JOINT POSITION PAPER

Delegated Act on Safe and Secure Truck Parking Areas (SSTPAs)

We, the undersigned associations, representing freight forwarders and logistics service providers, highly appreciate the ongoing work by DG MOVE on Safe and Secure Truck Parking Areas (SSTPAs). Our members have a keen interest in advancing the standards for safe and secure truck parking areas in Europe, without having a financial interest in the setup and/or operation of the parking areas themselves. We look forward to further cooperation with DG MOVE, with the ambition to improve the overall situation for truck drivers, as well as for the transport and logistics industry.

Following the last Expert Group meeting on 7 July, we would like to express our gratitude for the work of DG MOVE on the SSTPA Delegated Act and note a number of comments and suggestions. In doing so, we will seek to provide comments on the presentation of the third version of the draft Delegated Act on Safe and Secure Truck Parking Areas in the remit of Regulation (EU) 2020/1054 amending Regulation (EC) No 561/2006 on Driving Times and Rest Periods, as presented on 7 July.

- We **fully support the SSTPA Standard** and believe that it is needed to address the urgent demand for truck parking areas in the EU, by offering sufficient parking possibilities for drivers, which are of high quality and provide the desired amount of security. In that regard, we believe that a harmonised EU Standard will be key to successfully address the existing shortcomings.

- An effective application of **access and egress controls should be in place at SSTPAs**, whilst respecting the particularities of the different areas. The extensiveness of the controls should be applied in an incremental approach, starting from a formal procedure for access controls at the bronze level, up to full access and egress controls at the platinum level.

- Based on per level standardised site description, **risk assessments should be carried out at regular intervals**. This represents an essential element to continuously monitor the existing threats to the SSTPA based on its location, types of clients, traffic safety conditions, crime rates and general security considerations. Following the risk assessment, a **security plan** should be created and implemented based on the results of the risk assessment, including a **business continuity plan**.

- A formal **incident reporting mechanism** should be implemented at all security levels to contribute to the 'living' nature of the standard, as it would help identify potential shortcomings of the SSTPAs, as well as the MO used by the criminals.

- The **perimeter of the SSTPA should be appropriately secured by physical and digital means in accordance with the security level**, leaving no gaps in the physical barrier at the higher levels, which could allow any intrusion by a vehicle or person.

- The **correct functioning and recording of the SSTPA's CCTV system should be monitored and documente**d on a regular basis, with an appropriate maintenance programme being in place.

- An **adequate number of sanitary facilities should be available** for drivers at all SSTPAs, based on clearly defined ratios.

Introduction

We strongly support the SSTPA standard, as well as the significant work which DG MOVE has been undertaking in view of finalising the Delegated Act. As previously communicated through our expert representatives in the Expert Group meetings, we believe that, in order to ensure the best results, the Delegated Act should be as specific as possible, leaving no space for misinterpretation. Overall, a balanced approach should be respected, ensuring cost-efficiency, especially for the lower entry levels, whilst providing an adequate level of security according to each category. Whilst we have monitored good progress throughout the process, we hope that the below issues will be addressed in the upcoming meetings.

Access and Egress Control Procedures

To ensure the maximum protection of trucks at SSTPAs throughout the EU, we believe that an effective application of access and egress controls should be in place at SSTPAs, whilst respecting the particularities of the different areas. To avoid the introduction of too onerous burdens, which would be inappropriate for the lower entry levels, the extensiveness of the controls should be applied in an incremental approach.

Establishing documented procedures for access controls is of essential importance to ensure the security of SSTPAs. At **bronze level**, a formal procedure for access control should be sufficient. With increasing levels of security, this would need to become more stringent (incl. egress controls, and the checking of IDs).

As of the **silver level onwards**, we think that it is important to apply documented procedures for access, as well as egress controls. This would add an additional layer to the security of the SSTPA, as it would ensure that no unauthorised persons can enter or leave the parking area. At the **platinum level**, full access and egress controls should be in place, including the checking of personal and company details (name of driver against his ID and the registration thereof, company, vehicle, tractor and trailer registration number), as well as location-specific details (entrance and exit times), subject to compliance with the GDPR. This could be either done through technological means or performed by on-site personnel.

Number Plate Recognition (NPR) is a very efficient way to control which vehicles enter and exit the SSTPA. However, licence plates can be forged or stolen. We refer to recorded Modus Operandi (MO) by which criminals enter parking areas with an empty truck, bearing a stolen or forged license plate. According to this MO, they then proceed to steal goods from other trucks, loading the stolen goods into their vehicle, and leaving the parking area with a fully loaded truck of stolen goods. Once the theft is noticed, there is no possibility to find the criminals due to stolen or forged licence plates. This MO has been utilised successfully by criminals even at gold-level certified parking areas. Examples for that can be found recently in parking areas near Venlo (NL) and Barcelona (ES). For reference, you will find

annexed two reports of Kuehne+Nagel's R.I.N.G. (React.Inform.Network.Go) alerts relating to these incidents.

To counter these practices, we believe that it would be essential to add the requirement of checking the driver's ID as part of the access and egress controls at the higher security levels. This would add an additional burden for criminals attempting to use this MO, which would act as a deterrent. The driver's ID could be checked by electronic means, but also simply by keeping a manually created overview (e.g. in an excel table), provided that all rules on data protection are respected.

Risk Assessment and Security Plan

Based on per level standardised site description, **risk assessments** should be carried out at regular intervals. This represents an essential element to continuously monitor the existing threats to the SSTPA based on its location, types of clients, traffic safety conditions, crime rates and general security considerations. Such a risk assessment should be carried out at least on an annual basis and whenever an indication arises that the threat landscape might have changed.

