

Data gathering and analysis of the impacts of cabotage restrictions on combined transport road legs

European Commission - DG MOVE

Combined Transport Organisers – Survey

Following the political agreement on Mobility Package 1 of 11-12 December 2019, the European Commission (Directorate General for Mobility and Transport) is analysing the impact of the amendment to Regulation 1072/2009 on the international road haulage market. The amendment would allow Member States the possibility to apply “cabotage restrictions” to those road legs of international Combined Transport (CT) that do not cross a border (road legs that occur within one Member State).

The Commission has contracted TRT Trasporti e Territorio (IT) to conduct a survey among operators in order to gather relevant data and information on CT operations in the EU with the aim of supporting this assessment.

The survey focuses on the economic issues that operators in combined transport would face as a result of this amendment, and their strategies to overcome these issues while keeping CT competitive. The outcome of this survey will inform the European Commission’s proposal planned for 2021 for support measures to ensure competitiveness of intermodal/combined transport.

Your participation to the survey is key to gathering comprehensive information from market stakeholders and to the European Commission’s drafting of a meaningful amendment proposal.

GDPR, anonymity and use of your input

The study team will only make use of your contribution (information/data provided) for the purpose of this study. Please indicate how you would like us to present the information provided:

Your contribution will appear with a reference to the organisation you represent	<input type="checkbox"/>
Your contribution will be anonymous (only the type of company and industry sector will be named, e.g. “freight forwarder”, “intermodal operator”)	<input type="checkbox"/>

Definitions/rules

Intermodal transport is transport of goods within a loading unit, usually a container, swap-body, (semi-) trailer or lorry that is transhipped between different modes of transport without handling the goods within.

Combined Transport is intermodal transport that fulfils the definition set in Directive 92/106/EEC according to which 'combined transport' has to fulfil all of the following:

- It is transport of goods between Member States, that is to say the transport has to involve at least two Member States. The door-to-door transport operation can start or end outside of EU and/or it can transit a non-EU country;
- The goods have to be carried in an intermodal loading unit limited to lorry, trailer, semi-trailer, with or without tractor unit, swap body or container of 20 feet or more;
- The operation has to involve a non-road leg of rail, inland waterway or maritime services (or combination of them). This non-road leg has to exceed 100 km as the crow flies in the EU (direct distance between beginning and end point). Combinations of road transport with only ocean going maritime transport or air transport are not covered;
- The operation has to involve at least one road leg in the EU as the initial or final leg of the total operation. Any road leg has to be:
 - o for rail-road combined transport between the point where the goods are loaded/unloaded and the nearest suitable rail loading station;
 - o for combined transport involving inland waterways and short sea shipping maximum 150 km as the crow flies.

Road **cabotage** is the national road haulage (road haulage within one Member State) of goods for hire or reward carried out by non-resident hauliers on a temporary basis in a host Member State. Road cabotage is regulated by Regulation 1072/2009/EU and following the amendments proposed by the above mentioned political agreement would be only allowed as follows¹:

- non-resident hauliers holding Community licence can carry out up to 3 cabotage operations within 7 days in the host Member State after an incoming international road haulage with the same vehicle or vehicle combination
- Within the same 7 days after international loaded haulage, they can carry out 1 cabotage operation in 3 days in another Member State that they have entered unloaded
- A cool-off period of 4 days applies, that is to say after the 7 days or 3 operations (whichever comes first), no cabotage operations can be carried out in the same Member State with the same motor vehicle for 4 days

Today, road legs of combined transport operations covered by the Directive 92/106/EEC are liberalised according to Article 4 of the same Directive, that is to say that any road haulier having the Community licence can carry out those road legs without numerical limits applying to non-resident hauliers.

The proposed amendments would apply only to combined transport according to the definition in the Directive 92/106/EEC and not to all intermodal transport, though impacts may be felt also for intermodal transport in general. Road legs of intermodal transport not fulfilling the definition of combined transport in the Directive are subject to cabotage rules already today. All other amendments in the political agreement on Mobility Package 1 will apply to combined transport road legs. This includes new rules on posting of workers, rules on driving and rest times and conditions, rules on return of the truck, etc.

¹ <https://data.consilium.europa.eu/doc/document/ST-15085-2019-INIT/en/pdf>

1 Size and scope of the business

1.1 How many intermodal transport operations do you carry out/organise in one year? Out of them how many are Combined transport operations corresponding to the definition of the CT Directive?

