

«Control Assist» service: a competent and multilingual contact point in front of a haulier

France

GENERAL INFORMATION	
Contact person	Agnieszka Martinez, legal advisor, Move Expert SASU amartinez@move-expert.com
Please indicate the Member State you are located in	France
Name of the organisation and address	Move Expert SASU Le Tritium B - 355 rue Louis de Broglie, 13857 Aix en Provence cedex 3, France www.move-expert.com
Type of body/organisation	Private-sector company
GOOD PRACTICE - GENERAL INFORMATION	
Title of the good practice	«Control Assist» service: a competent and multilingual contact point in front of a haulier
Geographical focus	Cross-country (please specify) The practice covers 19 countries: Austria, Belgium, Bulgaria, Czechia, Denmark, France, Germany, Hungary, Ireland, Italy, Lithuania, Luxembourg, Netherlands, Poland, Romania, Slovakia, Slovenia, Spain and Sweden
Duration	2 February 2022 – ongoing
Summary of the good practice	«Control Assist» is a service offered to companies in the transport sector by the private company Move Expert, to assist the drivers in case of cross-border controls by national authorities. A multilingual team is available to listen to drivers' concern, carry out research on the applicable law, act as an intermediary with national authorities and report back to drivers to help them comply with the request and avoid fines.
OBJECTIVES AND ACTIVITIES	

Background/context

- ▶ Since the implementation of the Mobility Package¹ in February 2022, a new set of rules for the road transport sector became applicable across the European Union. Moreover, the Internal Market Information System (IMI), a secure multilingual online tool that facilitates the Exchange of information between public authorities involved in the practical implementation of EU law, was introduced.
- ▶ However, only few countries² have implemented the mobility package so far and several Member States still apply their national rules. This results in transport companies facing disparity in rules across the European Union and in legal uncertainty for transport companies as regards which rules to apply.
- ▶ Drivers and hauliers might get fined because of language barriers, misunderstanding of the Directive or lack of awareness of the latest updates on transport regulations.
- ▶ According to research carried out by Move Expert, approximately half of the penalties linked with controls could be avoided if the company were aware of the additional necessary actions to take. In three quarters of the controls, authorities ask additional information or documents that drivers don't keep in their truck.
- ▶ According to Move Expert, transporters need live control assistance to tackle the following issues: language barrier with local authorities from other Member States; the lack of competent and professional mediation; the lack of information about local legislations' nuances; and the understanding of general posting and transport rules.

¹ Directive (EU) 2020/1057 of the European Parliament and of the Council of 15 July 2020 laying down specific rules with respect to Directive 96/71/EC and Directive 2014/67/EU for posting drivers in the road transport sector and amending Directive 2006/22/EC as regards enforcement requirements and Regulation (EU) No 1024/2012

² To Move Expert's knowledge, in May 2022 only France, Denmark, Romania and Slovakia had reported to the European Commission a full transposition of the Directive.

<p>Objectives</p>	<p>General Objective:</p> <ul style="list-style-type: none"> ▶ Increase the compliance of transportation companies with the applicable rules in the transport sector across the European Union; <p>Specific Objectives:</p> <ul style="list-style-type: none"> ▶ To provide advice and information to transport companies and their posted drivers on transport rules in order to avoid fines. ▶ To play an intermediary role between local authorities and the transport companies and/or drivers during controls to ensure effective communication.
<p>Main activities</p>	<ul style="list-style-type: none"> ▶ «Control Assist» service supports transport companies in complying with the applicable rules in the transport sector and seek mutual best results in performed inspections and avoid fines and also, to help Control bodies to be understood by the hauliers controlled ▶ Customers of Move Expert can use a digital platform where all the mandatory documents that could be requested during a roadside check or an inspection are available. ▶ «Control Assist» service offers remote legal assistance to help the inspections authorities and the driver or carrier to communicate through multilingual experts operators. ▶ Clients (e.g. driver, manager) facing difficulties during controls contact Move Expert in their national language and explain their understanding of the situation. The expert then proceed in four steps: <ul style="list-style-type: none"> ▷ Mediation with the authorities to get more information about a possible penalty and circumstances of the situation; ▷ Penalty screening to match the applicable law and evaluate the lawfulness of the fine; ▷ Translation of the information to discuss what

	<p>additional documents or actions are required by the client;</p> <ul style="list-style-type: none"> ▷ Explanation of the infringement in simple words to the client. ▷ As intermediation does not always suffice to avoid fines, «Control Assist» service includes also the provision of feedback to companies on the result of their inspection to help them understand the fine and reflect on how they can adapt their practices to avoid facing the same situation again.
Relevance	Control Assist aims to support companies working in the transport sector to comply with the regulations across the European Union.
Funding/organisational resources	«Control Assist requires specific resources, including multilingual staff. Move Expert mutualises costs of Control Assist with other activities and services of the company. For instance, translators also work on other activities of the firm such as VAT refund service or ferry booking for trucks
PARTICIPATION	
Stakeholders involved	<ul style="list-style-type: none"> ▷ The private company Move Expert ▷ National control authorities
Target groups	<ul style="list-style-type: none"> ▷ Transport companies ▷ Truck drivers ▷ Transport company managers ▷ Companies using cross-border transport services
Final beneficiaries	The clients that purchase the «Control Assist» service (i.e. transport companies, drivers etc).
ACHIEVEMENTS & RECOGNITION	
Results and outcomes	<ul style="list-style-type: none"> ▷ «Control Assist» service has provided support to the clients of Move Expert in 150 controls on average per month since its creation.

	<p>► «Control Assist» is still a new service that receives overall positive feedback but can still be improved, for instance by increasing the cooperation with the authorities.</p>
Recognition – national or regional level	<p>As of now the practice has not received explicit recognition at national or regional level.</p>
Recognition – on EU or international level	<p>The practice has not received recognition at EU or international level yet.</p>
Cost effectiveness	<p>Move Expert aims to keep the prices affordable for the clients: subscriptions start at 0.50 cents per month per driver for the basic package.</p>
Transferability	<p>Prior to the Mobility Package, in some countries the legislation required transport companies to have contact points. Therefore, organisations with skills, relations with national authorities and activities comparable to Move Expert already exist in several Member States and could provide services similar to «Control Assist».</p>
Sustainability	<p>The use of the digital platform to store enabling to store all documents that can be requested by control system. This centralised application allows to reduce the use of paper.</p>
Innovativeness	<p>Control Assist allows to concentrate all documentation in one central place and to connect all the necessary skills and stakeholders to address obstacles to make road inspections smooth.</p>
Digitalisation	<p>The service of «Control Assist» is linked to a digital platform for drivers where all documentations that might be needed by drivers</p>