

Forum International des Transports International Transport Forum

20-May-2019

English - Or. English

INTERNATIONAL TRANSPORT FORUM TRANSPORT MANAGEMENT BOARD

Group on Road Transport

Report by ALBANIA on implementation of the QUALITY CHARTER

The application of Republic of Albania was approved by the Group on Road Transport under Agenda Item 3.1 of the meeting held on 14 and 15 March 2019 in The Hague, the Netherlands.

The report is supplemented by Appendices:

- ITF/TMB/TR(2016)3/ADD28/APP1/REV3 on Implementation of CPC Manager and Driver;
- ITF/TMB/TR(2016)3/ADD28/APP2 on Implementation of CPC Manager and Driver (GDRTS training centre and programmes;
- ITF/TMB/TR(2016)3/ADD28/APP3: Decision No. 465 of 26 July 2018 on improving road transport checks; Responsibilities of GRDTS;
- ITF/TMB/TR(2016)3/ADD28/APP4: Decision of Council of Ministers No. 53, dated 6 Feb 2019, Guidelines No 328 of Minister of Transport and Infrastructure, dated 20 January 2017.

JT03447696

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Courtesy translation

HITTPNATIONAL TRANSPORT FORUM



MINISTRY OF INFRASTRUCTURE AND ENERGY MINISTER

No.3963 Prot.

Tirana, on 08 . 04 . 2019

Subject: Quality Charter Compliance under the ECMT Multilateral Quota.

SECRETARY GENERAL INTERNATIONAL TRANSPORT FORUM Address: OECD/ITF, 2 rue André Pascal, F-75775 Paris Cedex 16

France

Dear Secretary General,

We would like to inform you that the Republic of Albania is compliant with the requirements of the Quality Charter for International Road Haulage undertaken under the ECMT Multilateral Quota.

Compliance with the Quality Charter is achieved through implementation of appropriate European Union regulations and directives, in particular Regulation (EC) no. 1071/2009, Regulation (EU) no. 165/2014, Regulation (EC) no. 561/2006 and Directive 2003/59/EC, Directive 2006/22/EC, Directive 2006/126/EC, supported by relevant national legal acts transposing EU legislation.

The Report on implementation of the Quality Charter submitted with this statement of compliance, presents in details the legal provisions and procedures adopted and entered into force in the Republic of Albania, ensuring that all the requirements of the Quality Charter are met by Albanian hauliers of ECMT licences.

Sincerely,

MINISTER

Belinda Ballaku

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

COUNTRY: REPUBLIC OF ALBANIA

NATIONAL AUTHORITY: MINISTRY OF INFRASTRUCTURE AND ENERGY

DATE OF APPROVAL: 14 MARCH 2019

COVER NOTE

The Republic of Albania complies with the requirements of the Quality Charter for International Road Haulage undertaken under the ECMT Multilateral Quota through national legal acts transposing relevant EU legislation.

The key EU legal instruments are Regulation (EC) no. 1071/2009, Regulation (EU) no. 165/2014, Regulation (EC) no. 561/2006, Directive 2003/59/EC, Directive 2006/126/EC and Directive 2006/22/EC, supported by national legal acts, as follows:

- Law no. 8308 of 18.03.1998 "On road transports", as amended by law no. 10/2016 of 11.02.2016.
- Decision of Council of Ministers (DCoM) no. 325 of 19.03.2008 "On approval of rules for admission to the occupation of road transport operator for goods and passengers, and recognition of official documents, set for these operators", as amended by DCoM no. 520 of 13.7.2016 and DCoM no. 53 of 6.2.2019.
- DCM no. 1054 of 22.12.2010 "On approval of Regulation on recording equipment in road transport".
- DCoM no. 1243 of 10.08.2010 "On the approval of the Regulation on the organisation of the working time for persons who carry out road transport, working hours for the drivers and registration equipment".
- DCoM no 207 of 25.02.2009 "On approval of the regulations for road side checks and undertakings, as regards the application of working time rules for persons engaged in road transport, and for drivers working hours".
- Order of Minister no. 1 of 28.01.2009 "On obtaining the Certificate of Professional Competence for the occupation of Manager of Road Transport Operator", as amended by Order of Minister no. 5 of 27.5.2015.
- Guideline of Minister no. 3606/2 of 28.10.2011 "On Certificate of professional trainings for drivers of vehicles category C, CE, D and DE", as amended by Guideline no. 9 of 09.10.2015.
- Guideline of Minister no. 4 of 27.05.2014 "On technical requirements and standards of operation of workshop (technical centre) authorised for tachograph", as amended by Guideline of Minister no. 41 of 5.01.2017.
- Guideline of Minister no. 328 of 20.01.2017 "On detailed rules for the list of data, which are kept in the national electronic register on road transport, as well as its modality".
- Guideline of Minister no.15 of 24.07.2007 "On criteria and procedures for issuing licenses, authorizations and certificates for activities in road transport sector", as amended by Guideline of Minister no. 5, date 17.02.2011.

In accordance with the national legislation the ANALTIR Association manages and issues the Albanian ECMT permits allocation and ensures that undertakings seeking permits meet all the requirements of the Quality Charter prior to the issue of permits.

