

**INTERNATIONAL TRANSPORT FORUM
TRANSPORT MANAGEMENT BOARD**

Group on Road Transport

Report by Austria on current state of implementation of Quality Charter

The application of Austria was approved by the Group on Road Transport under Agenda Item 3 of the meeting held on 12 and 13 October 2017 in Moscow, Russia.

It was updated in October 2023.

JT03528809

Bereich EU-Angelegenheiten und Internationales
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Bundesministerium
für Verkehr,
Innovation und Technologie

ECMT/ITF
Group on Road Transport
Att. The chairman, Mr. Jean-Claude Schnewly

Vienna, 2017-09-26

GZ: BMVIT-122.550/0005-I/K1/2017

Subject: Austria – formal application for the quality charter status

Dear Sir,

The Federal Ministry of Transport, Innovation and Technology has in the past few weeks duly submitted the questionnaire proving the compliance of our legal system to the Quality Charter of the ECMT Road Group. As a member of the European Union we fulfil all standards and requirements laid down in the Charter.

Consequently we submit to you and the Group Austria's formal application for the Quality Charter status.

Best regards


Dr. Maria-Elisabeth Pösel
Deputy Director General

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

COUNTRY: AUSTRIA

NATIONAL AUTHORITY: Federal Ministry for Climate Action, Environment, Energy, Mobility, Innovation and Technology

GLOSSARY

List of referenced Federal Laws in Austria (German abbreviation in brackets)

Federal Law on Occasional Passenger Transport - (GelverkG)

Federal Law on Regular Passenger Transport - (KfIG)

Federal Law on Goods Transport - (GütbefG)

Regulation on the access to the profession - (Berufszugangs-Verordnung 2017)

Federal Law on Driver's License - (Führerschein-Gesetz)

Federal Trade Regulation 1994 - (Österreichische Gewerbe Ordnung 1994)

General Law on Administrative Procedures - (AVG - Allgemeines Verwaltungsverfahrensgesetz 1991, Fassung vom 16.05.2017)

GENERAL REMARKS

Regulation (EC) No 1071/2009 is a legal act of the European Union, which become immediately enforceable as law in all member states simultaneously.

The relating provisions of Regulation (EC) No 1071/2009 were directly converted into Austrian law. Respective provisions of the federal laws GütbefG, GelverkG and KfIG (see the Glossary) have been amended <https://www.ris.bka.gv.at/eli/bgbl/I/2013/32/>

The amendments to the respective Laws (German only) can be consulted at the link below:
https://www.parlament.gv.at/PAKT/VHG/XXIV/I/I_01986/fname_273487.pdf

General remark on the competent Authorities:

According to §27 of GütbefG (Federal Law on Goods Transport), the competent authorities for all the stipulations mentioned here are 1) the Federal Ministry of Federal Ministry for Climate Action, Environment, Energy, Mobility, Innovation and Technology and 2) the Federal Ministry of Economy and Labour. All the mentioned national laws are federal laws.

Due to the organisation and structure of the authorities in Austria the competent authorities for all the stipulations of the Quality Charter are the local authorities, i.e. authority for local districts (Bezirksverwaltung). These authorities are provincial organs located in the local district capitals (Bezirks-Hauptstadt) acting, however, on behalf of the Federal Government as the laws they execute are federal.

This administration procedure is called “indirect federal administration” (mittelbare Bundesverwaltung). This concerns establishment of enterprise and granting/withdrawal of licenses. Some of the stipulations will be executed by the police (which might be federal or provincial) - mostly road side checks in cooperation with federal testing institutions (technical checks). In case of infringement the case will be transferred to the local district authority for imposing a sanction – either financial fee or withdrawal of licence. In case of punishment the delinquent has the right to appeal in federal courts.

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

A) Conditions of establishment (Chapter II, 2)
Implemented

Reference National Provisions:

Note: The provisions and chapters of the national law are quoted with reference to the structure of the Austrian legislation not necessarily in the order foreseen in the Quality Charter; see also respective sections in the report below.

