



**INTERNATIONAL TRANSPORT FORUM
TRANSPORT MANAGEMENT BOARD**

**ITF/TMB/TR(2016)3/ADD11/FINAL
For Official Use**

Group on Road Transport

Report by ESTONIA on Implementation of the QUALITY CHARTER

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

JT03409539

Complete document available on OLIS in its original format

This document and any map included herein are without prejudice to the status of or sovereignty over any territory, to the delimitation of international frontiers and boundaries and to the name of any territory, city or area.



REPUBLIC OF ESTONIA
MINISTRY OF ECONOMIC AFFAIRS
AND COMMUNICATIONS

International Transport Forum
Group of Road Transport
OECD/ITF, 2 rue Andre Pascal
F-75775 Paris Cedex 16

Our Ref: 06.09.2016

nr 8-2/ 16 - 00458/001

Application for recognition of Quality Charter compliance – statement

We herewith declare that Estonia 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 usually achieved through European Regulations and implementation of appropriate European Union Directives. The key international legal instruments are Regulation 1071/2009, Regulation 1072/2009, Regulation 561/2006, Regulation 165/2014, Directive 2002/1/EC and Directive 2006/22/EC.

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 Estonian holders of the ECMT licences. The ECMT permits are only issued to an operator with a standard international operator's licence.

Yours sincerely



Ahti Kuningas
Deputy State Secretary

Attachment: Report by Estonia on Implementation of the Quality Charter

Tõnis Laks, +372 6397 633
Tonis.Laks@mkm.ee

Harju Street 11 / 15072 Tallinn / ESTONIA
Phone: +372 625 6342 / Fax: +372 631 3660 / E-mail: info@mkm.ee / http://www.mkm.ee

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

COUNTRY: ESTONIA

NATIONAL AUTHORITY: MINISTRY OF ECONOMIC AFFAIRS AND
COMMUNICATIONS

DATE OF SUBMISSION: 06 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>Estonia complies with this provision of Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009.</p> <p>Implementing National Legal Act: Road Transport Act of 07 June 2000.</p> <p>Useful Link: https://www.riigiteataja.ee/akt/747699?leiaKehtiv</p>
Article 2.2.b)	<p>Fully</p> <p>Estonia complies with this provision of Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009.</p> <p>Implementing National Legal Act: Road Transport Act of 07 June 2000.</p> <p>Useful link: https://www.riigiteataja.ee/akt/747699?leiaKehtiv</p>
Article 2.2.c)	<p>Fully</p> <p>Estonia complies with this provision of Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009. Regulation is directly implemented.</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 Estonia complies with the Charter.
Any other comments:	

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

Article 3.1.	<p>Fully</p> <p>Estonia complies with this provision of Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009.</p> <p>Implementing National Legal Act: Road Transport Act of 07 June 2000.</p> <p>Useful Link: https://www.riigiteataja.ee/akt/747699?leiaKehtiv</p>
<p>Article 3.2., incl:</p> <ul style="list-style-type: none"> - points a) to e); - list of most serious infringements: point d), items i - vii; 	<p>Fully</p> <p>Estonia complies with this provision of Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009.</p> <p>Implementing National Legal Act: Road Transport Act of 07 June 2000.</p> <p>Useful Links: https://www.riigiteataja.ee/akt/747699?leiaKehtiv</p>
Article 3.3.	<p>Fully</p> <p>Estonia complies with this provision of Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009.</p> <p>Implementing National Legal Act: Road Transport Act of 07 June 2000.</p> <p>Useful Links: https://www.riigiteataja.ee/akt/747699?leiaKehtiv</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 Estonia complies with the Charter.
Any other comments:	