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

A) Conditions of establishment (Chapter II, 2)

Article 2.2.a)	X Fully
	• Law no 8308 of 18.03.1998 "On road transports as last amended by Law no 10/2016 of 11.02.2016; [Article 6]
	• DCoM no. 325 of 19.03.2008, "On approval of rules for admission to the occupation of road transport operator for goods and passengers, and recognition of official documents, set for these operators", as last amended by DCoM no. 520 of 13.7.2016. (OJ of the Republic of Albania no 135/2016, p.10594). [Chapter II Paragraph 9]
	☐ Useful Links:
	http://www.qbz.gov.al/ligje.pdf/transport/Ligj%208308%20%20per%20trasnporte t%20rrugore%20i%20perditesuar.pdf
	http://www.qbz.gov.al/Ligje.pdf/transport/VKM_325_19032008_perditesuar.pdf
Article 2.2.b)	X Fully
	• DCoM no. 325 of 19.03.2008, "On approval of rules for admission to the occupation of road transport operator for goods and passengers, and recognition of official documents, set for these operators", as last amended by DCoM no. 520 of 13.7.2016. (OJ of the Republic of Albania no 135/2016, p.10594). [Chapter II Paragraph 9]
	• Instruction of Minister no. 15 of 24.07.2007 "On criteria and procedures for issuing licenses, authorizations and certificates for activities in road transport sector", as amended. [Article 8, Paragraphs 4, 5]
	☐ Useful Links:
	http://www.qbz.gov.al/Ligje.pdf/transport/VKM 325 19032008 perditesuar.pdf
	http://www.qbz.gov.al/botime/fletore_zyrtare/2007/PDF-2007/106-2007.pdf
	http://www.qbz.gov.al/botime/fletore_zyrtare/2011/PDF-2011/19-2011.pdf
	http://www.qbz.gov.al/botime/fletore_zyrtare/2009/PDF-2009/182-2009.pdf
Article 2.2.c)	X Fully
	• DCoM no. 325 of 19.03.2008, "On approval of rules for admission to the occupation of road transport operator for goods and passengers, and recognition of official documents, set for these operators", as last amended by DCoM no. 520 of 13.7.2016. (OJ of the Republic of Albania no 135/2016, p.10594). [Chapter II Paragraph 9]
	☐ Useful Links:
	http://www.qbz.gov.al/Ligje.pdf/transport/VKM_325_19032008_perditesuar.pdf

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

Provision of the Charter: [Chapter II, article 2.2]

Corresponding National Provision:

- a. DCoM no. 325 of 19.03.2008, "On approval of rules for admission to the occupation of road transport operator for goods and passengers, and recognition of official documents, set for these operators", as amended [Chapter II Paragraph 9],
- b. [content]

In order to satisfy the requirement laid down in paragraph 1 (d), an transport undertaking shall:

- a) have an establishment situated in the Republic of Albania, with premises where it keeps its core business documents, in particular its accounting documents, documents containing data relating to driving time and rest periods and any other document to which the responsible authority must have access in order to verify compliance with the conditions set out in this regulation;
- b) have at its disposal one or more vehicles put into circulation in conformity with the legislation in force, registered in Albania, whether those vehicles are owned or, under a hire-purchase agreement or a hire or leasing contract;
- c) conduct effectively and continuously with the necessary administrative equipment its operations concerning the vehicles mentioned in point (b) at an operating centre situated in Albania.

Any other comments:

B) Good Repute (Chapter II, 3)

Implemented

Article 3.1.

X Fully

- DCoM no. 325 of 19.03.2008, "On approval of rules for admission to the occupation of road transport operator for goods and passengers, and recognition of official documents, set for these operators" (OJ of the RA no 49/ 2008, p.2213). [Chapter II, Paragraph 2.1], as amended.
- Instruction of Minister no. 15 of 24.07.2007 "On criteria and procedures for issuing licenses, authorizations and certificates for activities in road transport sector", as amended. [Article 8, Paragraphs 1& Annex 3]

☐ Useful Links:

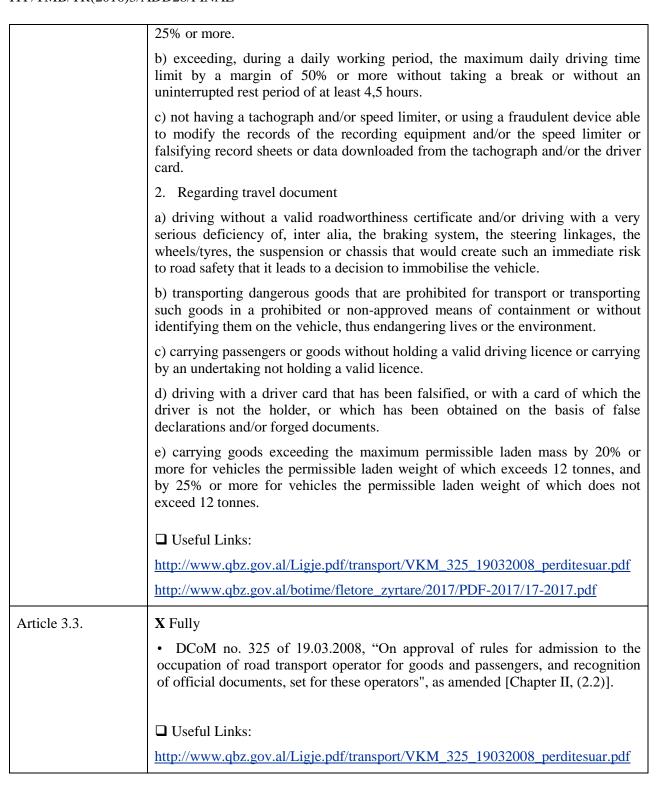
http://www.qbz.gov.al/Ligje.pdf/transport/VKM_325_19032008_perditesuar.pdf http://www.qbz.gov.al/botime/fletore_zyrtare/2007/PDF-2007/106-2007.pdf