GüterbefG (Federal Law on Goods Transport)

§§1-7 scope of law, competent authorities, modus of granting licences, conditions of establishment, financial standing-good repute, logbooks, professional competence, community license

§10 intra company transport

§§19-20 driver license and qualification, competence of authorities, registration of company

§§22-23 exchange of information between authorities, access to market, penalties, electronic register

§§25-27 references and intermediate provisions

<https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=10007643>

GelverkeG (Federal Law on Occasional Transport)

§§1-2 scope of law, competent authorities, modus of granting licences

§§4-5 community license, conditions of establishment, good repute, professional competence, education

§§6a-7 management, withdrawal of license

§§10-12 health and social provisions, community license,

§§14-19 drivers education, competent authorities, penalties, exchange of information between authorities, electronic register, intermediate provisions

§22 intermediate provisions

<https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=10007795>

KfzIG (Federal Law on Regular Passenger Transport)

§§ 2-5 responsibilities of the management, electronic registration

§§7-11 scope, conditions of establishment, good repute, modus of granting licences

§18 conditions of establishment

§§20-21 responsibilities of management, withdrawal of license

§§ 25-28 withdrawal of license, exchange of information between authorities

§§ 44-47 driving license, driver education, competent authorities, penalties,

#§§54-61 driving hours and rest periods

<https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=20000098>

Berufszugangs -Verordnung 2017 (Regulation on the access to the profession)

<https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=10007513>

Article 2.2.a)	<input checked="" type="checkbox"/> Fully Corresponding National Provision: GütfefG (Federal Law on Goods Transport) §§1-7 GelverkG (Federal Law on Occasional Transport) §§4-5 KfIG (Federal Law on Regular Passenger Transport) §18 Berufszugangs-Verordnung 2017 (Regulation on the access to the profession) §15 <input type="checkbox"/> Useful Links: <i>see above</i>
Article 2.2.b)	<input checked="" type="checkbox"/> Fully Corresponding National Provision: GütfefG (Federal Law on Goods Transport) §§1-7 GelverkG (Federal Law on Occasional Transport) §§4-5 KfIG (Federal Law on Regular Passenger Transport) §18 Berufszugangs-Verordnung 2017 (Regulation on the access to the profession) §15 <input type="checkbox"/> Useful Links: <i>see above</i>
Article 2.2.c)	<input checked="" type="checkbox"/> Fully Corresponding National Provision: GütfefG (Federal Law on Goods Transport) §§1-7 GelverkG (Federal Law on Occasional Transport) §§4-5 KfIG (Federal Law on Regular Passenger Transport) §18 Berufszugangs-Verordnung 2017 (Regulation on the access to the profession) §15 <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:	<i>None</i>
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Any other comments:	-
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**B) Good Repute (Chapter II, 3)
Implemented**

Reference National Provisions:

Good repute:

GüterbG (Federal Law on Goods Transport) §§1-7
 GelverG (Federal Law on Occasional Transport) §§4-5
 KfIG (Federal Law on Regular Passenger Transport) §§7-11

Penalties:

GüterbG (Federal Law on Goods Transport) §§22-23
 GelverG (Federal Law on Occasional Transport) §§14-19
 KfIG (Federal Law on Regular Passenger Transport) §§ 44-47

Residence and Responsibility:

GüterbG (Federal Law on Goods Transport) §§1-7 §§22-23
 GelverG (Federal Law on Occasional Transport) §§6a-7 §§14-19
 KfIG (Federal Law on Regular Passenger Transport) §§ 2-5 §§20-21

