Commission Decision (EU) 2020/1235 of 26 August 2020 authorising Greece to apply an extension of certain periods specified in Article 4 of Regulation (EU) 2020/698 of the European Parliament and of the Council (notified under document C(2020) 5742) (Only the English text is authentic)

COMMISSION DECISION (EU) 2020/1235

of 26 August 2020

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(notified under document C(2020) 5742)

(Only the English text is authentic)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2020/698 of the European Parliament and of the Council of 25 May 2020 laying down specific and temporary measures in view of the COVID#19 outbreak concerning the renewal or extension of certain certificates, licences and authorisations and the postponement of certain periodic checks and periodic training in certain areas of transport legislation[(1)], and in particular Article 4(4) thereof,

Whereas:

(1) Article 4(2) of Regulation (EU) 2020/698 extends the time limit for issuing a new driver card pursuant to Regulation (EU) No 165/2014 of the Parliament and the Council[(2)] to two months after the receipt of the request, where the driver applies for the renewal of the driver card between 1 March 2020 and 31 August 2020.

(2) Article 4(3) of Regulation (EU) 2020/698 extends the time limit for the replacement of a driver card to two months after the receipt of the request, where the driver applies for such replacement between 1 March 2020 and 31 August 2020.

(3) By letter dated 24 July 2020, Greece submitted a reasoned request for an authorisation to apply an extension by two months of the periods between 1 March 2020 and 31 August 2020 specified in Article 4(2) and (3) of Regulation (EU) 2020/698. Greece provided additional information in support of its request on 28 July 2020.

(4) According to the information provided by Greece, the renewal and the replacement of the driver cards is likely to remain impracticable in Greece beyond 31 August 2020 due to measures that it has taken to prevent or contain the spread of COVID#19.

(5) Greece adopted a number of extraordinary measures concerning the staff of the public sector including the staff of Ministries and regional transport services as a response to the COVID-19 outbreak. Those measures impacted the capacity to renew and replace tachograph driver cards. Among those measures was the ‘special purpose leave for

Changes to legislation: *There are currently no known outstanding effects for the Commission Decision (EU) 2020/1235. (See end of Document for details)*

civil servants', introduced by Greek legislation and which has considerably affected the number of persons available for the tasks in question.

(6) As the pandemic evolved in Greece, the measures were gradually adjusted, relaxed and finally lifted. Overall, the measures resulted in serious understaffing of the public sector and long delays in handling applications for the renewal and the replacement of driver cards.

(7) The understaffing also caused delays in the procedure for awarding a technical assistance contract for the production of tachograph driver cards. The competent authority of the Ministry of Infrastructure and Transport published an open tender for a two-year contract for issuing smart tachograph cards. That contract was finally awarded on 30 June 2020, but the contractor needs a minimum of lead-time, before issuing the cards. Until then, the only way to issue smart tachograph cards is by means of mutual assistance provided by the Polish Card Issuing Authority (Polish CIA), but that assistance is limited to a maximum of 6 000 cards.

(8) In addition, according to the information provided by Greece, the single laboratory responsible for issuing the interoperability certificate in accordance with Article 12 of Regulation (EU) No 165/2014 is not in a position to arrange for interoperability tests earlier than week 39 of 2020. Cards can be issued only once those tests are completed successfully.

(9) As a result of the circumstances described in recitals 5 to 8, more than 11 000 applications for the renewal or replacement of driver cards are currently pending and cannot be processed on time.

(10) Greece should therefore be authorised to apply an extension of the periods between 1 March 2020 and 31 August 2020 specified in Article 4(2) and (3) of Regulation (EU) 2020/698.

(11) Greece has agreed that this Decision be adopted and notified in English,

HAS ADOPTED THIS DECISION:

Article 1

Greece is authorised to apply an extension of two months of the periods between 1 March 2020 and 31 August 2020 specified in Article 4(2) and (3) of Regulation (EU) 2020/698.

Article 2

This Decision is addressed to the Hellenic Republic.

Done at Brussels, 26 August 2020.

For the Commission

Adina-Ioana VĂLEAN

Member of the Commission