



**INTERNATIONAL TRANSPORT FORUM
TRANSPORT MANAGEMENT BOARD**

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Group on Road Transport

Report by LATVIA on Implementation of the QUALITY CHARTER

The application of Latvia was approved by the Group on Road Transport under Agenda Item 4 of the meeting held on 4 - 5 October 2016 in Kiev (Ukraine).

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Satiksmes ministrija

Ministry of Transport of the Republic of Latvia

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Rīga 08.09.2016 Nr. 04-01/3119

Mr. José Viegas
Secretary General
International Transport Forum
OECD/ITF
2 rue André Pascal
F-75775 Paris Cedex 16
France

Re.: Compliance Statement/Latvia

Dear Secretary General,

We declare herewith that the Republic of Latvia is compliant with the requirements of the Quality Charter for international road haulage operations undertaken under the ECMT Multilateral Quota.

Compliance with the Quality Charter is achieved through the European Union Regulations and implementation of the appropriate European Union Directives. The key international legal instruments are Regulation No 1071/2009, Regulation No 1072/2009, Regulation No 561/2006, Regulation No 165/2014, Directive 2002/15, Directive 2006/22 and Directive 2003/59.

The EU Regulations are supported by national legal acts, especially, Law on Carriage by Road, Road Traffic Law, Labour Law, Latvian Administrative Violations Code and a number of secondary legal acts issued by the Cabinet of Ministers of Latvia.

Under the framework of the above mentioned legal acts the Road Transport Administration of Latvia manages the ECMT permit allocations and ensures that undertakings seeking permits meet all the requirements of the Quality Charter prior to issuing of them.

The Report submitted with this Statement of Compliance details the laws and/or administrative processes adhered to ensure that the provisions of the Charter are met by Latvian holders of the ECMT licences. The ECMT permits are only issued to an operator having a Community licence for the international carriage of goods by road for hire or reward.

Enclosure: Report on implementation of Quality Charter for international road haulage operations under the ECMT multilateral quota by Latvia on 15 pages.

Yours sincerely,

Kaspars Ozoliņš
State Secretary

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**REPORT ON IMPLEMENTATION OF QUALITY CHARTER
FOR INTERNATIONAL ROAD HAULAGE OPERATIONS UNDER THE
ECMT MULTILATERAL QUOTA**

COUNTRY: LATVIA

NATIONAL AUTHORITY: ROAD TRANSPORT ADMINISTRATION

DATE OF SUBMISSION: 8 SEPTEMBER 2016

**SECTION 1. PROVISIONS REGARDING TRANSPORT UNDERTAKINGS
(Chapter II of the Charter)**

A) Conditions of establishment (Chapter II, 2)

Implemented

Article 2.2.a)	<p>Fully</p> <p>Latvia complies with this provision pursuing Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009.</p> <p>Implementation National Legal Act: Regulation No 121 of the Cabinet of Ministers of the Republic of Latvia of 21 February 2012 on the Procedure of Issuance, Temporary Suspension or Withdrawal of Special Permits (licences) and Licence Cards for Commercial Road Transport Operations and Issuance of Certificates of Professional Competence in Road Transport.</p> <p>Useful Link: http://likumi.lv/doc.php?id=244501</p>
Article 2.2.b)	<p>Fully</p> <p>Latvia complies with this provision pursuing Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009.</p> <p>Implementation National Legal Act: Regulation No 122 of the Cabinet of Ministers of the Republic of Latvia of 21 February 2012 on the Procedure of Issuance, Withdrawal or Temporary Suspension of Community Licences, Certified Copies of Community Licences and Driver Attestations for International Commercial Road Transport Operations within the Territory of the European Union.</p> <p>Useful Link: http://likumi.lv/doc.php?id=244502</p>
Article 2.2.c)	<p>Fully</p> <p>Latvia complies with this provision pursuing Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009.</p>

Request for recognition of equivalence, if appropriate, in relation to one or more provisions listed above:

Provision of the Charter:	Not applicable as Latvia complies with the Charter.
Any other comments:	