Following the risk assessment, a **security plan** should be created and implemented based on the results of the risk assessment. This should include risk mitigation measures responding to the identified risks, law enforcement and emergency contact numbers, response protocols, as well as contingency plans. A security plan should also include a **business continuity plan** – reference can be made here to the ISO Standard 22301.

The creation of a security plan is fundamental, as without a plan to respond to the identified risks, the risk assessment alone would become redundant. Thus, the security plan should also be reviewed and adapted following each review of the risk assessment.

Incident Reporting

We fully support the reporting of incidents already at the bronze level, as it contributes to the ongoing evolvement of the SSTPA standard's 'living' nature. We would suggest setting up a formal reporting mechanism, which would help identify potential shortcomings of the SSTPAs, as well as the MO used by the criminals. Following an analysis thereof, suggestions could be made to resolve the security issues for all SSTPAs.

Perimeter

The perimeters of the SSTPA should be secured in accordance with the security level. Therefore, as of the gold-level onwards, we believe that it is important to ensure that the physical barrier (i.e. the fence/wall) has no gaps, which could allow any intrusion by a vehicle or person. Whilst realising that each SSTPA may have inherent attributes, e.g. being surrounded on one or multiple sides by a building, we believe that the minimum requirements for the hight of the deterring structure (wall/fence) should be respected at each level.

Additionally, to improve the monitoring of the SSTPA and achieve efficiency gains, the SSTPA's walls or fencing should be ideally set up in straight lines to improve CCTV monitoring.

CCTV and related issues

Ensuring the security of SSTPAs must be guaranteed on multiple levels, through physical means, i.e. fencing and entry/access controls, and supplemented by digital means, including CCTV. An effectively working CCTV system is therefore essential at all levels. To that end, its correct functioning and recording should be monitored and documented on a regular basis.

As part of that, a maintenance program should be in place for the CCTV system, and it should be ensured that the SSTPA's staff possesses the maintenance capabilities meeting the equipment manufacturer's specifications. The extensiveness of the maintenance programme should be adequate to the SSTPA's security level and thus be built in an incremental approach, coherent with the security levels. The routine checks of the entire system should be carried out at a fixed interval, of which records shall be kept, unless malfunctions automatically trigger an alarm.

As the bronze level requires no fencing, we believe that an effectively working CCTV system must be in place, which should be monitored regularly for its correct functioning, as it represents the essential means of security at that level. In addition, protocols should be kept, detailing which CCTV surveillance checks/actions have been taken by whom at which time.

To ensure the cyber-resilience of SSTPAs and minimise the risk of a potential cyber-attack on a SSTPA, we believe that the CCTV system should not be connected to the public internet. Instead, it should run over a closed internal separate network. Ideally, the CCTV system's server room should be segregated and locked, to avoid any unauthorised access by a third party or an insider threat.

Sanitary Facilities

Concerning the discussion that has emerged during the meetings on sanitary facilities, we believe that ensuring a minimum level of standard for the drivers staying overnight at a SSTPA should be amongst the priorities, as a way of ensuring the provision of adequate working conditions for drivers in the ambit of Mobility Package 1.

We believe that an adequate amount of the currently included facilities should be available for drivers at all SSTPAs. To guarantee this, clear ratios should be included for the existence of sanitary facilities on the SSTPAs in proportion to the size of the parking area. For reference, the requirements which were set up in the LABEL Standard (Annex 3: Service Criteria and Levels) could be used. We also support the call for access to warm water for drivers to wash their hands.

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CLECAT is the leading voice on freight forwarding and logistics in Europe. Established in 1958, CLECAT represents the interests of more than 19.000 companies employing in excess of 1.000.000 staff in logistics, freight forwarding and customs services. Multinational, medium and small freight forwarders and Customs agents are all within its membership, making the organisation the most representative of its kind. European freight forwarders and Customs agents clear around 95% of all goods in Europe and handle 65% of the cargo transported by road, 95% of the cargo transported by air and 65% of cargo transport by ship. CLECAT has over 20 national organisations of European freight related service providers in its membership.

DSLV represents the interests of the 3,000 leading German forwarding and logistics companies across all modes of transport through 16 regional state associations. With a total of 604,000 employees and an annual industry turnover of 113 billion euros, they are an essential part of Germany's third-largest industry (as of July 2020). The membership structure of the DSLV ranges from globally operating logistics groups, 4PL and 3PL providers to owner-operated forwarding companies (SMEs) with their own truck fleets as well as charterers of inland vessels and railroads to sea, air freight, customs and warehouse specialists. The DSLV is the political mouthpiece and central contact for the German federal government, for the institutions of the Bundestag and Bundesrat, as well as for all relevant federal ministries and authorities in the legislative and law-making process, as far as logistics and freight transport are concerned.

Annex

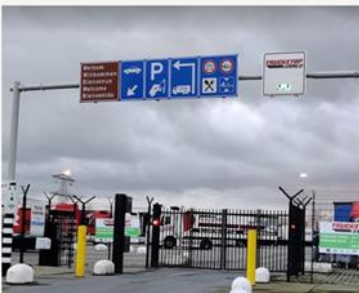**R.I.N.G. Alert of 4 May 2021 concerning a GOLD-level certified parking facility in the Venlo Area (NL)**

R.I.N.G. Alert of 24 March 2021 concerning a GOLD-level certified parking facility in the Barcelona Area (ES)