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BBCA Legal is an international law firm established more than 40 years ago involved in all aspects of maritime and road transport, insurance and commercial law. It currently has lawyers qualified in various jurisdictions, fluent in Spanish, English, French, Italian, Polish and Catalan.

The firms' monthly newsletter aims to share relevant aspects of the transport industry, in order to keep our clients updated with the latest events of our common market.

The December Newsletter will talk about The Spanish National Inspection Plan for the road transport sector for the year 2020.



The presentation of the National Inspection Plan for the road transport sector for the year 2020 was carried out on November 22.

The road transport inspection will be also carried out to foreign companies that

operate in Spain, especially relocated companies that work in our country (the so-called "mailbox companies"). In this way, European Directive 22/2006 on the application of social legislation related to road transport activities is enforced, which obliges the Member States to make controls aimed at companies classified as "higher risk". This inspection activity has been developed since 2016, in collaboration with the inspection bodies of other Public Administrations, specifically, with the Tax Agency and the Labor Inspection.

This Inspection to *mailbox companies* is carried out both on the road (controlling heavy and light vehicles) and to the loader companies, verifying compliance with social regulations and cabotage. However, the current regulatory regulation limits the possibilities of control to these companies, which is why the Transport Inspection relies on the next approval of the European Mobility Legislative Package, which will allow a more exhaustive and efficient control towards relocated foreign companies that operate in Spain.

Control actions included in the Plan that will be carried out next year are the following:

-The inspection of operations that have their origin or destination in large generating centers or cargo recipients will continue, such as the logistics platforms and loading areas of seaports, where the largest volumes of cargo and unloading of goods are concentrated.

-Control over the online collaborative economy business areas will continue, especially with regard to parcel platforms that, in various vehicles, regularly

mediate without being authorized.

-As a novelty, according to the new ROTT, at least 25% of the transport companies will be checked annually to verify the correct contracting of the transport manager (formerly trained).

-The introduction of new technologies for the improvement of inspection work (payment by card, control tablets, control elements of electronic control documents) to the CAP courses of professional drivers).

-The annual control of driving and rest times on the fleet will be carried out for another year around to 450,000 transport vehicles that are currently required to carry tachographs in Spain.

-The control of associated labor cooperatives that act irregularly, especially those whose members are improperly registered as carriers in the tax census and who pay for modules, will continue.



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