B) Good Repute (Chapter II, 3)**Implemented**

Article 3.1.	<p>Fully</p> <p>Latvia complies with this provision pursuing Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009.</p> <p>Implementation National Legal Act: Regulation No 121 of the Cabinet of Ministers of the Republic of Latvia of 21 February 2012 on the Procedure of Issuance, Temporary Suspension or Withdrawal of Special Permits (licences) and Licence Cards for Commercial Road Transport Operations and Issuance of Certificates of Professional Competence in Road Transport.</p> <p>Useful Link: http://likumi.lv/doc.php?id=244501</p>
<p>Article 3.2., incl:</p> <p>- points a) to e);</p> <p>- list of most serious infringements: point d), items i - vii;</p>	<p>Fully</p> <p>Latvia complies with this provision pursuing Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009.</p> <p>Implementation National Legal Act: Regulation No 121 of the Cabinet of Ministers of the Republic of Latvia of 21 February 2012 on the Procedure of Issuance, Temporary Suspension or Withdrawal of Special Permits (licences) and Licence Cards for Commercial Road Transport Operations and Issuance of Certificates of Professional Competence in Road Transport.</p> <p>Useful Links: http://likumi.lv/doc.php?id=244501</p>
Article 3.3.	<p>Fully</p> <p>Latvia complies with this provision pursuing Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009.</p> <p>Implementation National Legal Act: Regulation No 121 of the Cabinet of Ministers of the Republic of Latvia of 21 February 2012 on the Procedure of Issuance, Temporary Suspension or Withdrawal of Special Permits (licences) and Licence Cards for Commercial Road Transport Operations and Issuance of Certificates of Professional Competence in Road Transport.</p> <p>Useful Link: http://likumi.lv/doc.php?id=244501</p>

Request for recognition of equivalence, if appropriate, in relation to one or more provisions listed above:

Provision of the Charter: [Chapter, article]	Not applicable as Latvia complies with the Charter.
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Any other comments:	
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C) Professional competence (Chapter II, 4)**Implemented**

<p>Article 4.2, incl.:</p> <p>- List of knowledge (4.2.a); b); cf.annex1)</p> <p>- Examination required: oral; written; exempted (cf. 4.2.c))</p>	<p>Fully</p> <p>Latvia complies with this provision pursuing Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October, 2009.</p> <p>Implementation National Legal Act: Regulation No 121 of the Cabinet of Ministers of the Republic of Latvia of 21 February 2012 on the Procedure of Issuance, Temporary Suspension or Withdrawal of Special Permits (licences) and Licence Cards for Commercial Road Transport Operations and Issuance of Certificates of Professional Competence in Road Transport.</p> <p>Useful Link: http://likumi.lv/doc.php?id=244501</p>
<p>Article 4.3., incl.:</p> <p>- Examinations procedure (4.3.a); cf. annex 2)</p> <p>- approval of examination bodies (4.3.b))</p> <p>- pre-training (4.3.c))</p>	<p>Fully</p> <p>Latvia complies with this provision pursuing Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October, 2009.</p> <p>Implementation National Legal Act: Regulation No 121 of the Cabinet of Ministers of the Republic of Latvia of February 21, 2012 on the Procedure of Issuance, Temporary Suspension or Withdrawal of Special Permits (licences) and Licence Cards for Commercial Road Transport Operations and Issuance of Certificates of Professional Competence in Road Transport.</p> <p>Useful Link: http://likumi.lv/doc.php?id=244501</p>
<p>Article 4.4. CPC, incl.:</p> <p>- National certificate (4.4.a); cf. Annex 3)</p> <p>- IRU Academy CPC (4.4.b))</p>	<p>Fully</p> <p>Latvia complies with this provision pursuing Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October, 2009.</p> <p>Implementation National Legal Act: Regulation No 121 of the Cabinet of Ministers of the Republic of Latvia of February 21, 2012 on the Procedure of Issuance, Temporary Suspension or Withdrawal of Special Permits (licences) and Licence Cards for Commercial Road Transport Operations and Issuance of Certificates of Professional Competence in Road Transport.</p> <p>Useful Link: http://likumi.lv/doc.php?id=244501</p>

Request for recognition of equivalence, if appropriate, in relation to one or more provisions listed above:

<p>Provision of the Charter: [Chapter, article]</p>	<p>Not applicable as Latvia complies with the Charter.</p>
<p>Any other comments:</p>	