Article 3.1.	<input checked="" type="checkbox"/> Fully Corresponding National Provision: GüterbG (Federal Law on Goods Transport) §§1-7 GelverG (Federal Law on Occasional Transport) §§4-5 KfIG (Federal Law on Regular Passenger Transport) §§7-11 <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 checked="" type="checkbox"/> Fully Corresponding National Provision: GüterbG (Federal Law on Goods Transport) §§22-23 GelverG (Federal Law on Occasional Transport) §§14-19 KfIG (Federal Law on Regular Passenger Transport) §§ 44-47 <input type="checkbox"/> Useful Links: <i>see above</i>
Article 3.3.	<input checked="" type="checkbox"/> Fully Corresponding National Provision: GüterbG (Federal Law on Goods Transport) §§1-7 §§22-23 GelverG (Federal Law on Occasional Transport) §§6a-7 §§14-19 KfIG (Federal Law on Regular Passenger Transport) §§ 2-5 §§20-21 <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:	<i>None</i>
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Any other comments:	-
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**C) Professional competence (Chapter II, 4)
Implemented**

Reference National Provisions:

GütbefG (Federal Law on Goods Transport) §§1-7 §§19-20

GelverkG (Federal Law on Occasional Transport) §§1-2 §§4-5 §§6a-7 §§10-12 §§14-19

KflG (Federal Law on Regular Passenger Transport) §§ 2-5 §§7-11 §18 §§20-21 §§ 25-28 §§ 44-47

General provisions on the granting of driver licenses (if not altered by EC 1071/2009):

Führerschein-Gesetz (Federal Law on Driver's License), consolidated issue of 2017, section 1-9

<https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=10012723>

General provisions on drivers education (if not altered by EC 1071/2009):

Führerschein-Gesetz (Federal Law on Driver's License), consolidated issue of 2017 section 2 and 4

<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 checked="" type="checkbox"/> Fully</p> <p>Corresponding National Provision:</p> <p>GütbefG (Federal Law on Goods Transport) §§1-7 §§19-20</p> <p>GelverkG (Federal Law on Occasional Transport) §§1-2 §§4-5 §§6a-7 §§10-12 §§14-19</p> <p>KflG (Federal Law on Regular Passenger Transport) §§ 2-5 §§7-11 §18 §§20-21 §§ 25-28 §§ 44-47</p> <p>Führerschein-Gesetz (Federal Law on Drivers License), consolidated issue of 2017 section 1-5 and 2-11</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 checked="" type="checkbox"/> Fully</p> <p>Corresponding National Provision:</p> <p>GütbefG (Federal Law on Goods Transport) §§1-7 §§19-20</p> <p>GelverkG (Federal Law on Occasional Transport) §§1-2 §§4-5 §§6a-7 §§10-12 §§14-19</p> <p>KflG (Federal Law on Regular Passenger Transport) §§ 2-5 §§7-11 §18 §§20-21 §§ 25-28 §§ 44-47</p> <p>Führerschein-Gesetz (Federal Law on Drivers License), consolidated issue of 2017 sections 1-4,5, 2,3-13,7</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 checked="" type="checkbox"/> Fully</p> <p>Implemented by:</p> <p>GütbefG (Federal Law on Goods Transport) §§1-7 §§19-20</p> <p>GelverkG (Federal Law on Occasional Transport) §§1-2 §§4-5 §§6a-7 §§10-12 §§14-19</p>

- IRU Academy CPC (4.4.b))	KfIG (Federal Law on Regular Passenger Transport) §§ 2-5 §§7-11 §18 §§20-21 §§ 25-28 §§ 44-47 Führerschein-Gesetz (Federal Law on Drivers License), consolidated issue of 2017 sections 1,3,5 (withdrawal), 6 - NA <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:	<i>None</i>
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Any other comments:	-
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D) Financial standing (Chapter II, 5)
Implemented

Reference National Provisions:

Financial standing and good repute:

GüterbG (Federal Law on Goods Transport) §§1-7
GelverkG (Federal Law on Occasional Transport) §§4-5
KfIG (Federal Law on Regular Passenger Transport) §§7-11

In particular concerning financial standing:

Berufszugangs-Verordnung 2017 (Regulation on the access to the profession), especially §§ 2 and 3
<https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=10007513>