Article 3.2.. incl:

X Fully

- points a) to e);

- DCoM no. 325 of 19.03.2008, "On approval of rules for admission to the occupation of road transport operator for goods and passengers, and recognition of official documents, set for these operators" (OJ of the RA no 49/2008, p.2213). [Chapter II, Paragraph 3.1], as amended.
- 3.1 The undertaking is considered to be of good repute when:
- list of most serious infringements: point d), items i -vii;
- a) The manager / managers of the activity or the undertaking proves that they have not committed a violation or punishment in respect of:
 - i) the rules relating to the driving time and the rest periods of the drivers, installation and use of recording equipment;
 - ii) Training of drivers;
 - iii) mandatory technical, periodic and annual maintenance of the vehicles;
 - (iv) operating rules in the cargo and passenger transport market;
 - v) overloading the vehicle, thereby passing the allowed load according to its traffic permit;
 - (vi) the weights and dimensions of the maximum means used in domestic and international circulation;
 - vii) security of transport of dangerous goods by road;
 - ix) driving license;
 - x) environmental protection;
 - xi) driving the vehicle from drivers under the effect of drugs or psychotropic substances.
 - xii) commercial law;
 - xiii financial standing according to law;
 - xiv) terms of payment and employment in the profession;
 - xv) Trafficking in human beings or drugs
- b) The manager / managers of its activity is not declared ineligible for carrying out the activity of the road transport operator according to point 4.1 of Chapter III;
- c) The undertaking has not previously been convicted of serious breaches of the rules in force regarding the payments and working conditions of professional vehicle drivers, road traffic, road safety, professional liability; or
- ç) The head of its activity has completed the rehabilitation period according to letters "a" and "b" of point 4.1 of this chapter.
- d) has performed compulsory insurance for damage to third parties in transport.
 - Guideline of Minister of Transport and Infrastructure no. 328 of 20.01.2017 "On detailed rules for the list of data, which are kept in the national electronic register on road transport, as well as its modality", ANNEX 2 (Most serious infringements for the purposes of the point 2, Article 4).
- 1. Regarding driving time and rest period of the driver:
- a) exceeding the maximum 6-day or fortnightly driving time limits by margins of



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

Provision of the Charter:	Corresponding National Provision:
[Chapter II, article 3.1.]	• DCoM no. 325 of 19.03.2008, "On approval of rules for admission to the occupation of road transport operator for goods and passengers, and recognition of official documents, set for these operators", as amended [Chapter II, (2.1)].
	III.1 "2. Transport manager"
	2.1 An undertaking, which exercises the profession of road transport operator shall designate at least one natural person as the transport manager, which satisfies the requirements established in letters "a" and "c" of paragraph 1 of this chapter, as well as:
	a) effectively and continuously manages the transport activities of the undertaking;
	b) has a genuine connection to the undertaking as an employee, director, owner, shareholder or administrator, or the undertaking is a natural person, this person himself;
	c) has residence in Albania.
	• Instruction of Minister no. 15 of 24.07.2007 "On criteria and procedures for issuing licenses, authorizations and certificates for activities in road transport sector", as amended. [Article 8, Paragraphs 1, Annex 3]
	In the Annex 3 of Instruction is the model of proof regarding good repute.
Provision of the Charter:	Corresponding National Provision:
[Chapter II, article 3.3.]	• DCoM no. 325 of 19.03.2008, "On approval of rules for admission to the occupation of road transport operator for goods and passengers, and recognition of official documents, set for these operators", as amended [Chapter II, (2.2)].
	b) the contract linking the undertaking with the person referred to in point (a) of this chapter, specifies the tasks to be performed on an effective and continuous basis by that person, and indicates his or her responsibilities as transport manager.
	The tasks to be specified shall comprise, in particular:
	i) vehicle maintenance;
	ii) verification of transport contracts and documents;
	iii) basic accounting;
	iv) the assignment of loads or services to drivers and vehicles
	v) verification of safety procedures;

Any other comments:	-
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${\it C) Professional \ competence \ (Chapter \ II, \ 4)}$

Article 4.2, incl.:	X Fully
- List of knowledge (4.2.a); b); cf.annex1)	• DCoM no. 325 of 19.03.2008, "On approval of rules for admission to the occupation of road transport operator for goods and passengers, and recognition of official documents, set for these operators" (OJ of the Republic of Albania no 49/2008, p.2213), as amended [Paragraph 6, 7, 8].
- Examination required: oral; written; exempted (cf. 4.2.c))	• Order of the Minister no.1 of 28.1.2009 "On obtaining the Certificate of Professional Competence for the occupation of Manager of Road Transport Operator (OJ of the Republic of Albania no.13/ 2009, p. 947).
	- List of subjects (Article 2, Paragraph 2, and Appendix 1).
	• Order of the Minister no. 5 of 27.5.2015 "On some addenda and amendments to OM no. 1 of 28.1.2009 on obtaining the Certificate of Professional Competence for the occupation of Manager of Road Transport Operator, as amended (OJ of the Republic of Albania no.106/2015, p. 5685). (The model certificate of professional competence Appendix 2 of Minister's Order)
	☐ Useful Links:
	http://www.qbz.gov.al/Ligje.pdf/transport/VKM 325 19032008 perditesuar.pdf
	http://www.qbz.gov.al/botime/fletore_zyrtare/2009/PDF-2009/13-2009.pdf
	http://www.qbz.gov.al/botime/fletore_zyrtare/2015/PDF-2015/106-2015.pdf
Article 4.3., incl.:	X Fully
	Corresponding National Provision:
- Examinations procedure (4.3.a); cf. annex 2)	- DCoM no. 325 of 19.03.2008, "On approval of rules for admission to the occupation of road transport operator for goods and passengers, and recognition of official documents, set for these operators" (OJ of the Republic of Albania no 49/2008, p.2213), as amended. [Paragraph 7].
- approval of examination bodies	- Order of the Minister no. 1 of 28.1.2009 "On obtaining the Certificate of Professional Competence for the occupation of Manager of Road Transport Operator (OJ of the Republic of Albania no.13/2009, p. 947), as amended.
(4.3.b) - pre-training (4.3.c)	- Order of the Minister no. 5 of 27.5.2015 "On some addenda and amendments to OM no. 1 of 28.1.2009 on obtaining the Certificate of Professional Competence for the occupation of Manager of Road Transport Operator, as amended (OJ of the Republic of Albania no.106/2015, p. 5685).
	D Hooful Links
	☐ Useful Links: http://www.qbz.gov.al/Ligje.pdf/transport/VKM_325_19032008_perditesuar.pdf
	http://www.qbz.gov.al/botime/fletore_zyrtare/2009/PDF-2009/13-2009.pdf
	http://www.qbz.gov.al/botime/fletore_zyrtare/2015/PDF-2015/106-2015.pdf