D) Financial standing (Chapter II, 5)**Implemented**

<p>Article 5.2., including Capital required for:</p> <p>- first vehicle</p> <p>- each additional vehicle</p>	<p>Fully</p> <p>Latvia complies with this provision pursuant Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009.</p> <p>Implementation National Legal Act: Regulation No 121 of the Cabinet of Ministers of the Republic of Latvia of 21 February 2012 on the Procedure of Issuance, Temporary Suspension or Withdrawal of Special Permits (licences) and Licence Cards for Commercial Road Transport Operations and Issuance of Certificates of Professional Competence in Road Transport.</p> <p>- EUR 9000</p> <p>- EUR 5000</p> <p>Useful Link: http://likumi.lv/doc.php?id=244501</p>
<p>Article 5.3 & 5.4</p>	<p>Fully</p> <p>Latvia complies with this provision pursuant Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009.</p> <p>Implementation National Legal Act: Regulation No 121 of the Cabinet of Ministers of the Republic of Latvia of 21 February 2012 on the Procedure of Issuance, Temporary Suspension or Withdrawal of Special Permits (licences) and Licence Cards for Commercial Road Transport Operations and Issuance of Certificates of Professional Competence in Road Transport.</p> <p>Useful Link: http://likumi.lv/doc.php?id=244501</p>
<p>Article 5.5.</p>	<p>Fully</p> <p>Latvia complies with this provision pursuant Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009.</p> <p>Implementation National Legal Act: Regulation No 121 of the Cabinet of Ministers of the Republic of Latvia of 21 February 2012 on the Procedure of Issuance, Temporary Suspension or Withdrawal of Special Permits (licences) and Licence Cards for Commercial Road Transport Operations and Issuance of Certificates of Professional Competence in Road Transport.</p> <p>Useful Link: http://likumi.lv/doc.php?id=244501</p>

Request for recognition of equivalence, if appropriate, in relation to one or more provisions listed above:

<p>Provision of the Charter: [Chapter, article]</p>	<p>Not applicable as Latvia complies with the Charter.</p>
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<p>Any other comments:</p>	
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SECTION 2. PROVISIONS REGARDING THE DRIVERS
(Chapter III of the Charter)

A) Driving times and rest periods(Chapter III, 1):

All 43 Member Countries participating in the ECMT Multilateral Quota are parties to the European Agreement concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR) dated 1 July 1970. In the course of any international road haulage operation carried out under an ECMT licence, the undertaking and members of the crew must comply with the provisions laid down by the AETR with regard to the duration of driving and rest times and crew composition [*It is understood that compliance with these provisions are monitored through National procedures, established for the purpose of implementing the AETR or equivalent regulations*].

Any Comments:

B) Driver training (Chapter III, 2)

Implemented

<p>Article 2.1:</p>	<p>Fully</p> <p>Directive 2003/59/EC of the European Parliament and of the Council of 15 July 2003 transposed in the following national legal acts:</p> <ol style="list-style-type: none"> 1) Law on Carriage by Road; 2) Regulations No 358 of the Cabinet of Ministers of the Republic of Latvia of 13 April 2010 on Driver Training and Driver Training Programs. <p>Useful Link: http://likumi.lv/doc.php?id=36720, http://likumi.lv/doc.php?id=208534</p>
<p>Article 2.2.a) - Initial qualification , incl:</p> <p>- List of knowledge (cf.annex4)</p> <p>- Course + test, or, a test only</p> <p>- exemptions</p>	<p>Fully</p> <p>Directive 2003/59/EC of the European Parliament and of the Council of 15 July 2003 transposed in the national legal act:</p> <p>Regulations No 358 of the Cabinet of Ministers of the Republic of Latvia of 13 April 2010 on Driver Training and Driver Training Programs.</p> <p>The examination shall be carried out after the completion of initial qualification courses. Examination board shall be established and examinations shall be provided for by the Road Traffic Safety Administration.</p> <p>Exemptions are included in Article 6¹ of the Law on Carriage by Road</p> <p>Useful Link: http://likumi.lv/doc.php?id=208534; http://likumi.lv/doc.php?id=36720</p>