Article 5.2., including Capital required for: - first vehicle - each additional vehicle	<input checked="" type="checkbox"/> Fully Corresponding National Provision - [9000 EUR] - [5000 EUR] GüterbG (Federal Law on Goods Transport) §§1-7 GelverkG (Federal Law on Occasional Transport) §§4-5 KfIG (Federal Law on Regular Passenger Transport) §§7-11 Berufszugangs-Verordnung 2017 (Regulation on the access to the profession) especially § 2-2 <input type="checkbox"/> Useful Links: <i>see above</i>
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<p>Article 5.3 & 5.4</p>	<p><input checked="" type="checkbox"/> Fully</p> <p>Corresponding National Provisions:</p> <p>GüterbG (Federal Law on Goods Transport) §§1-7 GelverkG (Federal Law on Occasional Transport) §§4-5 KfIG (Federal Law on Regular Passenger Transport) §§7-11</p> <p>Berufszugangs-Verordnung 2017 (Regulation on the access to the profession) especially § 3</p> <p><input type="checkbox"/> Useful Links: <i>see above</i></p>
<p>Article 5.5.</p>	<p><input checked="" type="checkbox"/> Fully</p> <p>Corresponding National Provision:</p> <p>GüterbG (Federal Law on Goods Transport) §§1-7 GelverkG (Federal Law on Occasional Transport) §§4-5 KfIG (Federal Law on Regular Passenger Transport) §§7-11</p> <p>Berufszugangs-Verordnung 2017 (Regulation on the access to the profession) especially §§ 2-3</p> <p><input type="checkbox"/> Useful Links: <i>see above</i></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><i>None</i></p>
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<p>Any other comments:</p>	<p>-</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

Reference National Provisions:

GütbefG (Federal Law on Goods Transport) §§19-20

GelverkG (Federal Law on Occasional Transport) §§14-19

KfIG (Federal Law on Regular Passenger Transport) §§ 44-47

Führerschein-Gesetz (Federal Law on Drivers License), consolidated issue of 2017

<https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=10012723>

Article 2.1:	<input checked="" type="checkbox"/> Fully Corresponding National Provision: GütbefG (Federal Law on Goods Transport) §§19-20 GelverkG (Federal Law on Occasional Transport) §§14-19 KfIG (Federal Law on Regular Passenger Transport) §§ 44-47 Führerschein-Gesetz (Federal Law on Drivers License), consolidated issue of 2017 sections 1 and 2 (general regulations) <input checked="" type="checkbox"/> Useful Links: <i>see above</i>
Article 2.2.a) - Initial qualification , incl: - List of knowledge (cf.annex4)	<input checked="" type="checkbox"/> Fully Corresponding National Provision: GütbefG (Federal Law on Goods Transport) §§19-20 GelverkG (Federal Law on Occasional Transport) §§14-19 KfIG (Federal Law on Regular Passenger Transport) §§ 44-47

<p>- Course + test, or, a test only</p> <p>- exemptions</p>	<p>Führerschein-Gesetz (Federal Law on Drivers License), consolidated issue of 2017 sections 1, 2, 4</p> <p>- a test only</p> <p>- Para 19 (2) of GütbefG (The initial qualification shall not concern drivers who have been awarded a C or C1 licence allowing to drive a vehicle or combination of vehicles before 10 September 2009).</p> <p><input checked="" 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:</p> <p>- Periodicity</p> <p>- First periodic training to be completed by:</p>	<p><input checked="" type="checkbox"/> Fully</p> <p>GütbefG (Federal Law on Goods Transport) §§19-20 GelverkG (Federal Law on Occasional Transport) §§14-19 KflG (Federal Law on Regular Passenger Transport) §§ 44-47 Führerschein-Gesetz (Federal Law on Drivers License), consolidated issue of 2017 sections 1, 2, 4</p> <p>- 35</p> <p>- every 5 years</p> <p>- 10 Sep 2014</p> <p><input checked="" type="checkbox"/> Useful Links: <i>see above</i></p>
<p>Articles 2.3; 2.4 - approval of training centres</p>	<p><input checked="" type="checkbox"/> Fully</p> <p>Corresponding National Provision:</p> <p>GütbefG (Federal Law on Goods Transport) §§19-20 GelverkG (Federal Law on Occasional Transport) §§14-19 KflG (Federal Law on Regular Passenger Transport) §§ 44-47</p> <p>Führerschein-Gesetz (Federal Law on Drivers License), consolidated issue of 2017 section 8</p> <p><input checked="" 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><input checked="" type="checkbox"/> Fully</p> <p>GütbefG (Federal Law on Goods Transport) §§19-20 GelverkG (Federal Law on Occasional Transport) §§14-19 KflG (Federal Law on Regular Passenger Transport) §§ 44-47 Führerschein-Gesetz (Federal Law on Drivers License), consolidated issue of 2017 sections 3, 4, 7</p> <p>- Name of National Authority: <i>Driving licence Authority</i></p> <p>- '95' – this sign indicates a driver holding a CPC complying with the obligation of professional competence referred to in Article 3, by the set date (<i>e.g. 95.01.01.2012</i>).'</p>