Article 4.4. CPC, incl.:	X Fully Implemented by:
- National certificate (4.4.a); cf. Annex 3)	- Name of National Authority or duly approved body: The General Directorate of Road Transport Services (GDRTS) (cf. Annex 2)
- IRU Academy CPC (4.4.b))	- Name of the IRU accredited institution, authorised nationally: The Albanian Association of International Road Haulers (ANALTIR) (cf. Annex 1)
	☐ Useful Links:
	http://www.dpshtrr.gov.al
	http://www.analtir.org/

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

Provision of the Charter: [Chapter, article]	_
Any other comments:	Attached is the Model of CPC manager (Annex 1 and Annex 2)

D) Financial standing (Chapter II, 5)

Article 5.2., including	X Fully
Capital required for:	- DCoM no. 325 of 19.03.2008, "On approval of rules for admission to the occupation of road transport operator for goods and passengers, and recognition of official documents, set for these operators" (OJ of the Republic of Albania no. 49/ 2008, p.2213), as amended by DCoM no. 520 of 13.7.2016. [Chapter II Paragraph 5.1, 5.2], as last amended by DCoM no. 53 of 6.2.2019. {OJ of Republic of Albania no.15 of 12.02.2019}.
	[Chapter II, Paragraph 5.2]
- first vehicle	- 9 000 EUR, first vehicle
- each additional vehicle	- 5 000 EUR, for each additional vehicle
	☐ Useful Links:
	http://www.qbz.gov.al/Ligje.pdf/transport/VKM 325 19032008 perditesuar.pdf
	http://www.qbz.gov.al/botime/fletore_zyrtare/2019/PDF-2019/15-2019.pdf.

ITF/TMB/TR(2016)3/ADD28/FINAL

Any other comments:

Article 5.3 & 5.4	X Fully
	DCoM no. 325 of 19.03.2008, "On approval of rules for admission to the occupation of road transport operator for goods and passengers, and recognition of official documents, set for these operators", as last amended by DCoM no. 520 of 13.7.2016. [Chapter II Paragraph 5.3]
	- [list of national financial proofs]
	☐ Useful Links:
	http://www.qbz.gov.al/Ligje.pdf/transport/VKM_325_19032008_perditesuar.pdf
Article 5.5.	X Fully
	Corresponding National Provision:
	DCoM no. 325 of 19.03.2008, "On approval of rules for admission to the occupation of road transport operator for goods and passengers, and recognition of official documents, set for these operators", as last amended by DCoM no. 520 of 13.7.2016. [Chapter II Paragraph 5.1]
	☐ Useful Links:
	http://www.qbz.gov.al/Ligje.pdf/transport/VKM_325_19032008_perditesuar.pdf
Request for recognition of equivalence, if appropriate, in relation to one or more provisions listed above:	
Provision of the Charter [Chapter, article]	

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)

Article 2.1:	X Fully
	Corresponding National Provision:
	• Instruction of Minister no 3606/2 of 28.10.2011 "On Certificate professional trainings of drivers of vehicles category C, CE, D and DE", (OJ 153/2011, p.7025), as amended by Instruction no. 9, date 09.10.2015 (OJ 182, p.12357).
	• Guideline of Minister of Public Works and Transport no. 2 of 11.2.2010 "On technical inspection of road vehicles", (OJ 31, p.1025), as amended.
	• Guideline of Minister of Public Works and Transport no. 9 of 3.07.2012 "On audit and inspection of road safety". (OJ 98, p.5303).
	☐ Useful Links:
	http://www.qbz.gov.al/botime/fletore_zyrtare/2011/PDF-2011/153-2011.pdf
	http://www.qbz.gov.al/botime/fletore_zyrtare/2015/PDF-2015/182-2015.pdf
	http://www.qbz.gov.al/botime/fletore_zyrtare/2012/PDF-2012/98-2012.pdf
Article 2.2.a) - Initial qualification , incl:	X Fully
quantication, mer.	Corresponding National Provision:
- List of knowledge (cf.annex4)	• Instruction of Minister no. 3606/2 of 28.10.2011 "On Certificate professional trainings of drivers of vehicles category C, CE, D and DE", (OJ 153/2011, p.7025), as amended by Instruction Nr.9, date 09.10.2015 (OJ 182, p.12357). Annex I.

