

Crisis Ucrania-Rusia: decisiones UE e impacto en transporte mercancías (4 de marzo).

Se reenvía actualización sobre la situación derivada de la guerra

UKRAINE/RUSSIA CRISIS: EU DECISIONS AND IMPACTS ON FREIGHT TRANSPORT - 4 MARCH



4 March

Several EU Member States have adopted today rules to temporary relax rules on road transport in response to the Ukraine crisis:

Driving and resting times

Poland introduced today a temporary relaxation of rules on daily and weekly driving and resting times (until 2 April 2022). Temporary derogations from Art.6 sec. 1-3, Art.7 and Art 8 sec.8 of Regulation (EC) No 561/2006 apply as follows:

- the daily driving time may not exceed 11 hours;
- weekly driving time may not exceed 60 hours;
- the total driving time for two consecutive weeks may not exceed 96 hours;
- after the driving period of five and a half hours, the driver is entitled to a continuous break of at least 45 minutes;
- the driver may use the regular weekly rest period in the vehicle, as long as there are suitable sleeping places for each driver and the vehicle is stationary.

Drivers who benefit from these derogations must enter handwritten cases on the back of the analogue tachograph record sheet or digital tachograph printout. The application of temporary derogations must not deteriorate the working conditions of drivers and the level of road safety.

Lifting of driving bans for lorries transporting humanitarian aid

The French Ministry of Transport published today a decree lifting the upcoming driving bans related to vehicles over 7.5 tonnes transporting humanitarian aid planned on Saturday 5 March 2022, Sunday 6

March 2022, Saturday 12 March 2022 and Sunday 13 March 2022. This applies to vehicles heading to Ukraine and neighbouring countries, except for Russia and Belarus. General and complementary traffic bans (in the Rhone-Alpes network and in Ile-de-France) are included in the scope of this lifting. Empty returns are also included in the exemption. Drivers who make use of these derogations must be able to justify the conformity of the transport in written form, or digitally, in case of control.

The German Federal Ministry of Digital Affairs and Transport (BMDV) has asked the federal states to grant exemptions from driving bans on Sundays and public holidays to HGVs transporting humanitarian aid to Ukraine. Empty returns are also included in the exemption. The list of the federal states granting exemptions will be published soon.

Tolls

Humanitarian aid transports to Ukraine can be exempted from toll payment in Austria. The following application forms need to be completed and submitted before the start of the journey to ausnahmeantrag@asfinag.at:

Appendix 3B Application For Exemption Vehicles With A Max GVW Of More Than 3,5T (V 67)

Appendix 3C Application For Exemption Road Section Toll (V 67)

When transporting donated food, clothing, blankets, etc., no toll is charged in Germany. Information on the requirements for toll exemption and on practical implementation (proof, switching off the OBU, possible temporary registration of vehicles with Toll Collect) can be found in this leaflet (in German).

The Polish government has decided to exempt trucks with humanitarian aid from paying tolls via its e-toll system. Organisations planning transport of humanitarian aid must provide the following information to the Ministry of Infrastructure by e-mail to: humanitarianaid@mi.gov.pl.

number of vehicles in the convoy,
vehicle registration numbers,
indication of the country of registration of vehicles, and
if possible, the approximate period of travel on Polish territory (in both directions).

In addition, if the vehicle or convoy with humanitarian aid drives through one of the toll motorway sections managed by private companies, it is possible to exempt these vehicles from the obligation to pay tolls, provided that they contact the relevant concessionaire in advance and provide information also to the above-mentioned address. You will find the contact detailed of toll highways in Poland below:

A1 Motorway Gdansk-Torun: Concessionaire: Gdansk Transport Company S.A.

Autostrada A2 Świecko - Nowy Tomyśl, Nowy Tomyśl – Konin: Concessionaires: Autostrada Wielkopolska S.A., Autostrada Wielkopolska II S.A.

A4 motorway Katowice-Kraków: Concessionaire: Stalexport Autostrada Malopolska S.A.

General rules

As a reminder, there are provisions in the EU legislation which allow for these exemptions for humanitarian aid:

According to Art. 3(d) of Regulation (EC) No 561/2006, vehicles - including vehicles used for non-commercial transport for humanitarian aid - used in emergency or rescue operations are exempted from the application of the rules on driving times and rest periods. The use of the exemption must however not impair general road safety. Every entrepreneur and driver must - irrespective of any relevant exemption regulations - check whether the driver is physically fit and able to carry out the journey safely before starting the actual journey.

Regulation (EC) No 1072/2009 provides in its Article 1(5)(e) that the carriage of medicines, medical supplies and equipment and other goods intended for the relief of urgent emergencies (in particular natural disasters), as well as empty journeys made in connection therewith, shall not be subject to a Community licence and shall be exempt from any requirement for a transport authorisation.



2 March

The United States closed their airspace to all Russian commercial air carriers and other Russian civil aircraft.

Some Asian carriers are considering stopping their operations to Europe as response to the ongoing situation (decisions awaited). Adjustments in flight schedules are being experienced by the industry, with Lufthansa Cargo cancelling some of its flights to China (Beijing, Chengdu, Hong Kong, Shanghai) from Frankfurt until the end of March.

As a result of the measures that have been put in place, but on EU and global level, air freight capacity is decreasing, leading to rising freight rates and significantly longer transport times.

1 March

Cargolux, the Luxembourgian flag carrier cargo airline, announced that it will implement a 'war surcharge' on all cargo having origin or destination in Asia, effective 7 March. The surcharge will be applicable on chargeable weight and will amount to \$0.20, €0.18 (or the equivalent in local currency) per kg. It is expected that other airlines will apply similar surcharges.



1 March

To support citizens in Ukraine, and to ensure the smooth handling of humanitarian transports, the Polish Customs Administration has issued instructions, in Polish and English, on the humanitarian aid dispatch rules out of the EU customs territory.

As a general rule, in road transport, the export procedure is not carried out at the border customs office but inland— a nationwide network of Customs offices is available here. Polish Customs clarify that humanitarian aid coordinators have been appointed in each regional revenue administration chamber to coordinate the activities of Customs regarding placing of goods under the export procedure at local customs offices and notify convoys at the border customs office through which the goods leave Poland.

When contacting the customs office, the list of goods to be placed under the humanitarian convoy should first be provided. This will allow Polish Customs to provide feedback on whether these goods can be the subject of humanitarian aid. It will also make it possible to determine the list of documents to be presented to Customs. Goods dispatched as humanitarian aid must be placed under the export procedure in the AES/ECS2 system. It is therefore necessary to submit the electronic customs declaration to that system in the form of an XML file.

Entities, organisations and institutions organising and dispatching humanitarian convoys to Ukraine can visit the website <https://pomagamukrainie.gov.pl>, which aims to coordinate assistance. In case of questions about the customs clearance of humanitarian assistance for Ukraine, you can contact the Ministry of Finance at pomagam.ukrainie@mf.gov.pl.



Secretaría.
Irun, 07 de marzo de 2022