



RETURN ADDRESS P O Box 3008 / 2700 KS Zoetermeer, The Netherlands

Mrs ADINA VĂLEAN
Member of the European Commission
Rue de la Loi, 200
B-1049 Brussels

Mr Jean-Louis Colson
Deputy Director General
Head of Unit for Road Transport
DG MOVE, European Commission
Rue de la Loi 200 1049 Brussels Belgium

Per email: adina.valean@ec.europa.eu
Cc: Jean-Louis.Colson@ec.europa.eu

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CONTACT	Elisabeth Post, T + 31 884567161

Dear Mrs Vălean, Mr Colson,

As companies active in the European transport and logistics sector we have, of course, closely followed the process concerning the establishment of the Mobility Package. As experienced logistics service providers in the European market, we identify with the reasoning behind the package. Although we support the objectives of the Mobility Package, we are of the opinion that not all proposed measures would be effective. In particular, the return home obligations for vehicles is, in our view, not an effective measure. We understand that, especially given the laborious process to agree on the Mobility Package, the member states attach importance to the fact that the entire package is no longer called into question. However, there are a number of reasons why we are of the opinion that the 'Return Home Vehicle' obligation should be postponed. This is fuelled by a progressing insight and the situation within the transport sector.

There are 4 reasons for this, which we will summarise first of all:

1. The current market situation in Europe, including the labour market in our sector, is severely overstrained. In particular, the driver shortage in Central and Eastern Europe (particularly Germany) is so severe that relocating companies to the 'centre of activity' of the transport operation only works in theory.



2. The measure will also lead to a disruption in the market in terms of available transport capacities, meaning that especially SMEs in Central and Eastern European member states would have to cope with a worsening market situation.
3. Our companies are active throughout Europe and guarantee an effective and sustainable supply chain. Each day we witness increasing stagnation of the supply chain. The RHV measure intensifies disruptions in the supply chain, resulting in identical situations as those currently being experienced in the UK.
4. Businesses are entitled to have governments that translate European measures into national legislation in the same way and at the same speed, and that act in a predictable and comparable manner. From what we have heard, member states will not be ready by February. For that reason, you cannot expect the business community to implement sizeable organisational changes, and make the associated investments.

Below we provide a further explanation to open up the debate concerning the Return Home Vehicle obligation.

The Return Home Vehicle obligation does not lead to an effective change

We are large logistics service providers, with many EU-based sites which enable us to work effectively. According to supporters of this measure, the “solution” to mitigate the impact of the RHV measure, notably driving back empty, is to relocate subsidiaries to countries where the 'centre of activity' of the transport operation lies. Germany is often referred to as an operational base. On the basis of the above, we would drive fewer empty return journeys. This concept is only correct in theory. Germany has a driver shortage of approx. 100,000 drivers, and other countries are also contending with enormous shortages. We can change the registration plates of our vehicles to German plates, but quite simply we don't have the drivers to drive these vehicles.

The measure also has an impact on the smaller companies in the domestic market. SMEs and independent self-employed drivers in the Central and Eastern European countries may be severely affected by the RHV measure, because they do not have the funds and resources to relocate their companies.

We anticipate that compulsorily having to return home, predominantly empty (because there is much less transport volume from West to East) will lower tariffs further still and this development could ultimately lead to the bankruptcy of these companies. In our view, the RHV measure therefore does not create a more level playing field, but will actually erode the level playing field further still.

Below is an example of a logistics service provider, which is representative of many other logistics service providers in the EU: Vos Logistics, based in the Netherlands, is a company which operates throughout the EU. With a fleet of more than 1,000 internationally operating vehicles, between 10% and 15% of the capacity will be absorbed in order to be compliant with the Return Home Vehicle obligation. In order to continue to meet the current transport demand of its customers, Vos Logistics will require an additional approx. 150 trucks and approx. 220 drivers before February 2022.



This is in a market in which, for various reasons, truck manufacturers are unable to meet the market demand due to disrupted supply chains and the structural shortage of drivers in Europe.

Level playing field crucial

Unified EU legislation should help our companies to create the right framework conditions to be able to perform our work throughout Europe fairly and on equal terms.

An unlevel playing field would be created if member states are not ready on time with implementation. As a result, some companies will be faced with enforcement of compliance as early as 21 February 2022 and other companies much later. This goes against one of the principles of the Mobility Package: legislation must be introduced uniformly across the EU, with better enforcement, to restore the fragmented transport sector.

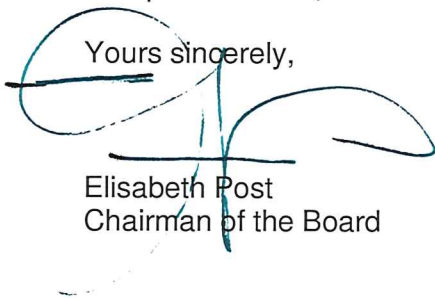
Reliable government

The uncertainty about timely implementation, combined with the ongoing proceedings at the European Court of Justice mean that companies cannot rely on this measure being simultaneously introduced and enforced in all EU member states. This means that we have to make investments because of a measure that might not be enforced, or only for a short period of time. We can only make decisions of this magnitude if there is a guarantee that the measure will be introduced and enforced everywhere and in a comparable manner.

Irrespective of our view, a scenario as described above is completely undesirable. Companies need sustainable decisions on which we can base our long-term strategy. Postponement of the measure is urgently required, due to new market developments such as capacity and driver shortages, differences in the speed of introduction and a lack of clarity about enforcement in member states and due to a possible cancellation of the measure following a ruling by the European Court of Justice.

If required we are, of course, more than happy to provide a further explanation.

Yours sincerely,



Elisabeth Post
Chairman of the Board



Cees de Waard, CEO

Gerrit Hes, algemeen directeur

Bertil Bouwhuis MBA, managing director Chemical Logistics

Fred Westdijk, CEO

Johan Cuijten, algemeen directeur



W.A. ter Maat, managing director



Gerard de Groot, managing director



Frank Verhoeven,



Bertus Dasselaar, algemeen directeur