- 1. Albanian legislation regarding the professional driver trainings.
 - Road Code, Regulation on Road Code, Law on Road Transport
 - ➤ EU directive 2003/59/EC
- 2. The driving time and rest time. Tachograph.
 - ➤ Knowledge on maximum working time and penalties
 - Regulation on carriage of goods
 - Regulations on bus transport
- 3. Technical knowledge on rational driving
 - The characteristic of the transmission system
 - The technical characteristic and operation of safety controls
 - Optimising fuel consumption
 - ➤ Loading the vehicle with due safety rules
- 4. Health, Road and Environments safety and Logistics
 - Accident risk on the road
 - ➤ Ability to prevent illegal trafficking
 - Awareness and importance of physical and mental ability
 - Emergency situations
 - ➤ Behaviour to enhance the image of the company
 - Organisation of market and economic environment of road haulage
- Course + test, or, a test only
- exemptions
- Course + test
- vehicles with a maximum authorised speed not exceeding 45 km/h;
- vehicles used by, or under the control of, the armed forces, civil defence, the fire service and forces responsible for maintaining public order;
- vehicles undergoing road tests for technical development;
- repair or maintenance purposes, or of new or rebuilt vehicles which have not yet been put into service;
- vehicles used in states of emergency or assigned to rescue missions;
- vehicles used in the course of driving lessons for any person wishing to obtain a driving licence or a CPC;
- vehicles used for non-commercial carriage of passengers or goods, for personal use;
- vehicles carrying material or equipment to be used by the driver in the course of his or her work, provided that driving the vehicle is not the driver's principal activity.

☐ Useful Links:

 $\frac{http://www.qbz.gov.al/botime/fletore_zyrtare/2011/PDF-2011/153-2011.pdf}{http://www.qbz.gov.al/botime/fletore_zyrtare/2015/PDF-2015/182-2015.pdf}{http://www.dpshtrr.gov.al}$

Article 2.2.b) - Periodic **X** Fully training, incl: Corresponding National Provision: • Instruction of Minister no. 3606/2 of 28.10.2011 "On Certificate professional trainings of drivers of vehicles category C, CE, D and DE", (OJ 153/2011, p.7025), as amended by Instruction no. 9, date 09.10.2015 (OJ 182, p.12357), Article 12, 28 and Annex I. 1. Albanian legislation regarding the professional driver trainings: - List of knowledge (cf.annex4) Road Code, Regulation on Road Code, Law on Road Transports EU directive 2003/59/EC 2. The driving time and rest time. Tachograph. Knowledge on maximum working time and penalties Regulation on carriage of goods Regulations on bus transport 3. Technical knowledge on rational driving The characteristic of the transmission system The technical characteristic and operation of safety controls Optimising fuel consumption \triangleright Loading the vehicle with due safety rules 4. Health, Road and Environments safety and Logistics Accident risk on the road Ability to prevent illegal trafficking Awareness and importance of physical and mental ability **Emergency situations** Behaviour to enhance the image of the company Organisation of market and economic environment of road haulage The list of knowledge should be updated with the progress of legislation and vehicles technologies etc. - Number of hours (35) - Number of hours 35 - Periodicity (every 5 - Periodicity every 5 years years) - first periodic training to - first periodic training to be completed by **December 2020** be completed by [31 Dec 2019] ☐ Useful Links: http://www.qbz.gov.al/botime/fletore zyrtare/2011/PDF-2011/153-2011.pdf http://www.gbz.gov.al/botime/fletore zyrtare/2015/PDF-2015/182-2015.pdf http://www.dpshtrr.gov.al

Articles 2.3; 2.4 -	X Fully
approval of training centres	Corresponding National Provision:
	Instruction of Minister no. 3606/2 of 28.10.2011 "On Certificate professional trainings of drivers of vehicles category C, CE, D and DE", (OJ 153/2011, p.7025), as amended by Instruction no. 9 of 09.10.2015 (OJ 182, p.12357) Article 8 and 9
	☐ Useful Links:
	http://www.qbz.gov.al/botime/fletore_zyrtare/2011/PDF-2011/153-2011.pdf
	http://www.qbz.gov.al/botime/fletore_zyrtare/2015/PDF-2015/182-2015.pdf
	http://www.dpshtrr.gov.al
Article 2.6 - CPC proof,	X Fully
incl.:	Implemented by: GDRTS
- Sign affixed on driver licence (permit)	It is foreseen to be affixed in a special code in the new driving license by next year.
- Driver Qualification card (cf. annex 5)	- Name of National Authority or duly approved body: GDRTS (attached is the model, Annex 4)
- IRU Academy CPC	- Name of the IRU accredited institution, authorised nationally: Training Institution, ANALTIR, which is accredited by IRU Academy (attached is the model Annex 3)
	☐ Useful Links:
	http://www.dpshtrr.gov.al

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

Provision of the Charter: [Chapter, article]	
Any other comments:	Based on Law no. 8378 of 22.07.1998 "Road Code of the Republic of Albania", as amended, Article 134, point 1:
	The equivalency of the driving licences issued by foreign states and the European Union members states
	1. The holders of the driving licence, issued by a member state of the European Union, USA, Canada and states which are member of the conventions and agreements of UN, during the time it is valid and who have a stay permit in Albania, may obtain, through a request and after handing over the above-mentioned driving licence, the driving licence of the same category for which is valid their driving licence without the need to pass through the qualification as in Article 119. The replaced driving licence is returned from the Albanian authority, which has issued the new driving licence to the authority of the issued State. The same provisions apply for CPC, but without withdrawal of the former CPC.