- Driver Qualification card (cf. annex 5)	- No Driver Qualification card in Austria
- IRU Academy CPC	-NA
	<input checked="" 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:	<i>None</i>
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Any other comments:	
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**C) Conditions of employment (Chapter III, 3)
Implemented**

Reference National Provisions:

GütbefG (Federal Law on Goods Transport) §24

<https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=10007643>

Article 3.1	<input checked="" type="checkbox"/> Fully Corresponding National Provision: GütbefG (Federal Law on Goods Transport) §24 <input type="checkbox"/> Useful Links: <i>see above</i>
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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

Reference National Provisions:

GüterbefG (Federal Law on Goods Transport) §§1-7 §§ 19-22

GelverkG (Federal Law on Occasional Transport) §§1-2

Führerschein-Gesetz (Federal Law on Drivers License), consolidated issue of 2017

<https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=10012723>

See above the general remark on competent Authorities

<p>1.2.1: re. provisions on undertakings, incl.:</p> <ul style="list-style-type: none"> - authorisations - training/examinations - CPC 	<p><input checked="" type="checkbox"/> Fully</p> <p>Corresponding National Provision:</p> <p>GüterbefG (Federal Law on Goods Transport) §§1-7 §§ 19-22 Führerschein-Gesetz (Federal Law on Drivers License), consolidated issue of 2017, section 1-3, particularly §§ 16-17, section 8-10, particularly §§35-36</p> <p>- In Austria a Certificate of Professional Competence is not issued by training centres but by the competent authority</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"> - training/examinations - CPC 	<p><input checked="" type="checkbox"/> Fully</p> <p>Corresponding National Provision:</p> <p>GüterbefG (Federal Law on Goods Transport) §§1-7 §§ 19-22 Führerschein-Gesetz (Federal Law on Drivers License), consolidated issue of 2017, section 1-3, particularly §§ 16-17, section 8-10, particularly §§35-36</p> <p>Local District Authority</p> <p><input type="checkbox"/> Useful Links: <i>see above</i></p>
<p>Articles 1.2.3- 1.2.4.</p>	<p><input checked="" type="checkbox"/> Fully</p> <p>GüterbefG (Federal Law on Goods Transport) §22 Führerschein-Gesetz (Federal Law on Drivers License), consolidated issue of 2017, particularly §33</p> <p><input type="checkbox"/> Useful Links: <i>see above</i></p>
<p>Article 1.2.5</p>	<p><input checked="" type="checkbox"/> Fully</p> <p>GüterbefG (Federal Law on Goods Transport) §§23-24 Führerschein-Gesetz (Federal Law on Drivers License), consolidated issue of 2017, section 9 particularly §§37-39</p>

	<input type="checkbox"/> Useful Links: see above
Article 1.3.	<input checked="" type="checkbox"/> Fully GüterbefG (Federal Law on Goods Transport) §§22-23 and 24a <input type="checkbox"/> Useful Links: see above