C) Professional competence (Chapter II, 4)**Implemented**

<p>Article 4.2, incl.:</p> <ul style="list-style-type: none"> - List of knowledge (4.2.a); b); cf.annex1) - Examination required: oral; written; exempted (cf. 4.2.c)) 	<p>Fully</p> <p>Estonia complies with this provision of Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009.</p> <p>Implementing National Legal Act: Road Transport Act of 07 June 2000.</p> <ul style="list-style-type: none"> - Transport managers must pass a written examination in University of Applied Sciences of Tallinn. <p>Useful Links:</p> <p>https://www.riigiteataja.ee/akt/747699?leiaKehtiv; https://www.riigiteataja.ee/akt/109032012001</p>
<p>Article 4.3., incl.:</p> <ul style="list-style-type: none"> - Examinations procedure (4.3.a); cf. annex 2) - approval of examination bodies (4.3.b)) - pre-training (4.3.c)) 	<p>Fully</p> <p>Estonia complies with this provision of Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009.</p> <p>Implementing National Legal Act: Road Transport Act of 07 June 2000.</p> <ul style="list-style-type: none"> - An educational institution, including examination body must be recognized by the Ministry of Economic Affairs and Communications (§ 7 of the Road Transport Act of 07 June 2000). - Pre-examination training is required. The training course for transport manager does not need to be completed by a person who has at least for five years managed the carriage operations of the carrier and passed the written final examination of the training course. The training course for transport manager does not need to be completed by a person who holds a university diploma or a diploma of an institution of professional higher education in a specialisation that certifies sufficient knowledge of the subjects listed in the curriculum of the training course for transport managers of the carriage of goods. The training course for transport manager does not need to be completed by a person who certifies that he or she has continuously managed the carriage operations of a carrier of a member state of the EU or EEA over a term of ten year preceding 4 December 2009. An educational institution must be recognized by the Ministry of Economic Affairs and Communications (§ 7 of the Road Transport Act of 07 June 2000). <p>Useful Links:</p> <p>https://www.riigiteataja.ee/akt/747699?leiaKehtiv; https://www.riigiteataja.ee/akt/109032012001</p>
<p>Article 4.4. CPC, incl.:</p>	<p>Fully</p> <p>Estonia complies with this provision of Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009.</p> <p>Implementing National Legal Act: Road Transport Act of 07 June 2000.</p>

<p>- National certificate (4.4.a); cf. Annex3)</p> <p>- IRU Academy CPC (4.4.b))</p>	<p>- The authorized authority organising examinations and issuing certificates of professional competence in Estonia is the University of Applied Sciences of Tallinn.</p> <p>- not applicable.</p> <p>Useful Links: https://www.riigiteataja.ee/akt/747699?leiaKehtiv</p>
---	--

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

Provision of the Charter:	Not applicable as Estonia complies with the Charter
---------------------------	---

Any other comments:	
----------------------------	--

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>Estonia complies with this provision of Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009</p> <p>Implementing National Legal Act: Road Transport Act of 07 June 2000.</p> <p>- EUR 9000</p> <p>- EUR 5000</p> <p>Useful Links: https://www.riigiteataja.ee/akt/747699?leiaKehtiv</p>
<p>Article 5.3 & 5.4</p>	<p>Fully</p> <p>Estonia complies with this provision of Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009.</p> <p>Implementing National Legal Act: Road Transport Act of 07 June 2000.</p> <p>Useful Links: https://www.riigiteataja.ee/akt/747699?leiaKehtiv</p>
<p>Article 5.5.</p>	<p>Fully</p> <p>Estonia complies with this provision of Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009.</p> <p>Implementing National Legal Act: Road Transport Act of 07 June 2000</p> <p>Useful Links: https://www.riigiteataja.ee/akt/747699?leiaKehtiv</p>

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

Provision of the Charter:	Not applicable as Estonia complies with the Charter
---------------------------	---

Any other comments:	
----------------------------	--

**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) Road Transport Act of 07 June 2000; 2) Decree of the minister of transport No 87 of 06.11.2000 on Establishing Requirements of Driver's Professional Competence, Reglement of Professional Training, Training Course Curriculum and School Report Format <p>Useful Links: https://www.riigiteataja.ee/akt/747699?leiaKehtiv https://www.riigiteataja.ee/akt/108052015003?leiaKehtiv</p>
<p>Article 2.2.a) - Initial qualification , incl:</p> <ul style="list-style-type: none"> - List of knowledge (cf.annex4) - Course + test, or, a test only - exemptions 	<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>Decree of the minister of transport No 87 of 06.11.2000 on Establishing Requirements of Driver's Professional Competence, Reglement of Professional Training, Training Course Curriculum and School Report Format</p> <ul style="list-style-type: none"> - A driver must pass a training course and a test. - There are no exemptions. <p>Useful Link: https://www.riigiteataja.ee/akt/108052015003?leiaKehtiv</p>

