



**INTERNATIONAL TRANSPORT FORUM  
TRANSPORT MANAGEMENT BOARD**

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For Official Use**

**Group on Road Transport**

**Report by SPAIN on Implementation of the QUALITY CHARTER**

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

**JT03409536**

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MINISTERIO  
DE FOMENTO

SECRETARIA DE ESTADO  
DE INFRAESTRUCTURAS,  
TRANSPORTE Y VIVIENDA  
SECRETARIA GENERAL DE  
TRANSPORTE  
DIRECCIÓN GENERAL DE  
TRANSPORTE TERRESTRE

**Declaración relativa a la implementación del Capítulo de Calidad para las Operaciones de Transporte Internacional de Mercancías por Carretera sujetas al Contingente Multilateral CEMT**

**PAÍS: España**

**AUTORIDAD NACIONAL: Director General de Transporte. Ministerio de Fomento**

**FECHA DE ENVÍO: 8 septiembre de 2016**

España declara, por la presente, que cumple con los requisitos del Capítulo de Calidad para las operaciones de transporte internacional de mercancías por carretera que se realicen al amparo del sistema de contingente multilateral de la CEMT.

El cumplimiento del Capítulo de Calidad se logra a través de la normativa comunitaria vigente en materia de transporte internacional por carretera. Los principales instrumentos jurídicos de aplicación son el Reglamento (CE) nº 1071/2009, el Reglamento (CE) nº 1072/2009, el Reglamento (CE) nº 561/2006, el Reglamento (UE) nº 3821/85, la Directiva 2002/15/EC y la Directiva 2006/22/EC.

La Dirección General de Transporte Terrestre del Ministerio de Fomento es la autoridad competente, en España, para la válida expedición de las autorizaciones de transporte internacional de mercancías por carretera, entre las que se encuentran las autorizaciones CEMT. Dicha expedición está subordinada a la previa comprobación del cumplimiento de los requisitos de acceso al mercado conforme a los estándares que recoge el Capítulo de Calidad.

El cuestionario que acompaña esta Declaración de cumplimiento recoge las leyes y/o procedimientos administrativos que garantizan que los transportistas españoles titulares de la autorización CEMT cumplen con las provisiones del Capítulo de Calidad. Las autorizaciones CEMT sólo se expiden a los transportistas titulares de una autorización estándar de transporte internacional.

Atentamente

EL DIRECTOR GENERAL DE TRANSPORTE TERRESTRE

Ministerio de Fomento  
El Director General  
de Transporte  
Terrestre  
Joaquín del Moral Salcedo



MINISTERIO  
DE FOMENTO

SECRETARIA DE ESTADO  
DE INFRAESTRUCTURAS,  
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TRANSPORTE  
DIRECCIÓN GENERAL DE  
TRANSPORTE TERRESTRE

**Group on Road Transport  
International Transport Forum  
OECD/ITF  
2 Rue André Pascal  
F-75775 Paris Cedex 16**

**REPORT on Implementation of QUALITY CHARTER for International Road Haulage  
Operations under the ECMT Multilateral Quota**

**COUNTRY: Spain  
NATIONAL AUTHORITY: General Direction of Inland Transport. Ministry of  
Development  
DATE OF SUBMISSION: 8<sup>th</sup> September 2016**

Spain is compliant with the requirements of the Quality Charter for international road haulage operations undertaken under the ECMT Multilateral Quota.

Compliance with the charter is usually achieved through European Union Regulations and the implementation of appropriate European Union Directives. The key international legal instruments are Regulation 1071/2009, Regulation 1072/2009, Regulation 561/2006, Regulation 3821/85, Directive 2002/15/EC and Directive 2006/22/EC.

In support of these laws, General Direction of Inland Transport manages the Spain ECMT permits allocations. It ensures that undertakings seeking permits meet all the requirements of the Quality Charter prior to the issue of permits.

The check list submitted with this statement of compliance details the laws and/or administrative processes adhered to ensure that the provisions of the Charter in the Country are met by Spain holders of ECMT licenses. ECMT permits are only issued to an operator with a standard international operator's licence.

