



Council of the European Union
General Secretariat

Brussels, 04 November 2022

**Interinstitutional files:
2021/0420 (COD)**

WK 14968/2022 INIT

LIMITE

**TRANS
CODEC**

This is a paper intended for a specific community of recipients. Handling and further distribution are under the sole responsibility of community members.

NOTE

From:	General Secretariat of the Council
To:	Working Party on Transport - Intermodal Questions and Networks
Subject:	Proposal for a Regulation of the European Parliament and of the Council on Union guidelines for the development of the trans-European transport network, amending Regulation (EU) 2021/1153 and Regulation (EU) No 913/2010 and repealing Regulation (EU) 1315/2013 - Explanatory note on safe and secure parking areas

Delegations will find attached an explanatory note prepared by the Presidency on safe and secure parking areas in the context of the above proposal.

Presidency explanatory note on safe and secure parking areas

The Presidency introduces a compromise text regarding smart and secure parking areas (SSPAs), proposes to focus on their development in particular on the core, and extended core trans-European network, which covers major traffic flows when it comes to road haulage across the European Union. Member States are also encouraged to develop SSPAs on the comprehensive network through the additional priorities in Article 31.

The concept of SSPA is partly embedded in current legislation. According to the effective TEN-T Regulation 1315/2013¹ the rest areas that provide appropriate parking space for commercial road users with an appropriate level of safety and security shall be developed approximately every 100 km. The link between the trans-European transport network and development of safe and secure parking areas has been confirmed in the Mobility Package, in particular in Regulation 2020/1054² on driving times and rest periods where in Article 8a Member States are encouraged in accordance with Article 39 of the TEN-T Regulation 1315/2013 to create those safe and secure parking areas to improve the social conditions of professional drivers and their safety. It needs to be highlighted that the Mobility Package prohibits drivers to take regular weekly rest periods in the vehicle and regulates that such a rest shall be taken in sustainable gender-friendly accommodation with adequate sleeping and sanitary facilities.

To further improve social conditions of drivers engaged in international road transport, Article 8a of Regulation 2020/1054 on driving and rest time rules defines basic standards for SSPA, which were further developed into the requirements of Commission Delegated Regulation (EU) 2022/1012 establishing standards detailing the level of services and security of SSPAs. It should be stressed out that funding from the Connecting Europe Facility is available for development of SSPAs.

The role of rest areas and SSPAs will grow with the transformation towards alternative fuels in road freight transport. Recharging heavy-duty vehicles will require more time than refuelling diesel. Searching for synergies between recharging vehicles and taking rest periods is vital. Council General Approach on Alternative Fuels Infrastructure Regulation (AFIR) sets a 60 km distance on the core and a 100 km distance on the comprehensive network for recharging infrastructure of heavy-duty vehicles. In a previous text, the Presidency aligned these distances with rest areas. On top of that, AFIR sets minimum requirements for recharging stations in the SSPAs. Even though SSPAs may be privately owned, an obligation to deploy recharging infrastructure in those facilities is assigned to Member States.

Given the standards below, the Presidency considers that synergies can be found between rest areas and SSPAs. Synergies may be cost-effective by single development of recharging infrastructure or sharing social facilities. Requirements for the Bronze level should be

¹ Regulation (EU) No 1315/2013 of the European Parliament and of the Council of 11 December 2013 on Union guidelines for the development of the trans-European transport network and repealing Decision No 661/2010/EU

² Regulation (EU) 2020/1054 of the European Parliament and of the Council of 15 July 2020 amending Regulation (EC) No 561/2006 as regards minimum requirements on maximum daily and weekly driving times, minimum breaks and daily and weekly rest periods and Regulation (EU) No 165/2014 as regards positioning by means of tachographs

attainable by the majority of large rest areas, particularly those where petrol stations, cafes, or other facilities are located. A visual deterrent may be a traffic sign or another tool marking a spot for heavy-duty vehicles. Therefore, a 120 km distance is proposed, which would mean every second rest area includes also the SSPA. It does not exclude the possibility of constructing SSPAs in separate locations (in particular, higher standards parking – Silver, Gold, or Platinum – will be likely located somewhere else). This proposal allows Member States to align SSPAs with large rest areas. Capacity of the SSPAs has not been regulated in the legislation.

