifications of professional drivers, as they have to face other bigger daily difficulties before. Time and money have to be spent in working.

On the contrary, stakeholders (like truck associations) and driving school are interested in guaranteeing training, safety and health.

Unfortunately, the implementation will not guarantee a real and immediate positive effect: the CPC was introduced in Italy in 2007 (carriage of goods); it means that the first periodic training will start in 2012.

Until now, most of the driving licences were automatically converted in CPC (it will be possible until 2014 for driving licences issued by 2009), so just a few new truck drivers had/have to apply ex novo for their CPC and

attend initial training + exams. It means that when in 2012 the periodic training activity will be provided, it will be the "first" training ever done by most of the truck drivers.

Therefore, a better comparability of qualifications of professional drivers from Italy and other EU countries, is mainly not yet possible.

I. Prospects

Besides what above mentioned, it is desirable more intervention from the side of government (more incentives to cover training expenses, grants/benefits for those employers that provide training and guarantee high quality of their performances and of their drivers), more proactive role of trade unions.

Starting from 2012, periodic training should start.

Starting from 2014, driving licences issued by 2009 should not be automatically converted in CPC any more.

For further information on the project please consult:

www.project-profdrv.eu

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

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Prepared by:	Hans Konings (VTL, NL)		

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:

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

Spain

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Prepared by:	ASIMAG (ES)		

A. Baseline

The training itinerary considered essential for acquiring the necessary knowledge, skills and abilities for being a professional and competitive transport truck driver in Spain is the following:

A) First Block

- Obtaining C1 and C licences
- Truck driver professional course

B) Second Block

- Obtaining C1+E and C+E licences
- Truck and trailer driver professional course

C) Third Block

- Obtaining the ADR Certification for the carriage of dangerous goods by road.

This training itinerary can be followed in two different ways. Once the training of the first block has been done it is possible to choose between:

1. Following the training corresponding to the second block and then continuing with the third block;
2. Directly following the training corresponding to the third block.

A) First Block

Obtaining C1 and C Licenses

The final aim of this training is that the trainee achieves the theoretical-practical training needed for obtaining C1 and C driving licenses by passing the test established by the Spanish General Direction of Traffic Flow. In order to obtain these driving licenses trainees must fulfil the following requirements:

- a) Hold a B driving license;
- b) Be 18 years old for obtaining C1 license;
- c) Be 21 years old for obtaining C license; or, be 18 years old and hold the Certificate of professional competence.

Truck Driver Professional Course

This course aims at providing a complementary training to the obtaining of C1 and C licenses and allows the driver to acquire the necessary competences for developing its work in optimum conditions.

More specifically, this training enables the driver to: drive the vehicle, load/unload and handling the goods, make the basic preventative maintenance of the vehicle, repair basic failures, control the vehicle in difficult situations, etc..

In order to attend this course, drivers should hold a C license.

B) Second Block

Obtaining C1+E and C+E Licenses

This course aims at training C1 and C drivers in driving vehicles with a trailer heavier than 750 kg of MAM in order to obtain C1+E and C+E licenses.

Trainees must fulfill the following requirements:

- a) Hold a C1 and C license respectively;
- b) Be 18 years old for obtaining C1+E license;
- c) Be 21 years old for obtaining C+E license; or, be 18 years old and hold the Certificate of professional competence.

Truck and Trailer Driver Professional Course

This training aims at providing the theoretical and practical knowledge that allows truck and trailer drivers to exercise their profession with a high competitive level as well as to drive the vehicle, load/unload and handling the goods, making the basic preventative maintenance, repairing the basic failures and controlling the vehicle in any situation.

In order to follow this training, trainees must hold C1+E or C+E licenses.

C) Third Block

Obtaining the ADR Certification for the carriage of dangerous goods by road

The ADR Certification allows drivers to transport dangerous goods by road, respecting the legislation in force. This training aims at applying the legislation on dangerous goods transport in force, raising awareness among drivers on the risks this type of transport represents in case of accident.

Trainees must fulfill the following requirements:

- A) Hold a certificate from primary school or similar education level;
- B) Hold a B driving license with at least 1 year of seniority.

B. Preparing for the Directives implementation

Taking into consideration the characteristics of the training system, several bodies, institutions, social actors and stakeholders participated in the previous process to the transposition of the Directive 2003/59 into Spanish national legislation: Public administrations and bodies, trade unions, employers associations, training providers and expert in several areas (training and education, road safety, etc...). Finally, in 2007 the Royal Decree 1032/2007¹ that regulates the initial qualification and periodic training for drivers of specific vehicles for road transport, which adapted the EC Directive 2003/59 into national legislation.