<p>Article 2.2.b) - Periodic training, incl:</p> <p>- List of knowledge (cf.annex4)</p> <p>- Number of hours (35)</p> <p>- Periodicity (every 5 years)</p> <p>- first periodic training to be completed by</p>	<p>Fully</p> <p>Directive 2003/59/EC of the European Parliament and of the Council of 15 July 2003 transposed in the national legal act:</p> <p>Regulations No 358 of the Cabinet of Ministers of the Republic of Latvia of 13 April 2010 on Driver Training and Driver Training Programs.</p> <p>- 35 hours course</p> <p>- every 5 years</p> <p>- first periodic training to be completed by 10 September, 2014</p> <p>Useful Link: http://likumi.lv/doc.php?id=208534; http://likumi.lv/doc.php?id=36720</p>
<p>Articles 2.3; 2.4 - approval of training centres</p>	<p>Fully</p> <p>Directive 2003/59/EC of the European Parliament and of the Council of 15 July 2003 transposed in the national legal act:</p> <p>Regulation No 358 of the Cabinet of Ministers of the Republic of Latvia of 13 April 2010 on Driver Training and Driver Training Programs.</p> <p>Useful Link: http://likumi.lv/doc.php?id=208534</p>
<p>Article 2.6 - CPC proof, incl.:</p> <p>- Sign affixed on driver licence (permit)</p> <p>- Driver Qualification card (cf. annex 5)</p> <p>- IRU Academy CPC</p>	<p>Fully</p> <p>Directive 2003/59/EC of the European Parliament and of the Council of 15 July 2003 transposed in the national legal act:</p> <p>Regulation No 103 of the Cabinet of Ministers of the Republic of Latvia of 2 February 2010 on Obtaining and Renewal of Driver Qualification and Procedure on Issuance, Exchange, Renewal and Destroying of a Driving Licence.</p> <p>In case of persons holding a driving licence issued in Latvia the information on driver qualification is marked on a driving licence itself but in case of driving licences issued in third countries, if a qualification is obtained in Latvia, a driver qualification card is issued.</p> <p>-The model of a driver qualification card is available in Annex 1 of Regulation No 103 of the Cabinet of Ministers of the Republic of Latvia of 2 February 2010 on Obtaining and Renewal of Driver Qualification and Procedure on Issuance, Exchange, Renewal and Destroying of a Driving Licence. http://likumi.lv/doc.php?id=205042</p> <p>In Latvia not used</p> <p>Useful Links: http://likumi.lv/doc.php?id=205042</p>

Request for recognition of equivalence, if appropriate, in relation to one or more provisions listed above:

Provision of the Charter: [Chapter, article]	Not applicable as Latvia complies with the Charter.
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Any other comments:	
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C) Conditions of employment (Chapter III, 3)

Implemented

Article 3.1	Fully National legal Act: Labour Law Useful Links: http://likumi.lv/doc.php?id=26019
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Any other comments:	
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**SECTION 3. PROVISIONS REGARDING CHECKS AND PENALTIES
(Chapter IV of the Charter)**

A) Competent authorities and mutual assistance (Chapter IV, 1)

Implemented

1.2.1: re. provisions on undertakings, incl.: - authorisations - training/ examinations - CPC	Fully Road Transport Administration Ministry of Transport
1.2.2: re. provisions on drivers, incl.: - training/ examinations - CPC	Fully Road Traffic Safety Directorate
Articles 1.2.3- 1.2.4.	Road Transport Administration
Article 1.2.5	Latvia via the national contact point will support any processes which might lead to the removal of ECMT licences from any operator who has committed serious infringements.
Article 1.3.	Fully In Latvia issues related to ECMT licences should be directed to the national contact point – Road Transport Administration: Mrs Indra GROMULE Head of International Road Carriage Coordination Division Road Transport Administration of Latvia Phone: +371 67686458 fax:+371 67686490; e-mail: indra.gromule@atd.lv

Any other comments in relation to one or more provisions listed above:

Provision of the Charter: [article]	[comment]
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B) Checks (Chapter IV, 2)**Implemented**

