

COMMISSION DECISION (EU) 2021/1358**of 30 June 2021****authorising Slovakia to apply an extension of certain periods specified in Article 11 of Regulation (EU) 2021/267 of the European Parliament and of the Council***(notified under document C(2021) 4629)***(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 11(4) thereof,

Whereas:

- (1) Article 11(1) of Regulation (EU) 2021/267 extends the validity of train drivers' licences which would otherwise have expired or would otherwise expire between 1 September 2020 and 30 June 2021.
- (2) Article 11(2) of Regulation (EU) 2021/267 extends the time limits for the completion, by the holder of a train driver's licence, of periodic checks which would otherwise have expired or would otherwise expire between 1 September 2020 and 30 June 2021.
- (3) By letter dated 7 May 2021, Slovakia submitted a reasoned request for an authorisation to apply extensions of certain periods specified in Article 11(1) and (2) of Regulation (EU) 2021/267. Slovakia provided additional information in support of its request in 31 May 2021.
- (4) Through its reasoned request, Slovakia seeks an authorisation to apply an extension of four months of the periods between 1 September 2020 and 30 June 2021 specified in Article 11(1) and (2) of Regulation (EU) 2021/267, and an authorisation to apply an extension of four months of the periods of 10 months specified in Article 11(1) and (2) of Regulation (EU) 2021/267.
- (5) According to the information provided by Slovakia, the renewal of train drivers' licences and the completion of periodic checks by their holders in that Member State is 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) Among the measures taken to contain the spread of COVID-19, the Government of Slovakia has imposed a ban on gatherings of more than six people, an order to work from home, and a curfew. According to that Member State, due to these measures, it was not feasible, between January and April 2021, to complete the necessary training to renew the validity of train drivers' licences.
- (7) Based on the information provided by Slovakia, from 19 April to 15 May 2021, when the pandemic situation began to improve slowly, periodic trainings were allowed to be organised, although subject to certain restrictions. The number of participants allowed in each training was significantly reduced, and training facilities required a negative COVID-19 test when performing checks.
- (8) According to Slovakia, since 15 May 2021, measures ordered by the Government were eased, and educational facilities were subsequently able to resume trainings. However, when carrying out the trainings, a two-meter distance between the participants is still required. This results in the fact that only a low number of participants may be present in each training.

⁽¹⁾ OJ L 60, 22.2.2021, p. 1.

- (9) Based on the information provided by Slovakia, although the periodic trainings have been resumed, the completion of overdue training activities are also applicable in that Member State to staff other than train drivers, who are deemed as equally necessary for the performance and security of rail transport activities. According to Slovakia, certificates of professional competence for staff other than train drivers have also been further extended on the basis of national legislation. New trainings need therefore to be organised, not only to train drivers, but also to other professionals.
- (10) According to the information provided by Slovakia, there is only one educational facility in Slovakia providing periodic training and checks of professionals in the field of rail transport, including train drivers; other two facilities are only authorised to provide training to train drivers, and on the technical part only. Slovakia estimates that the number of train drivers who need to be examined is high – at least 993 persons in the two largest railway undertakings need to carry out a periodic training, being that there are 43 railway companies providing passenger and freight transport services in Slovakia. This Member State therefore estimates that the existing training facilities will not have the capacity to deal with this surge of examinations until 30 June 2021.
- (11) According to estimations from Slovakia, the backlog in the completion of periodic checks of the holders of train drivers' licences should be eliminated within four months.
- (12) Based on the information provided by Slovakia, the validity of the train drivers' licences and related checks concern only train drivers who have many years of professional experience in driving railway vehicles. The requested extensions should therefore not lead to disproportionate risks in terms of transport safety and security.
- (13) Slovakia should therefore be authorised to apply an extension of four months of the periods between 1 September 2020 and 30 June 2021 specified in Article 11(1) and (2) of Regulation (EU) 2021/267, and to apply an extension of four months of the periods of ten months specified in Article 11(1) and (2) of that Regulation.
- (14) Slovakia has agreed that this Decision be adopted and notified in English,

HAS ADOPTED THIS DECISION:

Article 1

Slovakia is authorised to apply the following extensions of the periods specified in Article 11(1) and (2) of Regulation (EU) 2021/267:

- (a) an extension of four months of the periods between 1 September 2020 and 30 June 2021 specified in Article 11(1) and (2) of Regulation (EU) 2021/267; and
- (b) an extension of four months of the periods of 10 months specified in Article 11(1) and (2) of that Regulation.

Article 2

This Decision is addressed to the Slovak Republic.

Done at Brussels, 30 June 2021.

For the Commission
Adina-Ioana VĂLEAN
Member of the Commission