According to some users and experts' opinion, the directive transposition has been a relevant step to modernise the transport sector, because

- The new environment turns the "truck driver" into a "professional driver";
- It promotes a professional training framework for transport sector, providing effective training resources and materials for professional drivers;
- It establish a real lifelong training process;
- All actors accepted the process (employees, employers, self-employers, public bodies, etc...).

¹ Real Decreto 1032/2007, que regula la cualificación inicial y la formación periódica de los conductores de determinados vehículo destinados al transporte por carretera. BOE nº 184 de 2 de agosto de 2007.

In short, the new training framework is a chance to provide transport sector with a efficient continuous training process that answer the current and futures needs of professional drivers. Regarding to the training, the new instrument introduce three innovative measures in the sector as follows:

- 1 Regardless of the Driving C or C1 permission, It establishes a mandatory initial training for all professional drivers.
- 2 The new framework regulates the need to periodic training intended to update the initial knowledge of professional drivers.
- 3 The training is focused in subjects and knowledges directly related to the driving activity.

C. Directive implemented

The Royal Decree 1032/2007 is the legal instrument that transposes the EU Directive about initial and periodic training of the drivers into Spanish national legislation. This legislative instrument regulates all topics included in the directive, as follows:

- Initial training intended to obtain the Professional Aptitude Certification (in Spanish Certificado de Aptitud profesional).
- Periodic training intended to update and improve the knowledge of the drivers, specially in the subjects of road safety, and reduction of fuel consumption.
- Training centres, requirements to offer training.
- Standarisation fo training activities; about the structure of training contents and how to received the theoretical trainings, as well as the practical content.
- Exams, characteristics and regulations.
- Mandatory training modules for Initial training.

The royal decree regulates a exception for the drivers who obtained driving license before 2009. Thus these drivers are exempt from the mandatory initial training, but they have to participate in a mandatory periodic training within 5 year. This especial exception covers both drivers with a C1, C1+E, C and C+E or equivalent permission issued before 11/09/2009 have to attend a continuous training course and drivers with a D1, D1+E, D and D+E or equivalent permission issued before 11/09/2008. The law stablished the deadlines to develop training activities.

As the regional governments have some competences in transports, the implementation of the directive imply the participation of these bodies in the development of this regulation.

D. Exams

CAP courses can be organized only by centres authorized by the official organ of the competent Autonomous Community. The taught courses have to be in line with the homologation requisites imposed by the same Autonomous Community. Moreover, the Spanish legislation obliges the centres to dispose of a given group of trainers specialized in the following CAP's aspects:

- Road training
- Rational driving
- Logistic and road transport
- Dangerous goods
- Fire prevention
- First aid

It must be noticed that no specific training system for teachers has been created.

Within six month since the end of the course, CAP candidates have to approve an exam organized by the Autonomous Community. The exam is made of 100 test questions with 4 possible answers. 50 points is the minimum requirement to approve the exam. Once the candidate has approved the exam, he/she will receive a certificate and a card of professional qualification.

All costs related to the courses and the exams are entirely funded by the trainee. The average cost is around 300-400 €. Nevertheless, it is foreseen that, once the driver formation will be integrated within the general Spanish training system, funding from the *Fundación Tripartita* will be available.

E. Periodic training

Mandatory periodic training for drivers foresees the approval of a minimum 35-hour course every five years, which program is the following:

- Module 1: Advanced training about rational driving based on security rules (8 hours)
- Module 2: Application of the regulation (5 hours)
- Module 3: Health, driving and environmental safety , logistic (22 hours)

Drivers with either post September 2008 D1, D1+E, D or D+E driving licenses or post September 2009 C1, C1+E or C+E licences must realize the first training course of periodic training within 5 years from the CAP implementation. The implementation has followed the below-reported calendar:

D1, D1+E, D or D+E

Driving license ending in	Deadline
1 o 2	10/09/2011
3 o 4	10/09/2012
5 o 6	10/09/2013
7 o 8	10/09/2014
9 o 0	10/09/2015

C1, C1+E or C+E

Driving license ending in	Deadline
1 o 2	10/09/2012
3 o 4	10/09/2013
5 o 6	10/09/2014
7 o 8	10/09/2015
9 o 0	10/09/2016

Drivers who have followed a periodic training course for either one of the category are exempted from participating in a periodic training course of the other. Periodic training cannot be online and is only theoretical, but doesn't exclude driving simulation.