<p>Article 2.1. - checks re. Drivers , incl:</p> <p>- 2.1.1. Driving times and rest periods (cf. also. Annex 6):</p>	<p>Fully</p> <p>National Legal Acts:</p> <ol style="list-style-type: none"> 1) Law on Carriage by Road 2) Regulations No 411 of the Cabinet of Ministers of the Republic of Latvia of 24 May 2011 on the Procedure of Organization and Executing of Road Transport Control. 3) Latvian Administrative Violations Code <p>Useful Links: http://likumi.lv/doc.php?id=244501, http://m.likumi.lv/doc.php?id=231347, http://likumi.lv/doc.php?id=89648</p>
<p>Article 2.2. - Checks re. Undertakings, incl:</p>	<p>Fully</p> <p>Implementation National Acts:</p> <ol style="list-style-type: none"> 1) Law on Carriage by Road 2) Regulations No 411 of the Cabinet of Ministers of the Republic of Latvia of 24 May 2011 on the Procedure of Organization and Executing of Road Transport Control. 3) Latvian Administrative Violations Code <p>Useful Links: http://likumi.lv/doc.php?id=244501, http://m.likumi.lv/doc.php?id=231347, http://likumi.lv/doc.php?id=89648</p>

Request for recognition of equivalence, if appropriate, in relation to one or more provisions listed above:

<p>Provision of the Charter: [Chapter, article]</p>	<p>Not applicable as Latvia complies with the Charter.</p>
<p>Any other comments:</p>	

C) Classification of Infringements (Chapter IV, 3)**Implemented**

Article 3.1. re. driving times and rest periods (cf. also. Annex 7)	<p>Fully</p> <p>Latvia complies with this provision pursuing Regulation (EC) No 561/2006 of the European Parliament and of the Council of 15 March 2006 and Directive 2006/22/EC of the European Parliament and of the Council of 15 March 2006 transposed in the national legal act:</p> <p>Regulations No 411 of the Cabinet of Ministers of the Republic of Latvia of 24 May 2011 on the Procedure of Organization and Executing of Road Transport Control.</p> <p>Useful Links: http://likumi.lv/doc.php?id=231347</p>
Article 3.2. re. undertakings, incl:	<p>Fully</p> <p>Latvia complies with this provision pursuing Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009.</p> <p>Implementation National Legal Act: Regulation No 121 of the Cabinet of Ministers of the Republic of Latvia of 21 February 2012 on the Procedure of Issuance, Temporary Suspension or Withdrawal of Special Permits (licences) and Licence Cards for Commercial Road Transport Operations and Issuance of Certificates of Professional Competence in Road Transport.</p> <p>Useful Link: http://likumi.lv/doc.php?id=244501</p>

Request for recognition of equivalence, if appropriate, in relation to one or more provisions listed above:

Provision of the Charter: [Chapter, article]	Not applicable as Latvia complies with the Charter.
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Any other comments:	
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D) Penalties (Chapter IV, 4)**Implemented**

Article 4.1.	<p>Fully</p> <p>Implementation National Acts:</p> <ol style="list-style-type: none"> 1) Law on Carriage by Road 2) Regulations No 411 of the Cabinet of Ministers of the Republic of Latvia of 24 May 2011 on the Procedure of Organization and Executing of Road Transport Control. 3) Latvian Administrative Violations Code <p>Useful Links: http://likumi.lv/doc.php?id=244501, http://m.likumi.lv/doc.php?id=231347, http://likumi.lv/doc.php?id=89648</p>
<p>Article 4.2.on drivers incl, infringements re:</p> <p>- 4.2.1. AETR rules</p> <p>- 4.2.2. driver training</p>	<p>Fully</p> <p>National legal acts:</p> <ol style="list-style-type: none"> 1) Latvian Administrative Violations Code, Article 149.37 2) Regulation No 103 of the Cabinet of Ministers of the Republic of Latvia of 2 February 2010 on Obtaining and Renewal of Driver Qualification and Procedure on Issuance, Exchange, Renewal and Destroying of a Driving Licence. <p>Useful Links: http://likumi.lv/doc.php?id=89648, http://likumi.lv/doc.php?id=205042</p>
<p>Article 4.3. on undertakings:</p> <p>- 4.3.1.</p> <p>- 4.3 2.</p>	<p>Fully</p> <p>The Road Transport Administration will notify undertakings if it considers they are no longer fulfilling the requirements for pursuit of the occupation of road transport operator and will set time limits to rectify the situation. If it is not the case it can lead to the withdrawal of ECMT licences.</p>

Any other comments in relation to one or more provisions listed above:

Provision of the Charter: [article]	[comment]
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ANNEX 1. Sample of a Driver Qualification Card issued in Latvia