<p>Article 2.2.b) - Periodic training, incl:</p> <ul style="list-style-type: none"> - List of knowledge (cf.annex4) - Number of hours - Periodicity - first periodic training to be completed by 	<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>Decree of the minister of transport No 87 of 06.11.2000 on Establishing Requirements of Driver's Professional Competence, Reglement of Professional Training, Training Course Curriculum and School Report Format</p> <ul style="list-style-type: none"> - 35 hours - Every 5 years. - As periodic professional training of drivers is in force in Estonia since 2009, first periodic training was to be completed by 2014. <p>Useful Link: https://www.riigiteataja.ee/akt/108052015003?leiaKehtiv</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>Decree of the minister of transport No 87 of 06.11.2000 on Establishing Requirements of Driver's Professional Competence, Reglement of Professional Training, Training Course Curriculum and School Report Format</p> <p>Useful Link: https://www.riigiteataja.ee/akt/108052015003?leiaKehtiv</p>
<p>Article 2.6 - CPC proof, incl.:</p> <ul style="list-style-type: none"> - Sign affixed on driver licence (permit) - Driver Qualification card (cf. annex 5) - IRU Academy CPC 	<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>Decree of the minister of transport No 87 of 06.11.2000 on Establishing Requirements of Driver's Professional Competence, Reglement of Professional Training, Training Course Curriculum and School Report Format</p> <ul style="list-style-type: none"> - Yes, it is applicable. - Yes, it is applicable. The model specimen is attached to this document. - At the moment it is not precisely regulated by the law in which case the first or the second option applied. Generally, our competent authority applies the first option in case a driver has passed the 280 hours initial qualification training and the second option in case a driver has passed other initial qualification foreseen by Directive 2003/59/EC. - Not applicable. <p>Useful Link: https://www.riigiteataja.ee/akt/108052015003?leiaKehtiv</p>

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

Provision of the Charter:	Not applicable as Estonia complies with the Charter
---------------------------	---

Any other comments:	
----------------------------	--

C) Conditions of employment (Chapter III, 3)

Implemented

Article 3.1	Fully National legal Act: Employment Contracts Act of 17.12.2008. Useful Links: https://www.riigiteataja.ee/akt/112072014146?leiaKehtiv
-------------	--

Any other comments:	
----------------------------	--

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"> - authorisations - training/examinations - CPC 	<p>Fully</p> <ul style="list-style-type: none"> - Estonian International Road Hauliers Association - Ministry of Economic Affairs and Communications - Ministry of Economic Affairs and Communications
<p>1.2.2: re. provisions on drivers, incl.:</p> <ul style="list-style-type: none"> - training/ examinations <p>- CPC</p>	<p>Fully</p> <ul style="list-style-type: none"> - Police and Border Guard Administration put in place a system for carrying out roadside checks. - Labour Inspectorate carries out checks on AETR Agreement in the premises. - Ministry of Economic Affairs and Communications approves training centres. <p>- Road Administration issues CPC.</p>
<p>Articles 1.2.3- 1.2.4.</p>	<p>Ministry of Economic Affairs and Communications</p>
<p>Article 1.2.5</p>	<p>In Ministry of Economic Affairs and Communications, a commission on road transport issues deals with serious infringements committed by the Estonian road hauliers and makes proposals to the minister for applying respective measures.</p>
<p>Article 1.3.</p>	<p>Fully</p> <p>In Estonia, issues related to ECMT licences and undertakings should be directed to the national contact point – Ministry of Economic Affairs and Communications:</p> <p>Mr Tõnis LAKS</p> <p>Deputy Head of Road and Railways Department</p> <p>Ministry of Economic Affairs and Communications</p> <p>Phone: +372 6397 633; e-mail: tonis.laks@mkm.ee</p>