The implementation of the Directive is being useful for the professional qualifications (Cualificación Profesional de conductor de transporte de mercancía, y Cualificación Profesional de conductor de transporte de viajeros, 450 hours each), as well for the elaboration of a draft of a Youth Professional Driver Certificates (17-21 years old). Shortly, the Directive's implementation has supposed the creation of a structured training system for the drivers, even though it is not completely integrated in the general Spanish professional training system. The CAP certifies that the driver has attended the courses and approved the exams (option 1: mandatory course and exam) The CAP can be obtained through both ordinary and accelerated modalities (either 280 or 140 hours plus the exam):

CAP course	Accelerated modality	Ordinary modality
Rational driving	65 h.	130 h.
Security	55 h.	110 h.
Rules	20 h.	40 h.
<i>Total hours</i>	140 h.	280 h.
Hours of practical individual driving	10h.	20 h.
Of which through simulator	4h.	8 h.

- If the driver already owns the initial ordinary training, then the duration of the new initial training will be of 70 hours, 5 of which of individual driving.
- If the driver already owns the initial accelerated training, then the duration of the new initial training will be of 35 hours, 2.5 of which of individual driving.

F. Execution of the training by public and private providers

The regulation establishes that the training could be provided by both any private or public provider authorized by the competent authority in this matter. The applicant training centre should fulfill some of the following requirements:

1. To be a natural or legal person;
2. Have electronic signature recognised by a certification services provider;
3. To fulfill the fiscal obligations established by the legislation in force;
4. Have the minimum staff necessary for the functioning of the training centre;
There is a specific mention to the exact profiles of the trainers (it is possible for one person to correspond to more than one profile):
 - One training director with previous experience as teacher or director for at least 3 years in a training centre related to transport sector, driving school, national agency of employment or vocational training.
 - One trainer specialised in road training.
 - One trainer specialised in rational driving, based in safety and environmental laws.
 - One trainer specialised in logistics and road transport.
 - One trainer specialised in dangerous cargoes.
 - One trainer specialised in fire extinction teams and means.
 - One trainer specialised in first aid.
5. Fulfill the labour and social obligations established by the legislation in force;
6. Have the adequate premises for the provision of, at least, the theoretical courses;
7. Have the necessary vehicles for the realisation of the practical lessons (at least one vehicle of the category corresponding to the course);
8. Have the adequate learning materials (films, slides, boards, beamer, dummy for first aid lessons, analogic and digital tachographs, models of the necessary documentation, model of the bill of landing, compilation of road transport and traffic legislation).
9. Qualification and training program to be taught, indicating the execution plan and the learning methodologies;
10. Fulfillment of other requirements established by other legislations (dangerous cargoes drivers, driving courses, etc...)

In addition, the trainer has to have a previous experience as teacher for at least 3 years in one (or more) of the following training centre:

- Centre for drivers' driving
- Centre for training on Good dangerous transportation;
- Associated centre of National Employment Institute
- Centre of Vocational Training
- Driving school
- Training department of the following institutions: company, association or trade union.

G. Reflection on the implementation

Considering that the EU directive establishes a common framework for training in the sector of freight road transport, its transposition into the Spanish political framework is a new step in the improvement of drivers' qualification and competences.

The Directive's transposition has supposed a radical change in several senses. Albeit the number of training hours is still consider relatively limited, the Directive emphasises its self-regulatory role which is facilitating the normalization of the training in the transport sector in Spain.

The implementation of the Directive is being useful for the professional qualifications (Cualificación Profesional de conductor de transporte de mercancía, y Cualificación Profesional de conductor de transporte de viajeros, 450 hours each), as well for the elaboration of a draft of a Youth Professional Driver Certificates (17-21 years old). Shortly, the Directive's implementation has supposed the creation of a structured training system for the drivers, even though it is not completely integrated in the general Spanish professional training system.

Besides, the new regulation about the minimal requirements of the training has improved the training framework for professional drivers. So, the current status has created a training offer that fulfil all requirements of a professional driver and today we can find training resources and methodologies adapted to the needs of target group. In the same way, the Directive has improved the trainer's qualifications, improving the learning process.

H. Competition and European context

According to the experts' opinions the directive has created a common framework for training intended to create a European approach in the transport sector. Thus, it will improve the competitiveness of transport through the acquisition of several skills by drivers.