Please indicate the average number of operations (and tkm) for the following combination of modes (average of last 3 years)

	Intermodal (nr of operations and tkm)	Combined transport as % thereof*
Rail/Road		
Inland waterway (IWW)/Road		
Short sea shipping (SSS)/Road		
Trimodal rail/IWW/road		
Trimodal rail/SSS/road		
Trimodal IWW/SSS/road		

*% of intermodal operations corresponding to Combined Transport as defined in the Directive

1.2 Where do you carry out/organise your intermodal transport operations?

Please indicate the annual average number of operations for the following type of transport

<p>National intermodal transport (Transport of goods exclusively within one Member State)</p>	
<p>Intra-EU intermodal transport Intermodal transport between two or more Member States, which may or may not include transit through a non-EU country (e.g. Netherlands to Italy, including if via Switzerland);</p>	
<p>Intra-EU intermodal transport with international connection Intra-EU intermodal transport that either starts or ends outside of EU (e.g. from China to Austria, where operation in EU includes at least 2 modes (road+rail/IWW/SSS) and 2 Member States). This can involve connections to ocean going maritime transport or crossing of EU border on road, rail, IWW, SSS.</p>	
<p>International intermodal transport Intermodal transport of goods between one Member State and a non-EU country (e.g. from Slovakia to Ukraine)</p>	

1.3 In which countries do you operate?

Please indicate the main countries for each combination of modes

Rail/Road	
Inland waterway/Road	
Short sea shipping/Road	
Trimodal rail/IWW/road	
Trimodal rail/SSS/road	
Trimodal IWW/SSS/road	

1.4 What share of your business is represented by intermodal transport operations?

<10 % <input type="checkbox"/>	50-60 % <input type="checkbox"/>
10-20 % <input type="checkbox"/>	60-70 % <input type="checkbox"/>
20-30 % <input type="checkbox"/>	70-80 % <input type="checkbox"/>
30- 40 % <input type="checkbox"/>	80-90 % <input type="checkbox"/>
40-50 % <input type="checkbox"/>	>90 % <input type="checkbox"/>

2 Business Strategies

Focusing on the Combined Transport (according to the Directive definition)

2.1 In some CT operations the road legs (initial/final) do not cross a country border and they are carried out by non resident hauliers (companies from a country different from the one where the road leg occurs, the nationality of the driver is not relevant).
e.g. a rail-road CT operation between Italy and Germany in which the initial road leg is carried by a Bulgarian haulier, and/or the final is carried by a Polish haulier. In this regard:

<p>What is the share (%) of operations with an initial/final road leg carried out by foreign haulier companies, out of all CT operations you carry out/organise on average in one year?</p>	
<p>What are the main reasons for choosing hauliers from a country different from the one where the road transport occurs?</p>	

2.2 Cost of road haulage legs (initial/final) in combined transport operations

<p>Please provide the average cost of a road leg in the main country you operate (€ per trip or €/km)</p>	
<p>How does this cost vary between the different combination of modes? (Rail/road; IWW/road; SSS/road)</p>	
<p>How does this cost differ between different countries? Please provide some examples</p>	
<p>How can the business model influence this cost? (type of load unit, choice of terminal to be used, empty trips, etc.)</p>	

Please indicate what share (%) of the total cost of a CT is ascribed on average to road transport (initial+final road legs)	<i>Share of road leg in total cost of rail/road CT</i>
	<i>Share of road leg in total cost of IWW/road CT</i>
	<i>Share of road leg in total cost of SSS/road CT</i>

2.3 Considering the cost of road haulage legs, what is the difference between the cost of resident hauliers and the cost of foreign hauliers?

Foreign haulier cost lower	Foreign haulier cost higher
-5 % <input type="checkbox"/>	+5 % <input type="checkbox"/>
-10 % <input type="checkbox"/>	+10 % <input type="checkbox"/>
-15 % <input type="checkbox"/>	+15 % <input type="checkbox"/>
-20 % <input type="checkbox"/>	+20 % <input type="checkbox"/>
> -20 % <input type="checkbox"/>	> +20 % <input type="checkbox"/>

3 Compliance with new rules

The application of cabotage quotas on CT road legs can have a serious impact on the use and competitiveness of combined transport. To comply with these restrictions, some operators currently using combined transport with non-resident hauliers may decide to revert to road only transport, or may decide to switch terminals (to include a border-crossing road leg), or come up with other strategies to mitigate the change. The following section asks for your assessment on the impact of these new rules on your business.

3.1 How would you plan to comply with the new cabotage rules?

Please indicate the share of your CT operations affected by the various measures

	% of all CT operations
No change needed, I already comply with the new rules	
Rotate (more intensively) my drivers who do international road operations in order to do CT road legs within the cabotage limits	
Start using local hauliers for the initial/final road leg	
Establish a subsidiary in a host country and hire drivers (local or foreign) under local contracts	
Hire drivers (local or foreign) under local contracts in an existing local subsidiary	
Start using a different terminal across a border so that the road leg is not subject to cabotage rules	
Use locally hired vehicles in countries where this is allowed with the aim to reduce the risk of infringements and controls during road transport	
Shift CT operations to road only transport	
Other (please specify)	

3.2 Local road hauliers

<p>One of the issues may be linked to the shortage of professional drivers locally.</p> <p>Do you think the local hauliers would have enough drivers to carry out CT road legs if limits are introduced to the use of non-resident hauliers?</p>	
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3.3 If all CT road legs that do not cross a border were subject to cabotage rules (no more than 3 cabotage operations within a 7 days period plus a cool-off period of 4 days), would you expect some impact on your business? Please indicate the impact you expect for the various indicators. The impact should cover all your CT operations organised by you, whether the actual transport is carried out by you or subcontracted.