It is important to point out that if there is no demand for SSPAs (or even rest areas), Member States may ask for an exemption based on the ground of low traffic density, specific geographical or significant physical constraints, negative result of socio-economic cost-benefit analysis or potential negative impacts on environment or biodiversity. As it was broadly supported by Member States, these requests can be made in a single application to reduce administrative burden.

Annex - Commission Delegated Regulation (EU) 2022/1012 of 7 April 2022

Minimum levels of services for all SSPAs:

Gender-friendly sanitary facilities	—Separate toilets and showers for male and for female users shall be available and working. Showers shall provide warm water. —Water taps shall be available and working and providing warm water. Hand soap shall be provided free of charge. —Waste bins shall be available on site and be regularly emptied. —Toilets, showers and water basins shall be cleaned and checked daily at regular intervals. The cleaning schedule shall be displayed.
Food and beverage purchasing and consumption options	—Snacks and drinks shall be available for purchase 24 hours a day, 7 days a week. —A dining area for drivers shall be available.
Communication connections	— Internet connection shall be available free of charge.
Power supply	—Electrical sockets shall be available for personal use. —By 31 December 2026, electric power facilities for refrigerated road transport vehicles shall be available on-site.
Emergency contact points and procedures	—Clear signs shall be provided in order to ensure safe traffic movement at the parking facility. —Emergency contacts shall be displayed at the parking facility at least in the national official language and in English. They shall be supported by easily understandable pictograms.

Security requirements are divided into four levels (Bronze, Silver, Gold and Platinum). The Bronze level is least demanding in terms of security features.

BRONZE LEVEL	
Perimeter	—The perimeter of the safe and secure parking area shall be secured via a visual deterrent. The visual deterrent shall be located on the ground to indicate the perimeter of the safe and secure parking area and that only freight vehicles and authorised vehicles are allowed in the parking area. —The perimeter of the safe and secure parking area shall be lit at 15 Lux. —Any vegetation around the perimeter of the safe and secure parking area shall be trimmed to ensure good visibility.
Parking area	—Appropriate signage shall indicate that only freight vehicles and authorised vehicles are allowed in the parking area. —Physical or remote surveillance checks shall be conducted minimum once every 24 hours. —Any vegetation in the parking area shall be trimmed to ensure good visibility. —Any existing vehicle and pedestrian lanes of the parking area shall be lit at 15 Lux.
Entry/Exit	—Entry and exit points of the safe and secure parking area shall be lit at 25 Lux.

	—CCTV providing good image quality shall be installed and working at all entry and exit points of the safe and secure parking area. —The CCTV system shall have a minimum digital continuous recording (5 frames per second) or based on motion detection with pre- and post-recording and true day and night HD resolution cameras with 720 pixels. —The safe and secure parking area operator shall carry out a CCTV routine check once a week, of which a record must be kept for one week. The safe and secure parking area operator shall carry out a functional CCTV system check at least every 48 hours. —The CCTV data shall be kept for a period of 30 days unless the applicable national or Union legislation requires a shorter retention period. In that case, the longest retention period permitted by law shall apply. —The safe and secure parking area shall have a CCTV warranty, service level agreement in place or demonstrate own maintenance capabilities. The CCTV systems at the safe and secure parking area shall always be operated by qualified technicians.
Staff procedures	—Based on an annual risk assessment and without prejudice to national legislation establishing additional requirements, a security plan, which includes all aspects from risk prevention and mitigation to response in collaboration with law enforcement, shall be in place. —The safe and secure parking area shall appoint a person responsible for staff procedures in case of incidents. The safe and secure parking area staff must have access to a full list of local law enforcement at all times. —A procedure shall be in place for cases where unauthorised vehicles are parked in the safe and secure parking area. That procedure shall be clearly displayed on the safe and secure parking area. —The reporting of incidents and crimes to the staff and police shall be facilitated thanks to the display of a clear procedure at the safe and secure parking area.