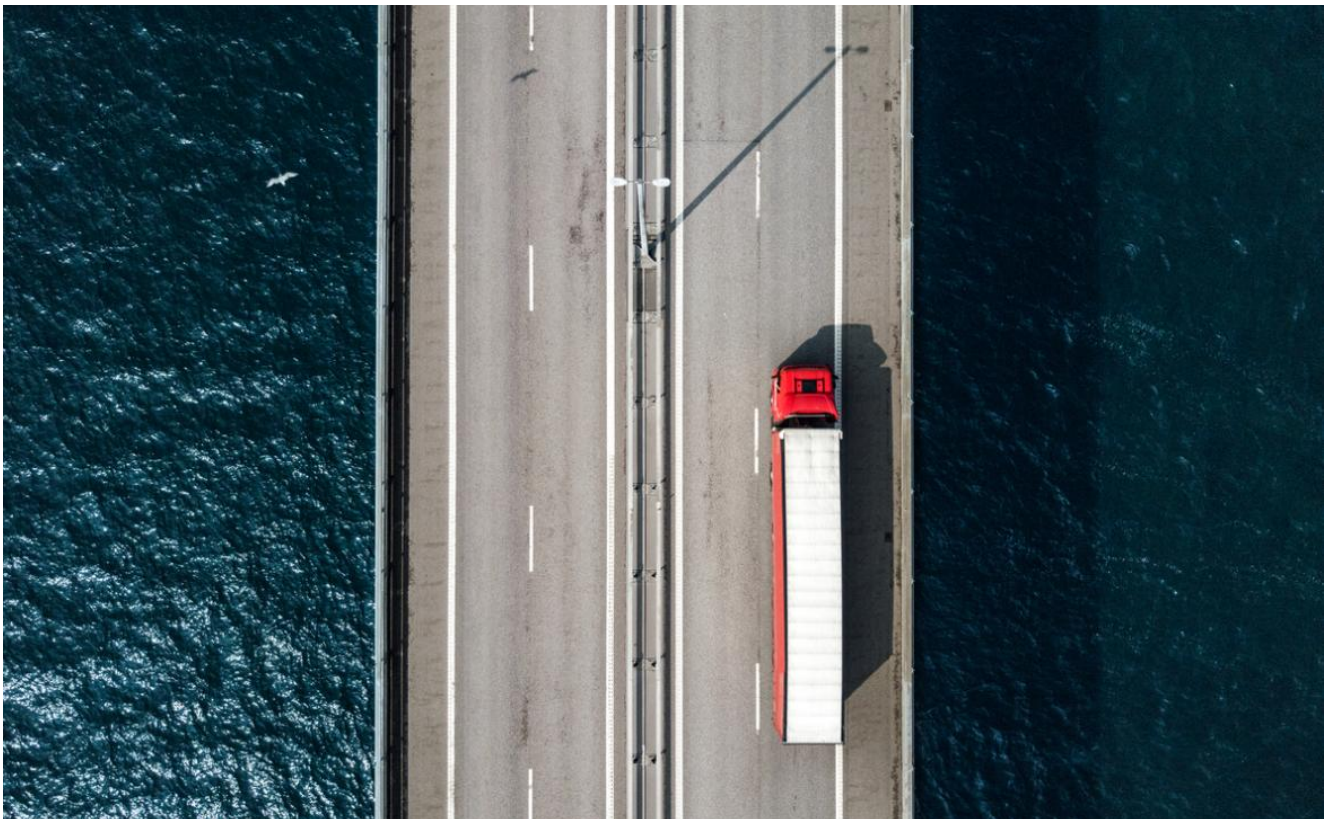


Revocation of road haulage permits – stricter measures enforced

Serious or repeated violations of the rules on, among other things, driving and rest periods, cabotage, posting, tachograph, and certain violations of tax and duty legislation may result in the revocation of a permit for the carriage of goods, including a Community permit. The collection and sharing of information on checks carried out and possible penalties in the road transport area is now being expanded.



In our news article back in June 2023, we warned that holders of permits for road haulage could risk having their permits revoked in the event of serious or repeated violations of a number of rules in the road transport area, including in particular driving and rest periods, cabotage, posting, and traffic legislation.

The Ministry of Justice has extended the obligation of the police to report to the Danish Road Traffic Authority. Reporting must now take place when a Danish haulier, a driver employed by the haulier, or another person acting on behalf of the haulier is punished for circumstances that may affect the revocation of the road haulage permit (Community permit).

Denmark is also obliged under the auspices of the EU to collect and share information with the authorities in the other EU countries about violations of the EU rules in the road transport area by both Danish and foreign hauliers – including drivers or others acting in the interests of the haulier.

Regardless of where infringements are committed in the EU, the information is collected centrally at the individual member states' authorities – in Denmark, the Danish Road Traffic Authority – so that the authorities can assess whether there are grounds for revocation of a permit for the carriage of goods (Community permit). Similarly, checks where no violations are found (clean checks) must be shared within the EU.

In continuation of the above data collection and sharing between the member states, the individual member states, including Denmark, are obliged to have a national risk classification system in which risk classification of hauliers with a road transport permit (Community permit) is carried out based on the information on violations of the EU rules in the road transport area. The intention is that the national authorities can thereby ensure knowledge of which hauliers to a greater or lesser extent violate the rules, so that the efforts and controls are directed at the hauliers at the high end of the scale, when it comes to risk classification.

The risk classification does not take place until a final judgment has been delivered or when a fine has been accepted.

NJORD'S COMMENTS

The new rules could lead to closer monitoring of hauliers with severe and repeated violations of the road transport rules. Infringements could have serious consequences, such as the revocation of a permit for the carriage of goods (Community permit). As the risk classification takes place nationally, there is good reason to keep an eye on your classification, as violations are not necessarily treated in the same way in the various member states.



ULLA FABRICIUS
ATTORNEY AT LAW,
PARTNER

(+45) 77 40 10 12
UF@NJORDLAW.COM