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

<p>Provision of the Charter: [article]</p>	<p>-</p>
--	----------

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) Traffic Act of 17.06.2010. 2) Decree of the Government No 151 of 21.10.2010 on the Organisation of Supervision of Driving and Rest Periods of Drivers. 3) Decree of the minister of economic affairs No 17 of 03.03.2011 on Requirements on Installation and Testing of Tachograph. <p>CALCULATION OF MINIMUM CHECKS TO BE CARRIED OUT for the year 2016 in Estonia:</p> <p>(a) number of days worked per driver during the reference period - 220</p> <p>(b) total number of vehicles subject to Regulation (EC) No 561/2006 - 17 000</p> <p>(c) total number of days worked [(a) x (b)] - 3 740 000</p> <p>(d) minimum checks [3% from January 2010] - 112 200 working days, of which 70 125 (62.5% of working days) should be checked at the premises (carried out by the Estonian Labour Inspectorate) and 42 075 (37.5% of working days) should be checked on the roads (carried out by the Police and Border Guard Administration).</p> <p>Useful Links: https://www.riigiteataja.ee/akt/117032011021?leiaKehtiv; https://www.riigiteataja.ee/akt/129122010123?leiaKehtiv; https://www.riigiteataja.ee/akt/109032011013</p>
<p>Article 2.2. - Checks re. Undertakings, incl:</p>	<p>Fully</p> <p>National Legal Acts:</p> <ol style="list-style-type: none"> 1) Traffic Act of 17.06.2010. 2) Decree of the Government No 151 of 21.10.2010 on the Organisation of Supervision of Driving and Rest Periods of Drivers. 3) Decree of the minister of economic affairs No 17 of 03.03.2011 on Requirements on Installation and Testing of Tachograph. <p>Check of undertakings depends on the national risk-rating system. High-risk companies (in case of serious infringements on road transport) are subject of more frequent checks at the premises or on the roads.</p> <p>Useful Links: https://www.riigiteataja.ee/akt/117032011021?leiaKehtiv; https://www.riigiteataja.ee/akt/129122010123?leiaKehtiv; https://www.riigiteataja.ee/akt/109032011013</p>

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

Provision of the Charter:	Not applicable as Estonia complies with the Charter
---------------------------	---

Any other comments:	
----------------------------	--

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>Estonia complies with provisions of 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 and these requirements are transposed in the national legal act:</p> <ul style="list-style-type: none"> - Decree of the Government No 151 of 21.10.2010 on the Organisation of Supervision of Driving and Rest Periods of Drivers. <p>Useful Links: https://www.riigiteataja.ee/akt/129122010123?leiaKehtiv</p>
Article 3.2. re. undertakings, incl:	<p>Fully</p> <p>Estonia complies with this provision pursuing Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009.</p> <ul style="list-style-type: none"> - Implementing National Legal Act: Road Transport Act of 07 June 2000 <p>Useful Links: https://www.riigiteataja.ee/akt/747699?leiaKehtiv</p>

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

Provision of the Charter:	Not applicable as Estonia complies with the Charter
---------------------------	---

Any other comments:	
----------------------------	--

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

Article 4.1.	<p>Fully</p> <p>Implementing National Acts:</p> <ol style="list-style-type: none"> 1) Traffic Act of 17.06.2010. 2) Decree of the Government No 151 of 21.10.2010 on the Organisation of Supervision of Driving and Rest Periods of Drivers. <p>Useful Links: https://www.riigiteataja.ee/akt/117032011021?leiaKehtiv; https://www.riigiteataja.ee/akt/129122010123?leiaKehtiv;</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) Traffic Act of 17.06.2010. 2) Decree of the Government No 151 of 21.10.2010 on the Organisation of Supervision of Driving and Rest Periods of Drivers. 3) Road Transport Act of 07 June 2000 <p>Useful Links: https://www.riigiteataja.ee/akt/117032011021?leiaKehtiv; https://www.riigiteataja.ee/akt/129122010123?leiaKehtiv; https://www.riigiteataja.ee/akt/747699?leiaKehtiv</p>
<p>Article 4.3. on undertakings:</p> <p>- 4.3.1.</p> <p>- 4.3 2.</p>	<p>Fully</p> <p>In Ministry of Economic Affairs and Communications, a commission on road transport issues deals with serious infringements committed by the Estonian road hauliers and makes proposals to the minister for applying respective measures.</p>

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

Provision of the Charter: [article]	-
--	---

ANNEX 1 . Model of Driver Qualification card