Sincerely yours

GENERAL DIRECTOR OF INLAND TRANSPORT

  
Joaquín del Moral Salcedo

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

**COUNTRY:** SPAIN

**NATIONAL AUTHORITY:** GENERAL DIRECTORATE FOR LAND TRANSPORT,  
MINISTRY OF PUBLIC WORKS AND TRANSPORT

**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)	<input type="checkbox"/> Fully Corresponding National Provision: <a href="#">Article 5 a) REGULATION (EC) No 1071/2009</a> <a href="#">Articles 43.2 and 44 a) LAW 16/1987</a>  <input type="checkbox"/> Useful Links: <i>See above</i>
Article 2.2.b)	<input type="checkbox"/> Fully Corresponding National Provision: <a href="#">Article 5 b) REGULATION (EC) No 1071/2009</a> <a href="#">Article 44 b) LAW 16/1987</a>  <input type="checkbox"/> Useful Links: <i>See above</i>
Article 2.2.c)	<input type="checkbox"/> Fully Corresponding National Provision: <a href="#">Article 5 c) REGULATION (EC) No 1071/2009</a> <a href="#">Article 44 c) LAW 16/1987</a>  <input type="checkbox"/> Useful Links: <i>See above</i>

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

Provision of the Charter: [Chapter, article]	Corresponding National Provision: -
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<b>Any other comments:</b>	EU Regulations are of general application, binding in their entirety and directly applicable. They must be complied with fully by those to whom they apply (private persons, Member States, Union institutions). Regulations are directly applicable in all the Member States as soon as they enter into force (on the date stipulated or, failing this, on the twentieth day following their publication in the Official Journal of the European Union) and do not need to be transposed into national law.
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**B) Good Repute (Chapter II, 3)****Implemented**

Article 3.1.	<input type="checkbox"/> Fully Corresponding National Provision: <a href="#">Article 6 REGULATION (EC) No 1071/2009</a> <a href="#">Article 45 LAW 16/1987</a> <a href="#">Articles 37 and 38 ROYAL DECREE 1211/1990</a> <a href="#">Article 13 MINISTERIAL ORDER FOM/734/2007</a>  <input type="checkbox"/> Useful Links: <i>See above</i>
Article 3.2., incl:  - points a) to e);  - list of most serious infringements: point d), items i - vii;	<input type="checkbox"/> Fully Corresponding National Provision: <a href="#">Article 6 REGULATION (EC) No 1071/2009</a> <a href="#">Article 45 and Title V LAW 16/1987</a> <a href="#">Articles 37 and 38 ROYAL DECREE 1211/1990</a>  <input type="checkbox"/> Useful Links: <i>See above</i>
Article 3.3.	<input type="checkbox"/> Fully Corresponding National Provision: <a href="#">Article 4 and 6 REGULATION (EC) No 1071/2009</a> <a href="#">Article 45 and Title V LAW 16/1987</a> <a href="#">Articles 37 and 38 ROYAL DECREE 1211/1990</a>  <input type="checkbox"/> Useful Links: <i>See above</i>