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)
Implemented**

Article 2.1. - checks re. Drivers , incl: - 2.1.1. Driving times and rest periods (cf. also. Annex 6):	<input checked="" type="checkbox"/> Fully Corresponding National Provisions: Führerschein-Gesetz (Federal Law on Drivers License), consolidated issue of 2017, section 8-9 particularly §§34-39 GüterbefG (Federal Law on Goods Transport) §§ 24b-f - [designated National Authority]: <i>Federal Police/Local district authority</i> <input type="checkbox"/> Useful Links: <i>see above</i>
Article 2.2. - Checks re. Undertakings, incl:	<input checked="" type="checkbox"/> Fully Corresponding National Provisions: GüterbefG (Federal Law on Goods Transport) § 5 (1a) - [designated National Authority/Body (ies)] - <i>Local District Authority</i> - [Frequency of checks] - 5 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:	None
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Any other comments:	
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**C) Classification of Infringements (Chapter IV, 3)
Implemented**

Reference National Provisions:

GüterbefG (Federal Law on Goods Transport) §§20-24

GelverkG (Federal Law on Occasional Transport) §§14-19

KfzG (Federal Law on Regular Passenger Transport) §§20-21 §§ 25-28 §§ 44-47

Führerschein-Gesetz (Federal Law on Drivers License), consolidated issue of 2017, section 9 particularly §§37-39

Article 3.1. re. driving times and rest periods (cf. also. Annex 7)	<input checked="" type="checkbox"/> Fully Corresponding National Provisions: GüterbefG (Federal Law on Goods Transport) §§ 24b-f <input type="checkbox"/> Useful Links: <i>see above</i>
Article 3.2. re. undertakings, incl:	<input checked="" type="checkbox"/> Fully Corresponding National Provisions: GüterbefG (Federal Law on Goods Transport) §§ 20-21 <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:	<i>None</i>
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Any other comments:	
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**D) Penalties (Chapter IV, 4)
Implemented**

Reference National Provisions:

GüterbefG (Federal Law on Goods Transport) §§23-24

GelverkeG (Federal Law on Occasional Transport) §§14-19

KfzG (Federal Law on Regular Passenger Transport) §§20-21 §§ 25-28 §§ 44-47

Führerschein-Gesetz (Federal Law on Drivers License), consolidated issue of 2017, section 9 particularly §§37-39

GewO (Federal Trade Regulation 1994) §§88-91

<https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=10007517>

AVG Allgemeines Verwaltungsverfahrensgesetz 1991, Fassung vom 16.05.2017 (General Law on Administrative Procedures) §73(1) on time limit of max. 6 months

<https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=10005768>

<p>Article 4.1.</p>	<p><input checked="" type="checkbox"/> Fully</p> <p>Corresponding National Provisions:</p> <p>GüterbefG (Federal Law on Goods Transport) §23</p> <p><input type="checkbox"/> Useful Links: <i>see above</i></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><input checked="" type="checkbox"/> Fully</p> <p>GüterbefG (Federal Law on Goods Transport) §§ 19, 19a and b §§ 23-24</p> <p>Führerschein-Gesetz (Federal Law on Driver's License), consolidated issue of 2017, Section 5 §§24-30</p> <p><input type="checkbox"/> Useful Links: <i>see above</i></p>
<p>Article 4.3. on undertakings:</p> <p>- 4.3.1.</p> <p>- 4.3.2.</p>	<p><input checked="" type="checkbox"/> Fully</p> <p>Corresponding National Provisions:</p> <p>GüterbefG (Federal Law on Goods Transport) §5(9) §§23-24</p> <p>- [Competent Authority/Body(ies)]: Local District Authority</p> <p>- [Notification, time limits for rectifying the situation]: GüterbefG (Federal Law on Goods Transport) §5(9), GewO (Federal Trade Regulation 1994) §§88-91;</p> <p>Concerning max. 6 months: AVG Allgemeines Verwaltungsverfahrensgesetz 1991, Fassung vom 16.05.2017 (General Law on Administrative Procedures) §73(1)</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:	[-]
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Annex 1. Model of Certificate of Professional Competence