C) Conditions of employment (Chapter III, 3)

Article 3.1	X Fully
	Corresponding National Provision:
	A driver legally employed in conformity with the national Labour Code (Law no. 7961 of 12.07.1995, as amended)
	☐ Useful Links:
	http://www.qbz.gov.al/Kode/Kodi%20i%20Punes-2018.pdf

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)

1.2.1: re. provisions on	X Fully		
undertakings, incl.:	Corresponding National Provision:		
- authorisations	- Law no 8308 of 18.03.1998 "On road transports", as last amended by Law no. 10/2016 of 11.02.2016;		
- training/ examinations - CPC	- DCoM no. 325 of 19.03.2008, "On approval of rules for admission to the occupation of road transport operator for goods and passengers, and recognition of official documents, set for these operators", as last amended.		
	- [Authority(ies)]:		
	Ministry of Infrastructure and Energy and GDRTS		
	☐ Useful Links:- http://www.dpshtrr.gov.al		
1.2.2: re. provisions on	X Fully		
drivers, incl.:	Corresponding National Provision [designated National Authority (ies)]:		
- training/examinations	- Law no. 8378 of 22.07.1998 "Rode Code of the Republic of Albania" amended [Article 12]		
- CPC	- DCoM no. 207 of 25.02.2009 "On approval of the regulations for road side checks and undertakings, as regards the application of working time rules for persons engaged in road transport, and for drivers working hours", which has partially transposed Directive 2006/22/EC on minimum conditions for the implementation of Reg. (EEC) no. 3821/85 and repealing Council Directive 88/599/EEC.		
	- Authorities:		
	The GDRTS and Road Traffic Policy are responsible for road side checks.		
	The GDRTS is responsible for checks at the undertaking's premises.		
	☐ Useful Links:		
	http://www.dpshtrr.gov.al		
	http://www.qbz.gov.al/Ligje.pdf/transport/Ligj%208308%20%20per%20trasn portet%20rrugore%20i%20perditesuar.pdf		
Articles 1.2.3 - 1.2.4.	X Fully		
	[adopted procedures on mutual assistance, Authority(ies)]:		
	Ministry of Infrastructure and Energy		
	☐ Useful Links:- http://www.dpshtrr.gov.al		

Article 1.2.5	X Fully
	[penalties, Authority (ies)]
	DCoM no. 325 dated 19.03.2008, "On approval of rules for admission to the occupation of road transport operator for goods and passengers, and recognition of official documents, set for these operators", as last amended (Chapter IV, paragraph 2).
	☐ Useful Links:
	http://www.dpshtrr.gov.al
Article 1.3.	X Fully
	[procedures adopted, Authority (ies)]
	Ministry of Infrastructure and Energy and ANALTIR
	☐ Useful Links:
	http://www.dpshtrr.gov.al

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

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

Article 2.1 checks re. Drivers, incl:	X Fully - Law no. 9514 of 18.04.2006 "On the adherence of the Republic of Albania in the European Agreement concerning the work of crews of vehicles engaged in international road transport (AETR) and its Protocol of Signature and amendment 4".
- 2.1.1. Driving times and rest periods (cf. also. Annex 6):	- DCoM no. 1054 of 22.12.2010 "On approval of the Rules on recording equipment in road transport".
	- Law no. 8378 of 22.07.1998 "Rode Code of the Republic of Albania", as amended.
	- DCoM no. 1243 of 10.09.2008 on "Approval of the regulation for the organization of the working time for the persons that are engaged in the road transport, for the work time of vehicle conductors and registration equipment".
	- DCoM no. 207 of 25.02.2009 "On approval of the regulations for road side

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	checks and undertakings, as regards the application of working time rules for persons engaged in road transport, and for drivers working hours".
	- [designated National Authority/Body (ies)]
	The General Directorate of Road Transport Services (GDRTS) and Road Traffic Policy are responsible for road side checks.
	The General Directorate of Road Transport Services (GDRTS is responsible for checks at the premises of undertakings
	- [Frequency and scope of checks, incl. roadside; at the premises]
	Roadside checks are carried out on the basis of a rotation system of an appropriate geographical balance. The number of controls includes a number that is greater every year, of workers carrying out mobile road transportation, vehicle operators, enterprises and vehicles, of all categories of transportation included in the regulations approved by DCoM no. 1243 of 10.09.2008 and, or in the AETR. (Paragraph 3 of DCoM no. 207 of 25.02.2009)
	☐ Useful Links: http://www.dpshtrr.gov.al/
Article 2.2 Checks re. Undertakings, incl:	X Fully
	Corresponding National Provisions:
	DCoM no. 207 of 25.02.2009 "On approval of the regulations for road side checks and undertakings, as regards the application of working time rules for persons engaged in road transport, and for drivers working hours".
	- Designated National Authority/Body (ies):
	GDRTS is responsible for checks at the undertaking's premises. Checks are carried out in cooperation with the State Labour Inspectorate.
	- [Frequency of checks]:
	Checks at undertaking's premises are carried out if serious violations of the provisions of Regulations approved by Council of Ministers with Decision no. 1243 of 10.09.2008 and of the regulations on registration equipment have been detected.
	☐ Useful Links: http://www.dpshtrr.gov.al
Request for recognition of	f equivalence, if appropriate, in relation to one or more provisions listed above:
Provision of the Charter: [Chapter, article]	-
Any other comments:	
Any other comments:	-

C) Classification of Infringements (Chapter IV, 3)