But the different steps in its transposition and the adaptation to the special status of member countries could be a barrier for full development of the main subjects of this directive.

References and methodical approach applied:

The methodology used to develop this case of study is desk research. Thus, we have analysed several information sources as follows:

- The National Institute of Statistics (Instituto Nacional de Estadística – INE). The INE is an autonomous administrative body with its own legal personality. It works under the aegis of the Ministry of for Economic Affairs and the Secretary of State for Economic Affairs (<http://www.ine.es/>)
- The Ministry of Infrastructure and Public Woks (Ministerio de Fomento) which produces every year the yearly report on the state of the road freight transport in Spain (Encuesta permanente de transporte de mercancías por carretera). The latest issued version is from 2009.
- The Spanish Confederation of Freight Transport (Confederación Española de Transporte de Mercancías).

For further information on the project please consult:

www.project-profdrv.eu

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Country case study on the implementation of directive 2003/59/EC United Kingdom

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FREIGHT TRANSPORT ASSOCIATION

A. Baseline

Before the implementation of the Directive, professional drivers would be subject to training during their initial driving test and subsequently at their employer's discretion only. However, the amount of U.K legislation surrounding the driver's test has grown since the 1930's;

In February 1934, Licenses for lorry drivers were introduced under the Road Traffic Act, 1934. The licensing authority required the applicant to submit to a practical test of their ability. In early 1937, provisional licenses were introduced for truck drivers. These licenses were part of a bigger review of driver licensing and testing in 1967, when the Road Safety Act was introduced. Requirements for licensing and testing were further refined in 1969 when a new scheme was introduced for truck drivers; this had a 'knock-on' effect in 1970 when passenger vehicle drivers were subject to the same standards as truck drivers. Indeed, before the change it was vehicle inspectors who were required to carry out passenger driver testing. After the change in 1970, it was official examiners with an HGV qualification that held the responsibility for driver testing. This introduced a higher standard of testing and subsequently the standards of driving improved in both the HGV and passenger transport sectors.

In January 1997, a new written theory test for HGV drivers was introduced, along with a change in term from HGV (Heavy Goods Vehicle) to LGV (Large Goods Vehicle).

So this was the situation regarding driver testing, but of course the Directive is all about ongoing training and development. In this respect, the U.K transport industry has always had a responsibility to train drivers without input through legislation or government intervention. In fact, a large proportion of U.K truck drivers start work in the warehouse at a typically young age (say 16-19) and progress up to truck driving through corporate development and training. This could be considered as a type of apprenticeship, and while official apprenticeship schemes have been present in the U.K for many years now, there has been a general reluctance for companies to go down this path because of costs and time (it's linked to the National Vocational Qualification framework).

B. Preparing for the Directives implementation

Initially there was a consultation between stakeholders and the government Department for Transport, in order to test the practicalities of introducing a system that had been worked on when the Directive was first discussed. These discussions involved a number of trade associations, private companies, academics and other government bodies, and following a period of due diligence the plan was created to set up an official body who would have responsibility for managing and accrediting periodic training standards. The issue around initial training was not considered a priority because the U.K opted for test only and it was considered that the majority of drivers would retain their 'grandfather' rights and would not need to undergo the initial test.

The organisation responsible for management and accreditation of periodic training is called JAUPT (Joint Approvals Unit for Periodic Training). All periodic training courses and centres must gain approval from JAUPT in order to operate commercially.

The organisation responsible for initial training and the recording of all periodic training modules is the DSA (Driving Standards Agency). They also have responsibility for managing all U.K driving licenses.

The reaction from U.K companies regarding the introduction of periodic training has been largely 'muted'. There is a general feeling that this training does not offer added value, as many companies were already conducting a similar type of training in-house and that the costs and time off the road does not provide a good return on the investment.

C. Directive implemented

There is a slight cross-over between periodic training and NVQ's (National Vocational Qualifications) in that a driver could count a 7 hour periodic training module towards his or her NVQ, provided that the course and training centre have been officially approved and that the training content meets with the syllabus for the NVQ. However, in reality this is not an ideal scenario as the NVQ requires the candidate to meet a certain standard whereas the periodic training module has no such limitation. This would likely result in complicated methodology towards gaining the full 35 hours periodic training.