⁽¹⁾ A	⁽²⁾ Landeshauptmann von Niederösterreich
<p>Bescheinigung der fachlichen Eignung für den Güterkraftverkehr/Personenkraftverkehr ⁽³⁾</p>	
<p>Nr. WST1-PL-111</p>	
<p>Hiermit wird durch den Landeshauptmann von Niederösterreich bescheinigt, dass ⁽⁴⁾ Mustermann Max geboren am 01.01.1111 in St. Pölten</p>	
<p>mit Erfolg die erforderliche Prüfung (Jahr: 2015 ; Prüfungstermin: 01.01.) ⁽⁵⁾ zur Erlangung der Bescheinigung der fachlichen Eignung für den Güterkraftverkehr/Personenkraftverkehr ⁽⁶⁾ gemäß der Verordnung (EG) Nr. 1071/2009 des europäischen Parlaments und des Rates vom 21. Oktober 2009 zur Festlegung gemeinsamer Regeln für die Zulassung zum Beruf des Kraftverkehrsunternehmers ⁽⁷⁾ bestanden hat.</p>	
<p>Durch diese Bescheinigung wird der ausreichende Nachweis der fachlichen Eignung gemäß Artikel 21 der Verordnung (EG) Nr. 1071/2009 erbracht.</p>	
<p>Ort: St. Pölten</p>	<p>Datum: 29.09.2015</p>
<p>⁽⁷⁾</p>	
<p><small>⁽¹⁾ Nationalitätskennzeichen der Mitgliedstaaten: (B) Belgien, (BG) Bulgarien, (CZ) Tschechische Republik, (DK) Dänemark, (D) Deutschland, (EST) Estland, (GR) Griechenland, (E) Spanien, (F) Frankreich, (HR) Kroatien, (IRL) Irland, (I) Italien, (CY) Zypern, (LV) Lettland, (LT) Litauen, (L) Luxemburg, (H) Ungarn, (M) Malta, (NL) Niederlande, (A) Österreich, (PL) Polen, (P) Portugal, (RO) Rumänien, (SLO) Slowenien, (SK) Slowakei, (FIN) Finnland, (S) Schweden, (UK) Vereinigtes Königreich.</small></p>	
<p><small>⁽²⁾ Behörde oder Stelle, die vom jeweiligen Mitgliedstaat der Europäischen Gemeinschaft zur Ausstellung dieser Bescheinigung vorab benannt wurde.</small></p>	
<p><small>⁽³⁾ Nichtzutreffendes streichen.</small></p>	
<p><small>⁽⁴⁾ Name, Vorname; Geburtsdatum und -ort.</small></p>	
<p><small>⁽⁵⁾ Genaue Bezeichnung der Prüfung.</small></p>	
<p><small>⁽⁶⁾ ABl. L 300 vom 14.11.2009, S. 51.</small></p>	
<p><small>⁽⁷⁾ Dienstsiegel und Unterschrift der zugelassenen Behörde oder Stelle, die die Bescheinigung ausstellt.</small></p>	

Annex 2. CPC Driver (Sign 95 affixed on driver licence (permit))



CPC Models for Driver's initial qualification and continuous training

(Behörde)

Prüfungskommission zur Feststellung der Grundqualifikation nach § 19a Abs. 1 Güterbeförderungsgesetz 1995, BGBl. Nr. 593/1995, oder § 14b Abs. 1 Gelegenheitsverkehrs-Gesetz 1996, BGBl.Nr. 112, oder § 44b Abs. 1 Kraftfahrlineiengesetz, BGBl. I Nr. 203/1999, jeweils in der Fassung BGBl I Nr. 153/2006.

