

COMMISSION DECISION (EU) 2021/1357**of 30 June 2021****authorising Slovenia to apply an extension of certain periods specified in Article 2 of Regulation (EU) 2021/267 of the European Parliament and of the Council***(notified under document C(2021) 4628)***(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) 2021/267 of the European Parliament and of the Council of 16 February 2021 laying down specific and temporary measures in view of the persistence of the COVID-19 crisis concerning the renewal or extension of certain certificates, licences and authorisations, the postponement of certain periodic checks and periodic training in certain areas of transport legislation and the extension of certain periods referred to in Regulation (EU) 2020/698 ⁽¹⁾, and in particular Article 2(8) thereof,

Whereas:

- (1) Article 2(1) of Regulation (EU) 2021/267 extends the time limits for the completion, by the holder of a certificate of professional competence ('CPC'), of periodic training which would otherwise have expired or would otherwise expire between 1 September 2020 and 30 June 2021. Article 2(3) of that Regulation extends the validity of the corresponding marking of the harmonised Union code, '95'.
- (2) Article 2(5) of Regulation (EU) 2021/267 extends the validity of the driver qualification cards referred to in Annex II to Directive 2003/59/EC of the European Parliament and of the Council ⁽²⁾ which would otherwise have expired or would otherwise expire between 1 September 2020 and 30 June 2021.
- (3) By letter dated 20 May 2021, Slovenia submitted a reasoned request for an authorisation to apply an extension of certain periods specified in Article 2 of Regulation (EU) 2021/267. Slovenia provided additional information in support of its request on 21 May and 7 June 2021.
- (4) Through its reasoned request, Slovenia seeks an authorisation to apply an extension of six months of the period between 1 September 2020 and 30 June 2021 specified in Article 2(1) of Regulation (EU) 2021/267, for the purposes of that provision and of Article 2(3), and an authorisation to apply an extension of six months of the period between 1 September 2020 and 30 June 2021 specified in Article 2(5) of that Regulation.
- (5) According to the information provided by Slovenia, the completion of periodic training and its certification, the marking of the harmonised Union code '95' and the renewal of driver qualification cards in that Member State are likely to remain impracticable beyond 30 June 2021, due to measures that it has taken to prevent or contain the spread of COVID-19.
- (6) According to Slovenia, all periodic trainings in that Member State need to be carried out with the physical presence of the drivers concerned. However, because of the situation caused by the COVID-19 pandemic, periodic training activities had to be either suspended or significantly limited, particularly given the measures in place on social distancing rules.

⁽¹⁾ OJ L 60, 22.2.2021, p. 1.

⁽²⁾ Directive 2003/59/EC of the European Parliament and of the Council of 15 July 2003 on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers, amending Council Regulation (EEC) No 3820/85 and Council Directive 91/439/EEC and repealing Council Directive 76/914/EEC (OJ L 226, 10.9.2003, p. 4).

- (7) Based on the information provided by Slovenia, this Member State entered into a first state of lockdown on 18 March 2020, which lasted until 17 May 2020, and into a second state of lockdown on 16 November 2020, which lasted until 14 February 2021. It subsequently entered into a third state of lockdown on 1 April 2021, this one lasting until 11 April 2021. In total, this Member State was thus in a state of closure for more than five and a half months, due to the effects of the COVID-19 pandemic.
- (8) According to Slovenia, all of these lockdowns were accompanied by the adoption of measures prohibiting normal periodic training activities, due to the social distancing measures in place. Specifically in the third lockdown, which lasted between 1 and 11 April 2021, periodic trainings were not allowed to be conducted at all.
- (9) Periodic trainings have been allowed since May 2021, although limited to a maximum of 10 persons per course. According to Slovenia, their assumption is that only by the end of 2021 will it be possible for the hauliers to organise their activities in a way that enables all drivers to complete their periodic trainings in due time.
- (10) Based on the information provided by this Member State, in light of the abovementioned lockdowns, only a reduced number of drivers were able to attend training courses in the recent past, in relation to the number of drivers that would be expected to attend in the same period in a normal year. Those lockdowns, as well as the other measures put in place in that context, resulted in approximately 50 % of dropouts by drivers to take the periodic trainings, with Slovenia also estimating that each month of lockdown represented an 8 % decrease of drivers attending periodic trainings in comparison to a normal situation.
- (11) Also according to Slovenia, 920 periodic trainings were attended by 43 884 drivers in 2019, while in 2020, only 494 periodic trainings were attended by 19 089 drivers. Due to this decrease, Slovenia expects the demand to be higher than the capacity of training facilities to handle the periodic trainings. The backlog in that Member State is currently significant, and the social distancing measures still in place do not allow such backlog to be handled quickly.
- (12) In accordance with the information provided by Slovenia, the measures put in place to contain the spread of COVID-19 also affect the renewal of driver qualification cards. In addition to the abovementioned difficulties to the completion of periodic trainings, which according to Slovenia are a precondition for the renewal of driver qualification cards, this Member State also refers to the limitation of the capacity of the local administrative authorities to carry out the renewal of these documents. According to this Member State, in Slovenia, only part of the staff is currently allowed in the buildings of the administrative authorities, and this restriction is likely to remain in force for the foreseeable future.
- (13) Based on the information provided by this Member State, it is likely that some of these measures will remain in place for the near future, and possibly until the end of 2021. Although the current pandemic situation is slowly improving in Slovenia, this Member State still has approximately 300 new infections a day, which is seen as a significant number given the size of the country. Vaccination is also being slower than expected, due to problems with the supply chains. Slovenia therefore expects measures such as the limitation of number of persons indoors to remain for the time being, with the consequence that fewer drivers will be able to complete their periodic trainings.
- (14) According to Slovenia, the reason to request extensions for the maximum allowable periods of six months is explained by the fact that there is still a significant backlog of driver qualification cards yet to be renewed, which is approximately 50 % higher than what would be normally expected. In addition, there is still no certainty on how long the pandemic will continue, and on how long social distancing measures will remain in place.
- (15) Slovenia only requires an extension of the periods between 1 September 2020 and 30 June 2021, and not of the periods of 10 months set out in Article 2(1), (3) and (5) of Regulation (EU) 2021/267. The completion of periodic training and its certification, the marking of the harmonised Union code '95' and the renewal of driver qualification cards in that Member State which would otherwise expire in the new reference period will, as a result, not be extended for more than 10 months. The requested extensions therefore do not lead to disproportionate risks in terms of transport safety and security.

- (16) Slovenia should therefore be authorised to apply an extension of six months of the periods between 1 September 2020 and 30 June 2021 specified in Article 2(1), for the purposes of this provision and of Article 2(3), and in Article 2(5) of Regulation (EU) 2021/267.
- (17) Slovenia has agreed that this Decision be adopted and notified in English,

HAS ADOPTED THIS DECISION:

Article 1

Slovenia is authorised to apply the following extensions of the periods specified in Article 2(1), (3) and (5) of Regulation (EU) 2021/267:

- (a) an extension of six months of the period between 1 September 2020 and 30 June 2021 specified in Article 2(1) of Regulation (EU) 2021/267, for the purposes of Article 2(1) and (3) of that Regulation; and
- (b) an extension of six months of the period between 1 September 2020 and 30 June 2021 specified in Article 2(5) of that Regulation.

Article 2

This Decision is addressed to the Republic of Slovenia.

Done at Brussels, 30 June 2021.

For the Commission
Adina-Ioana VĂLEAN
Member of the Commission