Article 3.1. re. driving	X Fully
times and rest periods (cf. also. Annex 7)	Corresponding National Provisions:
	a. [Law/ By-Law/Administrative Arrangement, reference Number, Date of enforcement, Article, etc]
	The provisional infringements of the Law no. 9514 of 18.04.2006, "On the accession of the Republic of Albania in the European Agreement "For crews of vehicles involved in international road transport (AETR)", and the legislation on working hours and rest hours of vehicle drivers as well as the registration devices, classified according to their importance, are appointed by the Minister's Instruction.
	b. [Content/List]
	Guideline of Minister of Transport and Infrastructure no 328 of 20.01.2017 "On detailed rules for the list of data, which are kept in the national electronic register on road transport, as well as its modality". {This Guideline approximates the Article 16(1) and Annex IV of Regulation (EC) no 1071/2009 of the European Parliament and of the Council of 21 October 2009 establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator and repealing Council Directive 96/26/EC}.
	☐ Useful Links:
	http://www.dpshtrr.gov.al
	http://www.qbz.gov.al/botime/fletore_zyrtare/2019/PDF-2019/15-2019.pdf.
Article 3.2. re.	X Fully
undertakings, incl:	Corresponding National Provisions:
	- DCoM no. 325 of 19.03.2008, "On approval of rules for admission to the occupation of road transport operator for goods and passengers, and recognition of official documents, set for these operators", as amended. [Chapter III]
	☐ Useful Links:
	http://www.dpshtrr.gov.al
Request for recognition of	f equivalence, if appropriate, in relation to one or more provisions listed above:
Provision of the Charter: [Chapter, article]	-
Any other comments:	
Any other comments:	

D) Penalties (Chapter IV, 4)

Implemented

Article 4.1.	X Fully
Titlele 4.1.	Corresponding National Provisions:
	DCoM no. 1243 of 10.09.2008 "On approval of the regulation for the organization of the working time for the persons that are engaged in the road transport, for the work time of vehicle conductors and registration equipment", OJ 147/2008, p.7271). The Decision approximates the Regulations (EEC) no. 561/2006 of the European Parliament and of the Council of 15 March 2006 on the harmonisation of certain social legislation relating to road transport and amending Council Regulations (EEC) no. 3821/85 and (EC) no. 2135/98 and repealing Council Regulation (EEC) no. 3820/85 and (EEC).
	☐ Useful Links: http://www.qbz.gov.al/botime/fletore_zyrtare/2008/PDF-2008/147-2008.pdf
Article 4.2.on drivers	X Fully
incl, infringements re:	Corresponding National Provisions:
- 4.2.1. AETR rules	- DCoM no. 1243 of 10.09.2008 "On approval of the regulation for the organization of the working time for the persons that are engaged in the road transport, for the work time of vehicle conductors and registration equipment", (OJ 147/2008, p.7271)
	- DCoM no. 1054 dated. 22.12.2010 "On approval of the Rules on recording equipment in road transport". (OJ 186/2010, p.10341).
	Corresponding National Provisions:
- 4.2.2. driver training	- Law No 10/2016 of 11.02.2016 "On some addenda and amendments to Law No 8308 of 18.03.1998 'On road transports", as amended, which entered in force on 22 March 2016, is partially approximated with the Directive 2006/22/EC of the European Parliament and of the Council of 15 March 2006 on minimum conditions for the implementation of Council Regulations (EEC) No 3820/85 and (EEC) No 3821/85 concerning social legislation relating to road transport activities and repealing Council Directive 88/599/EEC.
	- Guideline of the Minister of Transport and Infrastructure no 4 of 27.05.2014 "On technical requirements and standards of operation of workshop (technical centre) authorised of tachograph" is issued and implemented.
	Regarding European Agreement concerning the Work of Crews of Vehicles engaged in International Road Transport (AETR), since the first half of 2014, 30 inspection patrols enforce the installation and use of tachograph in the territory of

☐ Useful Links:

http://www.qbz.gov.al/botime/fletore zyrtare/2008/PDF-2008/147-2008.pdf http://www.qbz.gov.al/botime/fletore zyrtare/2010/PDF-2010/186-2010.pdf

Albania, etc. There are twelve authorised tachograph workshops, which install and carry out regular inspections of tachograph. 150 penalties were imposed for infringement of AETR provisions in 2015, (in 2016 were imposed 80 penalties). The inspectors are trained, but further enhancement of their capacities is needed.

Article 4.3. on under-	X Fully
takings:	Corresponding National Provisions:
- 4.3.1.	- [Competent Authority/Body(ies); Law/By-Law/Administrative Arrangement, reference Number, Date of enforcement, Article, etc]
	• Law no 8308 of 18.03.1998 "On road transports" as last amended by Law no. 10/2016 of 11.02.2016; [Article 6]
- 4.3 2.	• DCoM no. 325 of 19.03.2008, "On approval of rules for admission to the occupation of road transport operator for goods and passengers, and recognition of official documents, set for these operators", as last amended by DCoM no. 520 of 13.7.2016. (OJ of the Republic of Albania no. 135/2016, p.10594). [Chapter III]
	- [Notification, Time limits for rectifying the situation]:
	a time limit not exceeding 9 months (transport manager)
	a time limit not exceeding 12 months (financial standing)
	☐ Useful Links:
	http://www.qbz.gov.al/ligje.pdf/transport/Ligj%208308%20%20per%20trasnportet%20rrugore%20i%20perditesuar.pdf
	http://www.qbz.gov.al/Ligje.pdf/transport/VKM_325_19032008_perditesuar.pdf

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

Provision of the Charter:	[comment]
[article]	