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

Provision of the Charter: [Chapter, article]	Corresponding National Provision: -
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<b>Any other comments:</b>	EU Regulations are of general application, binding in their entirety and directly applicable. They must be complied with fully by those to whom they apply (private persons, Member States, Union institutions). Regulations are directly applicable in all the Member States as soon as they enter into force and do not need to be transposed into national law
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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><input type="checkbox"/> Fully</p> <p>Corresponding National Provision:</p> <p><a href="#"><u>Article 8 and Annex I REGULATION (EC) No 1071/2009</u></a>  <a href="#"><u>Article 43 and 47 LAW 16/1987</u></a>  <a href="#"><u>Article 12 MINISTERIAL ORDER FOM/734/2007</u></a>  <a href="#"><u>Annex B MINISTERIAL ORDER of 28th May 1999</u></a></p> <p><a href="#"><u>Article 8 and 9 REGULATION (EC) No 1071/2009</u></a>  <a href="#"><u>MINISTERIAL ORDER of 28th May 1999</u></a>  <a href="#"><u>First transitional disposition ROYAL DECREE 1032/2007</u></a></p> <p>- A written exam is compulsory. No oral exam is required.</p> <p>- Exceptions to the initial training: Drivers with a driving license D1, D1+E, D or D+E issued before 11<sup>th</sup> September 2008 and drivers with a driving license C1, C1+E, C or C+E issued before 11<sup>th</sup> September 2009 are exempted of obtaining the initial training</p> <p><input type="checkbox"/> Useful Links: <i>See above</i></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><input type="checkbox"/> Fully</p> <p>Corresponding National Provision:</p> <p>- <a href="#"><u>Annex I.II REGULATION (EC) No 1071/2009</u></a>  <a href="#"><u>MINISTERIAL ORDER of 28th May 1999</u></a></p> <p>- <a href="#"><u>Article 8.3 REGULATION (EC) No 1071/2009</u></a>  <a href="#"><u>MINISTERIAL ORDER of 28th May 1999</u></a></p> <p>- <a href="#"><u>Article 8 REGULATION (EC) No 1071/2009</u></a>  <a href="#"><u>MINISTERIAL ORDER of 28th May 1999</u></a></p> <p>- The authorised examination bodies are the General Directorate for Land Transport of the Ministry of Public Works and Transport, as well as the equivalent entities of the Spanish regions Administrations (called Autonomous Communities)</p> <p>- Pre-training is not required</p> <p><input type="checkbox"/> Useful Links: <i>See above</i></p>
<p>Article 4.4. CPC, incl.:</p> <p>- National certificate (4.4.a); cf. Annex 3)</p>	<p><input type="checkbox"/> Fully</p> <p>Implemented by:</p> <p>Spanish legal framework only covers as proof of professional competence the <u>model</u> certificate set out in Annexes II and III of REGULATION (EC) No 1071/2009 for EU member States</p> <p>- National Competent Authority: Autonomous Communities and General Directorate for Land Transport</p>

- IRU Academy CPC (4.4.b))	- Spanish legislation does not provide for that possibility, so it is not implemented  <input type="checkbox"/> Useful Links: <a href="#">Annex II and III of REGULATION (EC) No 1071/2009</a>
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**Request for recognition of equivalence**, if appropriate, in relation to one or more provisions listed above:

Provision of the Charter: [Chapter, article]	Corresponding National Provision: -
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<b>Any other comments:</b>	EU Regulations are of general application, binding in their entirety and directly applicable. They must be complied with fully by those to whom they apply (private persons, Member States, Union institutions). Regulations are directly applicable in all the Member States as soon as they enter into force and do not need to be transposed into national law
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#### ***D) Financial standing (Chapter II, 5)***

##### **Implemented**

Article 5.2., including Capital required for:  - first vehicle  - each additional vehicle	<input type="checkbox"/> Fully Corresponding National Provision:  - EUR 9000 - according to EU legislation <a href="#">Article 7 REGULATION (EC) No 1071/2009</a> <a href="#">Article 46.b) LAW 16/1987</a> <a href="#">Article 40.2 ROYAL DECREEE 1211/1990</a> <a href="#">Article 14 MINISTERIAL ORDER FOM/734/2007</a>  - EUR 5000 - according to EU legislation <a href="#">Article 7 REGULATION (EC) No 1071/2009</a> <a href="#">Articles 46.b) and 47 LAW 16/1987</a> <a href="#">Article 40.2 ROYAL DECREEE 1211/1990</a> <a href="#">Article 14 MINISTERIAL ORDER FOM/734/2007</a>  <input type="checkbox"/> Useful Links: <i>See above</i>
Article 5.3 & 5.4	<input type="checkbox"/> Fully Corresponding National Provisions; <a href="#">Article 7 REGULATION (EC) No 1071/2009</a>  - list of national financial proofs: <a href="#">Article 14 MINISTERIAL ORDER FOM/734/2007</a>  <input type="checkbox"/> Useful Links: <i>See above</i>



Article 5.5.	<input type="checkbox"/> Fully Corresponding National Provision: <a href="#">Article 7.3 REGULATION (EC) No 1071/2009</a> <input type="checkbox"/> Useful Links: <i>See above</i>
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**Request for recognition of equivalence**, if appropriate, in relation to one or more provisions listed above:

Provision of the Charter: [Chapter, article]	Corresponding National Provision: -
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<b>Any other comments:</b>	EU Regulations are of general application, binding in their entirety and directly applicable. They must be complied with fully by those to whom they apply (private persons, Member States, Union institutions). Regulations are directly applicable in all the Member States as soon as they enter into force and do not need to be transposed into national law
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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><input type="checkbox"/> Fully</p> <p>Corresponding National Provision:</p> <p><a href="#"><u>DIRECTIVE 2003/59/EC</u></a>  <a href="#"><u>ROYAL DECREE 1032/2007</u></a>  <a href="#"><u>ROYAL DECREE 818/2009</u></a></p> <p><input type="checkbox"/> Useful Links: <i>See above</i></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><input type="checkbox"/> Fully</p> <p>Corresponding National Provision:</p> <p>-<a href="#"><u>ANNEX I DIRECTIVE 2003/59/EC</u></a>  <a href="#"><u>Annex I.A) ROYAL DECREE 1032/2007</u></a></p> <p>- Art. 3.1.a) and section 2of Annex I, <a href="#"><u>DIRECTIVE 2003/59/EC</u></a> Chapters II and VI, <a href="#"><u>ROYAL DECREE 1032/2007</u></a>  Spain has chosen the option Course + test</p> <p>- First transitional disposition of <a href="#"><u>ROYAL DECREE 1032/2007</u></a></p> <p><input type="checkbox"/> Useful Links: <i>See above</i></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><input type="checkbox"/> Fully</p> <p>Corresponding National Provision:</p> <ul style="list-style-type: none"> <li>- Article 7 <a href="#">DIRECTIVE 2003/59/EC</a></li> <li>- Annex I.B) <a href="#">ROYAL DECREE 1032/2007</a></li> </ul> <p>- Drivers must pass a 35 hours course every 5 years, given in periods of at least 7 hours during one calendar year.</p> <ul style="list-style-type: none"> <li>- Section 4 of Annex I <a href="#">DIRECTIVE 2003/59/EC</a></li> <li>- Article 7.2 <a href="#">ROYAL DECREE 1032/2007</a></li> </ul> <p>- Drivers must attend their first periodic training before 5 years since the date they obtained the initial training CPC, and every 5 years from then on.</p> <ul style="list-style-type: none"> <li>- Article 8.2 <a href="#">DIRECTIVE 2003/59/EC</a></li> <li>- Article 7.3 <a href="#">ROYAL DECREE 1032/2007</a></li> </ul> <p>- Drivers exempted of obtaining the initial training (according to the First transitional disposition of ROYAL DECREE 1032/2007) must pass their first periodic training before a schedule established on the Second transitional disposition of ROYAL DECREE 1032/2007</p> <p>Drivers with a driving license D1, D1+E, D or D+E before 11<sup>th</sup> September 2015 and drivers with a driving license C1, C1+E, C or C+E before 11<sup>th</sup> September 2016</p> <ul style="list-style-type: none"> <li>- Article 14.2 <a href="#">DIRECTIVE 2003/59/EC</a></li> <li>- Second transitional disposition <a href="#">ROYAL DECREE 1032/2007</a></li> </ul> <p><input type="checkbox"/> Useful Links: <i>See above</i></p>
<p>Articles 2.3; 2.4 - approval of training centres</p>	<p><input type="checkbox"/> Fully</p> <p>Corresponding National Provision:</p> <ul style="list-style-type: none"> <li>- Article 6 <a href="#">DIRECTIVE 2003/59/EC</a></li> <li>- Chapter IV <a href="#">ROYAL DECREE 1032/2007</a></li> </ul> <p><input type="checkbox"/> Useful Links: <i>See above</i></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><input type="checkbox"/> Fully</p> <p>Implemented by:</p> <ul style="list-style-type: none"> <li>- Article 10 <a href="#">DIRECTIVE 2003/59/EC</a></li> <li>- Article 18 <a href="#">ROYAL DECREE 1032/2007</a></li> </ul> <p>- National Competent Authority: Autonomous Communities and DG Inland Transport</p> <ul style="list-style-type: none"> <li>- Article 10 <a href="#">DIRECTIVE 2003/59/EC</a></li> <li>- Ninth transitional disposition <a href="#">ROYAL DECREE 818/2009</a></li> </ul> <p>- To date, Spain marks the Community Code (sign) on the driver qualification card without prejudice to its possible inclusion in the driving permit for the future</p> <p>- National Competent Authority: Autonomous Communities and DG Inland</p>