Expected impact in the number of CT operations organised	Expected impact in the volumes managed (tkm, TEU, etc.)	Expected impact in your company revenues	Expected impact in your company jobs
>+50% <input type="checkbox"/>	>+50% <input type="checkbox"/>	>+50% <input type="checkbox"/>	>+50% <input type="checkbox"/>
+40 - +50 % <input type="checkbox"/>	+40 - +50 % <input type="checkbox"/>	+40 - +50 % <input type="checkbox"/>	+40 - +50 % <input type="checkbox"/>
+30- +40 % <input type="checkbox"/>	+30- +40 % <input type="checkbox"/>	+30- +40 % <input type="checkbox"/>	+30- +40 % <input type="checkbox"/>
+20- +30 % <input type="checkbox"/>	+20- +30 % <input type="checkbox"/>	+20- +30 % <input type="checkbox"/>	+20- +30 % <input type="checkbox"/>
+10- +20 % <input type="checkbox"/>	+10- +20 % <input type="checkbox"/>	+10- +20 % <input type="checkbox"/>	+10- +20 % <input type="checkbox"/>
<+10 % <input type="checkbox"/>	<+10 % <input type="checkbox"/>	<+10 % <input type="checkbox"/>	<+10 % <input type="checkbox"/>
None <input type="checkbox"/>	None <input type="checkbox"/>	None <input type="checkbox"/>	None <input type="checkbox"/>
<-10 % <input type="checkbox"/>	<-10 % <input type="checkbox"/>	<-10 % <input type="checkbox"/>	<-10 % <input type="checkbox"/>
-10-20 % <input type="checkbox"/>	-10-20 % <input type="checkbox"/>	-10-20 % <input type="checkbox"/>	-10-20 % <input type="checkbox"/>
-20-30 % <input type="checkbox"/>	-20-30 % <input type="checkbox"/>	-20-30 % <input type="checkbox"/>	-20-30 % <input type="checkbox"/>
-30- 40 % <input type="checkbox"/>	-30- 40 % <input type="checkbox"/>	-30- 40 % <input type="checkbox"/>	-30- 40 % <input type="checkbox"/>
-40-50 % <input type="checkbox"/>	-40-50 % <input type="checkbox"/>	-40-50 % <input type="checkbox"/>	-40-50 % <input type="checkbox"/>
>-50% <input type="checkbox"/>	>-50% <input type="checkbox"/>	>-50% <input type="checkbox"/>	>-50% <input type="checkbox"/>

Assuming that some contracts are long-term and cannot be shifted immediately after the application of a new rule, do you expect these impacts to be more severe or less severe in the longer term (e.g. after few years from the application)? Please explain how.

3.4 Taking all your intermodal operations into account, can you estimate how you would change your CT operations in response to the possible restrictions on CT road legs, as compared to the current situation with no restrictions? In particular:

1) If you plan to shift some operations to road only transport, how many CT loading units (one truck load) would be affected, that is to say how many additional trucks would you start operating on the long-distance road?		
Rail/Road loading units shifted to road-only transport	IWW/Road loading units shifted to road-only transport	SSS/Road loading units shifted to road-only transport
2) If you plan to shift some operations to road only transport, how many additional actual road kilometres would that mean in one year?		
New road km from Rail/Road CT	New road km from IWW/Road CT	New road km from SSS/Road CT
3) How long is on average the length of the non road leg that you would avoid? how many non-road kilometres would be lost?		
Rail	IWW	SSS
4) In case you plan to change your business model to comply with the new rules (e.g. by using terminals cross border), how much would the <u>length of each road leg</u> increase? How many non-road transport kilometers would you replace on average with road transport in one year?		
For the rail/road combination, I will increase the length of the road leg by kilometres, and reduce the rail leg by kilometers	For the IWW/road combination, I will increase the length of the road leg by kilometres, and reduce the IWW leg by kilometers	For the SSS/road combination, I will increase the length of the road leg by kilometres, and reduce the SSS leg by kilometres.
5) How many units would be moved to a a different terminal?		
Loading units in Rail/Road operations	Loading units in IWW/Road operations	Loading units in SSS/Road operations
6) Do you foresee other measures to comply with the new rules and stay competitive? Please specify which other measure you foresee.		

3.5 If you operate with different CT combinations, do you think the impacts of the restrictions would be different depending on the modal combination (rail-road, IWW-road, SSS-road)? Please explain how.

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3.6 Considering the countries you operate, where do you think the restrictions would have the lower/higher impacts?

Member States with <u>lower</u> impacts	Member States with <u>higher</u> impacts

3.7 Considering the overall sector in Europe, do you expect that some intermodal businesses may be put at risk, including extreme impacts such as bankruptcies, close of business in case the new rules are implemented?

<p>Please indicate what businesses would be affected in such extreme way</p>	
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3.8 Considering your own business, do you expect that it may be put at risk, including extreme impacts such as bankruptcies, close of business in case the new rules are implemented?

<p>Please, indicate the likelihood of your business be affected in such extreme way. In case you have different businesses, the share for each one.</p>	
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