Geschäftszahl:

Prüfungszeugnis und Bescheinigung

Frau/Herr _____

(Titel, Vor- und Familienname)

geboren am _____ in _____ hat sich

am _____ der

**Prüfung zur Erlangung der Grundqualifikation
für den Güterkraftverkehr / Personenkraftverkehr^{*)}**
gemäß § 19a Abs. 1 GütbefG / § 14b Abs. 1 GelverkG / § 44b Abs. 1 KflG⁷⁾
unterzogen und diese Prüfung
bestanden.

Es wird hiermit die Grundqualifikation gemäß Artikel 3 der Richtlinie 2003/59/EG des Europäischen Parlaments und des Rates vom 15.07.2003 über die Grundqualifikation und Weiterbildung der Fahrer bestimmter Kraftfahrzeuge für den Güter- oder Personenkraftverkehr, ABl. L 226 vom 10.09.2003, S. 4 in der Fassung der Richtlinie 2004/66/EG des Rates vom 26.04.2004, ABl. L 168 vom 01.05.2004, S. 4, bescheinigt.

Ausstellungsort, Datum

Die Prüfungskommission

Prüfungskommissäre:

Vorsitzender

L.S.

^{*)} Nichtzutreffendes streichen

Ausbildungsstätte:

**Bescheinigung über eine Weiterbildung
gemäß § 19b GütbefG / § 14c GelverKG / § 44c KfzG¹ iVm § 12 GWB**

Frau/Herr _____

(Titel, Vor- und Familienname)

geboren am _____ in _____ hat am _____

eine Weiterbildung in nachstehenden Sachgebieten für den **Güterkraftverkehr / Personenkraftverkehr**¹ gemäß § 19b GütbefG / § 14c GelverKG / § 44c KfzG¹ iVm § 12 GWB absolviert:

Sachgebiet	Stunden
1.a) Kenntnis der Eigenschaften der kinematischen Kette für eine optimierte Nutzung	
1.b) Kenntnis der technischen Merkmale und der Funktionsweise der Sicherheitsausstattung, um das Fahrzeug zu beherrschen, seinen Verschleiß möglichst gering zu halten und Fehlfunktionen vorzubeugen	
1.c) Fähigkeit zur Optimierung des Kraftstoffverbrauchs	
1.d) Fähigkeit, Risiken im Straßenverkehr vorherzusehen, zu bewerten und sich daran anzupassen	
1.e) Verkehrssicherheit und toter Winkel	
1.f) Fähigkeit zur Gewährleistung der Sicherheit der Ladung unter Anwendung der Sicherheitsvorschriften und durch richtige Benutzung des Fahrzeugs	
1.g) Fähigkeit zur Gewährleistung der Fahrgastsicherheit und des Fahrgastkomforts	
1.h) Fähigkeit zur Gewährleistung der Sicherheit der Ladung unter Anwendung der Sicherheitsvorschriften und durch richtige Benutzung des Fahrzeugs	
2.a) Kenntnis der sozialrechtlichen Rahmenbedingungen und Vorschriften für den Kraftverkehr	
2.b) Kenntnis der Vorschriften für den Güterkraftverkehr	
2.c) Kenntnis der Vorschriften für den Personenkraftverkehr	
3.a) Sensibilisierung in Bezug auf Risiken des Straßenverkehrs und Arbeitsunfälle	
3.b) Fähigkeit, der Kriminalität und der Schleusung illegaler Einwanderer vorzubeugen	
3.c) Fähigkeit, Gesundheitsschäden vorzubeugen	
3.d) Sensibilisierung für die Bedeutung einer guten körperlichen und geistigen Verfassung	
3.e) Fähigkeit zu richtiger Einschätzung der Lage bei Notfällen	
3.f) Fähigkeit zu einem Verhalten, das zu einem positiven Image des Unternehmens beiträgt	
3.g) Kenntnis des wirtschaftlichen Umfelds des Güterkraftverkehrs und der Marktordnung	
3.h) Kenntnis des wirtschaftlichen Umfelds des Personenkraftverkehrs und der Marktordnung	

Ausstellungsort, Datum _____

(Ausbildungsstätte, Unterschrift)

¹ Nichtzutreffendes streichen