- IRU Academy CPC	<p>Transport</p> <p>- Model: Annex II. <a href="#">DIRECTIVE 2003/59/EC</a>  <a href="#">Annex VI ROYAL DECREE 1032/2007</a></p> <p>- Spanish legislation does not provide for that possibility, so it is not implemented</p> <p><input type="checkbox"/> Useful Links: <i>See above</i></p>
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**Request for recognition of equivalence**, if appropriate, in relation to one or more provisions listed above:

Provision of the Charter: [Chapter, article]	Corresponding National Provision: -
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<b>Any other comments:</b>	<p>EU Directives are binding, as to the result to be achieved, upon any or all of the Member States to whom they are addressed, but leave to the national authorities the choice of form and methods. National legislators must adopt a transposing act or ‘national implementing measure’ to transpose directives and bring national law into line with their objectives. <a href="#">DIRECTIVE 2003/59/EC</a> was transposed into Spanish Law by <a href="#">ROYAL DECREE 1032/2007</a> and MINISTERIAL <a href="#">ORDER INT/4151/2004</a> (this latter provision was repealed by <a href="#">ROYAL DECREE 818/2009</a>)</p>
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**C) Conditions of employment (Chapter III, 3)**

**Implemented**

Article 3.1	<p><input type="checkbox"/> Fully</p> <p>Corresponding National Provision:</p> <p>Article 54.3 <a href="#">LAW 16/1987</a></p> <p>Article 16 <a href="#">MINISTERIAL ORDER FOM/734/2007</a></p> <p>Article 14 <a href="#">MINISTERIAL ORDER of 23 July 1997</a></p> <p><input type="checkbox"/> Useful Links: <i>See above</i></p>
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<b>Any other comments:</b>	-
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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**

<p>1.2.1: re. provisions on undertakings, incl.:</p> <ul style="list-style-type: none"> <li>- authorisations</li> <li>- training/examinations</li> <li>- CPC</li> </ul>	<p><input type="checkbox"/> Fully</p> <p>- [Authority]: General Directorate for Land Transport  <a href="mailto:consultas.dgtt@fomento.es">consultas.dgtt@fomento.es</a>, Tel: +34915977579, Fax: +345978533</p> <p>- [Authority] : General Directorate for Land Transport</p> <p>- [Authority] : General Directorate for Land Transport</p> <p><input type="checkbox"/> Useful Links: <i>See above</i></p>
<p>1.2.2: re. provisions on drivers, incl.:</p> <ul style="list-style-type: none"> <li>- training/examinations</li> <li>- CPC / CAP</li> </ul>	<p><input type="checkbox"/> Fully</p> <p>- [Authority]: General Directorate for Land Transport  <a href="mailto:sgatt@fomento.es">sgatt@fomento.es</a>, Tel: +34915977579, Fax: +345978533</p> <p>- [Authority (ies)]: General Directorate for Land Transport</p> <p><input type="checkbox"/> Useful Links: <i>See above</i></p>
<p>Articles 1.2.3- 1.2.4.</p>	<p><input type="checkbox"/> Fully</p> <p>- [Authority]: General Directorate for Land Transport  <a href="mailto:sgatt@fomento.es">sgatt@fomento.es</a>, Tel: +34915977579, Fax: +345978533</p> <p><input type="checkbox"/> Useful Links: <i>See above</i></p>
<p>Article 1.2.5</p>	<p><input type="checkbox"/> Fully</p> <p>- [Authority]: General Directorate for Land Transport  <a href="mailto:sgatt@fomento.es">sgatt@fomento.es</a>, Tel: +34915977579, Fax: +345978533</p> <p><input type="checkbox"/> Useful Links: <i>See above</i></p>
<p>Article 1.3.</p>	<p><input type="checkbox"/> Fully</p> <p>List of road haulier undertakings holding ECMT licences could be sent on January in a table to be used by Member country for notification on distribution of the licenses.</p> <p>Official(s) designated by Member countries: the contact person referred to in “<b>Contact Persons designated by the Member Authorities for coordinating implementation of the ECMT Quota procedures at national level</b> “ and Mr. Pascual Sánchez CEA, General Directorate for Land Transport, email: <a href="mailto:pscea@fomento.es">pscea@fomento.es</a></p> <p><input type="checkbox"/> Useful Links: <i>See above</i></p>