ANNEX 1: Model of the certificate of professional Competence (CPC) manager



Drejtoria e Përgjithshme e Shërbimeve të Transportit Rrugor

ANNEX 2 Model of the national CPC manager transport



REPUBLIKA È SHQIPËRISË MINISTRIA E INFRASTRUKTURËS DHE ENERGJISË

AL

	General I	Directorate of Road Transport Services (GDRTS)
		FESIONALE NË TRANSPORTIN RRUGOR IR TË MALLRAVE
	Nr	
	rësimit të provir	nit, nëpërmjet kësaj, vërteton që:
Vend	li i lindjes:	
dhënien e certifikatës së kom mallrave/udhëtarëve në përputh	petencës profes je me udhëzim	kursi/*:) organizuar për sionale në transportin rrugor të brendshëm të tin nr, datë 2009 "Për certifikatën e mtarisë së operatorit të transportit rrugor".
		uar për të punuar me aftësi profesionale në një n rrugor ndërkombëtar të mallrave/ udhëtarëve.
nr.325, datë 19.3.2008 "Për mir	atimin e rregull	të kompetencës profesionale referuar VKM-së lave për pranimin në veprimtarinë e operatorit të si dhe për njohjen e dokumenteve zyrtare, të
Lëshuar në	, më	
Firma e kryetarit të ko	omisionit	Firma dhe vula e DPSHTRr-së

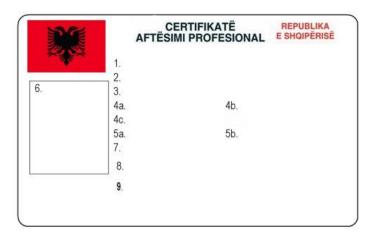
^{*} në rastin kur aplikohet, sipas shkronjave "b", "c" dhe "d" të nenit 7 të udhëzimit.

ANNEX 3: Model of the national CPC driver



$ANNEX\ 4: \textbf{Model of the national Driver Qualification Certificate}$

[Modeli i kartës CAP]



11.	9. 10.
	C1
	С
	D1
温砂温	D
225,222,3	C1E
回海機	CE
	D1 E
Mbiemri Emri	DE
2. Lilli 3. Datëlindja dhe vëndlindja 4a. Data e lëshimit 4b. Afati i vlefshmërisë 4c. Lëshuar nga 5a. Numri i lejes së drejtimit 5b. Numri serial 10. Kodi dhe Afati i vlefshmërisë	DPSHTRR

ANNEX 5: Driving licence model, issued by GDRTS from 24 January 2017

This model has physical characteristics in accordance with ISO 7810 and ISO 7816 - 1. The card material is polycarbonate. The safety elements meet the requirements of the Directive 2006/126/EC of the European Parliament and of the Council of 20 December 2006 on driving licences.



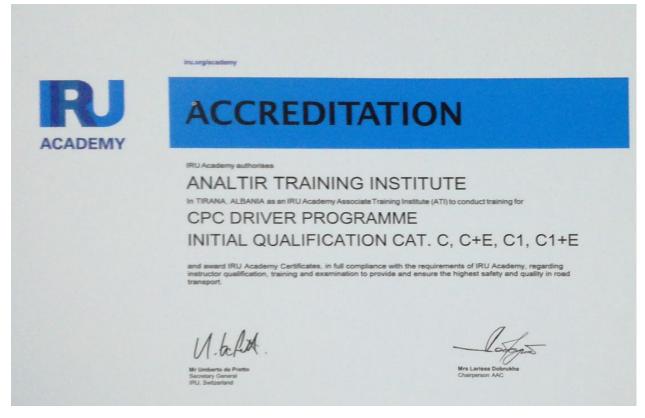


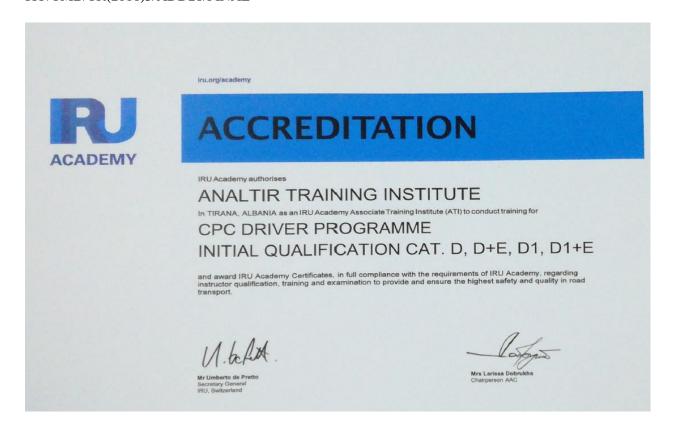
TABLE OF EQUIVALENCES

Categories of model issued	Corresponding categories
from 24.01.2017	
AM	AM
A1	AM, AI
A2	<i>AM</i> , <i>A1</i> , <i>A2</i>
A	<i>AM</i> , <i>A1</i> , <i>A2</i> , <i>A</i>
B1	AM, B1
B	AM, B1, B
C1	AM, B, C1
C	AM, B, C1, C
D1	AM, B, C, D1
D	AM, B, C, D1, D
BE	AM, B , BE
CIE	AM, B, BE, C1E
CE	AM, BE, CIE, CE
DIE	AM, BE, CE, D1E
DE	AM, BE, CE, D1E, DE

ANNEX 6: Certificates of IRU Academy Accreditation issued to ANLATIR Training Institute







ANNEX 7: New CPC model, (for manager and driver), issues by ANALTIR from January, 2018