One of the main challenges is the limitation placed on course length. The vast majority of driver CPC modules are 7 hours in length, and while it is possible to split the module into two 3.5 hour sessions it is not hugely beneficial because the 2nd part of the module must be taken within 24 hours of the 1st part of the module. If this time limit was not in force, then it is entirely likely that more periodic training would be delivered and the chances of meeting the deadline for completion of periodic training would be improved.

However, when the Directive came into force there was not much publicity here in the U.K, and that had the effect of drivers becoming aware of the Directive 3 or 4 months after its introduction. It seems as though the U.K transport industry has not, in the main, embraced the concept of periodic training willingly.

The U.K industry is fortunate in that we have a vast number of periodic training modules to choose from, and the limits imposed on subject matter by other EU member states does not apply here.

We have a sector skills council called 'Skills for Logistics', who promote the U.K logistics industry through increased training, apprenticeships, awareness campaigns and funding streams. While they have no direct responsibility for enforcing or implementing the Directive, they are monitoring it closely as it will undoubtedly have an effect on driver performance and driver shortages over the longer term.

The responsibility for enforcing the requirements of the Directive rest with the police and VOSA, and the fines are steep. However, as the U.K will issue a driver card only on completion of the 35 hours periodic training the enforcement won't be widespread until the deadline for periodic training completion has passed, as most transport operators will continue to wait until 2014.

D. Exams

The exam for the initial qualification is only relevant to new drivers, and it is widely anticipated that the test will be taken at the same time as the vocational driving licence. The examinations will be administered and monitored by the Driving Standards Agency (DSA) under normal exam conditions.

E. Periodic training

The flexibility of the U.K system means that we now have over 1400 approved courses and over 800 approved training centres. Clearly many of these courses are a variation on the same theme, but a driver is not obliged to follow the subjects detailed in the Directive (unlike the initial training whereby the entire syllabus must be studied) and a company can choose to place their drivers on the most appropriate course in line with corporate needs. This would typically be based upon fuel efficiency or defensive driving, so as to reduce costs associated with fuel consumption and vehicle repairs.

F. Execution of the training by public and private providers

Accredited businesses, whether they are an individual with a small business, an SME or a large, established training provider, are authorised to deliver initial and/or periodic training. As long as they meet the criteria set by JAUPT for both the training course and the training centre then they can continue to deliver this training.

When a potential training provider wants to start delivering periodic training, they must undergo a Quality Assurance Audit delivered by JAUPT. Each course must be re-accredited once every 12 months, while the centre must continue to show that it meets with the requirements for a training centre until it reaches 5 years, at which point it must be re-assessed for centre approval. The following link provides information about course and centre approval; <http://www.drivercpc.org/en/faqs/centres-courses/>

G. Reflection on the implementation

While the implementation of the Directive is being monitored in terms of delegate numbers and quality, in reality there are very few actions being taken to improve uptake or effectiveness. It is partly due to the training standards that have been in place for a number of years already. While it will undoubtedly have an effect on driver performance over the longer term, there is currently no extensive research on the effectiveness of the periodic training.

The Directive is not expected to have a huge effect on driver shortages, in part because it's too early to see any real difference but more importantly because the 'grandfather rights' apply to the majority of the U.K truck drivers and it will only address the driver shortage through the initial test at an earlier age.

There is also a question mark over whether it would make a difference to driver's employability; a driver's biggest asset is considered to be his or her experience and the class of vehicle that they are entitled to drive.

H. Competition and European context

The competition will always be limited as the biggest problem with periodic training is the fact that a number of EU countries refuse to recognise part-periodic training that has been completed in another country. Also, the Directive it is down to interpretation, which has given rise to differences across the EU. The ambition to improve driving standards across Europe will always be limited when you have different interpretations of the Directive, so I don't believe it is a level playing field.

Most U.K stakeholders believe that the Directive will bring about an improvement in standards, especially with smaller companies who rarely have training as a priority. However, there is still concern that the demand for periodic training in 2014 will outweigh the capacity of approved centres and training instructors.

I. Prospects

It is still too early to say what the U.K government will do to address the implementation of the Directive over the longer term. Many industry experts believe that the transport and logistics sector will be left to manage itself in this respect.

There appears to be no slowing down on the amount of approved courses and training centres, which of course will continue to provide huge choice for the driver's company and promote competition between training providers. Only when the effectiveness of periodic training can be examined will we understand whether changes will be made; this detailed examination is unlikely to be conducted before 2014.

For further information on the project please consult:

www.project-profdrv.eu

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