**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**

Article 2.1. - checks re. Drivers , incl:  - 2.1.1. Driving times and rest periods (cf. also. Annex 6):	<input type="checkbox"/> Fully Corresponding National Provisions: <ul style="list-style-type: none"> <li>• <a href="#">LAW 16/1987</a> (articles 140, 141 and 142) and <a href="#">RESOLUTION of 19th April 2007</a> modified by <a href="#">RESOLUTION of 5th June 2009</a></li> <li>• <a href="#">REGULATION (EC) n° 561/2006</a></li> <li>• <a href="#">DIRECTIVE 2006/22/CE</a></li> </ul> - [designated National Authority/Body (ies)]: ): General Directorate for Land Transport and Autonomous Communities  <input type="checkbox"/> Useful Links: <i>See above</i>
Article 2.2. - Checks re. Undertakings, incl:	<input type="checkbox"/> Fully Corresponding National Provisions: [Law/ By-Law/Administrative Arrangement, reference Number, Date of enforcement, Article, etc] <ul style="list-style-type: none"> <li>• <a href="#">Article 8 MINISTERIAL ORDER FOM/734/2007 of 20th March 2007</a></li> </ul> - [designated National Authority/Body (ies)]: General Directorate for Land Transport and Autonomous Communities - [Frequency of checks] : Every 2 years  <input type="checkbox"/> Useful Links: <i>See above</i>

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

Provision of the Charter: [Chapter, article]	Corresponding National Provision: -
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<b>Any other comments:</b>	
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**C) Classification of Infringements (Chapter IV, 3)****Implemented**

Article 3.1. re. driving times and rest periods (cf. also. Annex 7)	<input type="checkbox"/> Fully Corresponding National Provisions: <ul style="list-style-type: none"> <li>• <a href="#">LAW 16/1987</a> (articles 140, 141 and 142) and <a href="#">RESOLUTION of 19th April 2007</a> modified by <a href="#">RESOLUTION of 5th de June 2009</a> (see Annex)</li> </ul> <input type="checkbox"/> Useful Links: <i>See above</i>
Article 3.2. re. undertakings, incl:	<input type="checkbox"/> Fully Corresponding National Provisions: <ul style="list-style-type: none"> <li>• Article 143.5 <a href="#">LAW 16/1987</a></li> <li>• Annex IV <a href="#">REGULATION (EC) No 1071/2009</a></li> </ul> <input type="checkbox"/> Useful Links: <i>See above</i>

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

Provision of the Charter: [Chapter, article]	Corresponding National Provision: -
<b>Any other comments:</b>	<a href="#">LAW 16/1987</a> (articles 138 to 146). In any event, Spain, as European Union Member State, is obliged to observe the European Union legal framework in the road transport field, since it forms part of the so called “acquis communautaire”.

**D) Penalties (Chapter IV, 4)****Implemented**

Article 4.1.	<input type="checkbox"/> Fully Corresponding National Provisions: <ul style="list-style-type: none"> <li>Articles 138 to 146 <a href="#">LAW 16/1987</a></li> </ul> <input type="checkbox"/> Useful Links: <i>See above</i>
Article 4.2.on drivers incl, infringements re: - 4.2.1. AETR rules  - 4.2.2. driver training	<input type="checkbox"/> Fully Corresponding National Provisions: <ul style="list-style-type: none"> <li>Articles 140,141, 142 and 143 <a href="#">LAW 16/1987</a></li> </ul> Corresponding National Provisions: <ul style="list-style-type: none"> <li>Articles 140.18, 141.20, 142.16 and 143 <a href="#">LAW 16/1987</a></li> </ul> <input type="checkbox"/> Useful Links: <i>See above</i>
Article 4.3. on under- takings:  - 4.3.1.  - 4.3 2.	<input type="checkbox"/> Fully Corresponding National Provisions : <ul style="list-style-type: none"> <li>Article 12 <a href="#">REGULATION (EC) No 1071/2009</a> <ul style="list-style-type: none"> <li>General Directorate for Land Transport and Autonomous Communities</li> </ul> </li> <li>Article 13 <a href="#">REGULATION (EC) No 1071/2009</a></li> </ul> <input type="checkbox"/> Useful Links: <i>See above</i>

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

Provision of the Charter: [article]	[comment]
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