

## Newsletter

TRAN meeting of 22<sup>nd</sup> and 23<sup>rd</sup> January and 1st February 2018

### Editorial by Karima Delli

Dear friends,

The presentation of the Rapporteurs' reports of the pillars on road charging and internal market and social aspects of the mobility package certainly was a highlight of the last committee meetings that led to dense and constructive discussions and debates.

The road is long but the TRAN Committee will thrive to ensure having a legislation that is applicable, and ensures the good functioning of the internal market, while securing decent working conditions for drivers.

Besides the Eurovignette report, the TRAN Committee is putting forward an ambitious proposal that endorses sustainable transport through a road charging system based on the "polluter pays" principle.

On that note, we can all be particularly satisfied to hear the European Commission mentioning that it is working on the creation of a European Labour Authority, following up on Mr Juncker's declaration on that matter. I am convinced that it is a key factor in the success of the implementation of the mobility package, and a great tool to ensure the protection of workers in the road sector.



### In this edition...

- *Parcel delivery services; EASA Regulation; Periodic training of drivers*
- *Mobility package – road charging aspects and market and social aspects*
- *Scrutiny: Presentation by the Commission of two Delegated Regulations on Railway Common safety methods*
- *INI Report on Odometer manipulation in motor vehicles*
- *Discharges 2016: European Commission and Agencies ERA, Shift2Rail, EASA, EMSA, SESAR*
- *Presentation by Mr Moskovski, Minister of Transport and Infrastructure of Bulgaria, on BG Presidency priorities*
- *Presentation by the Rapporteur, Mr Balko, of ECA SR on ERTMS and presentation by the EC, DG MOVE of SWD(2017)0375 on European Rail Traffic Management System - the way forward*
- *Exchange of views with the Commission on Combined transport of goods, and Access to international bus and coach market*

### Parcel delivery services

#### Confirmation Vote

- Rapporteur: Lucy Anderson (S&D)
- Ordinary Legislative procedure, report

### Proposal for a Directive on driving licences and periodic training of drivers of certain road vehicles

#### Confirmation Vote

- Rapporteur: Peter Lundgren (EFDD)
- Ordinary Legislative procedure, report

### Proposal for a regulation of the European Parliament and of the Council on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency

#### Confirmation Vote

- Rapporteur: Marian-Jean Marinescu (EPP)
- Ordinary Legislative procedure, report

The three texts that have been informally negotiated with the Council have been endorsed by the Committee

## Committee on Transport and Tourism

with a large majority and will be now be put to Plenary for formal adoption.

### Mobility package: Road charging aspects

#### Consideration of draft reports

#### **Proposal for Eurovignette Directive amending Directive 1999/62/EC on road charging of heavy goods vehicles for the use of certain infrastructure – COM(2017)0275**

- Rapporteur: Christine Revault d'Allonnes Bonnefoy (S&D)
- Ordinary Legislative procedure, report
- Vote in TRAN: 24 May 2018
- Vote in Plenary: tbd

In her draft report, the Rapporteur calls for maintaining the Commission's ambition to apply "polluter pays" and "user pays" principles. The Rapporteur would like to strengthen some points, in particular, replacing time-based charging (vignettes) with distance-based charging (tolls) for all vehicles as from 1 January 2026, the mandatory introduction of an external charge-cost charge for air or noise pollution, and an option for Member States to introduce an external cost charge for traffic accidents, or flat-rate exemptions for peripheral regions.



Moreover, the Rapporteur calls for having a safe and secure parking place on roads covered by tolls. As far as revenues from charging are concerned, the Rapporteur is in favour of earmarking the revenue from infrastructure charges to road maintenance. Revenue from external cost charges should be used to support low emission transport.

In the following debate, Members expressed support to the Rapporteur on the main objectives to implement "polluter pays" and "user pays" principles. Members called for further discussion on the level of ambition on certain elements, in order to strike the right balance. In particular, Members raised issues concerning extending

the application of tolls to secondary roads or motorcycles, and the level of reductions for frequent users. There were also questions about EU subsidiarity in terms of mandatory earmarking of revenues generated by charges to transport.

#### **Proposal for a Directive amending Directive 1999/62/EC on the charging of heavy goods vehicles for the use of certain infrastructures, as regards certain provisions on vehicle taxation – COM(2017)0276**

- Deirdre Clune (EPP)
- Ordinary Legislative procedure, report
- Vote in TRAN: 24 May 2018
- Vote in Plenary: tbd

In her draft report, the Rapporteur supports the objective of the Commission proposal, and agrees that distance-based road pricing can play a key role in incentivising cleaner transport. It is also essential to reduce the minimum rate of vehicle taxation on heavy goods vehicles to zero, given the burdensome added costs on the transport industry, and in particular on SMEs. The Rapporteur proposes to simplify the reduction in minimum rates, and do it in one step instead of the 5 steps proposed by the Commission. This would ease the administrative burden for Member States.

In the debate, Members supported the Rapporteur's proposal to simplify the reduction of the minimum rate of taxation in one step. There should be the right balance between the introduction of distance-based charging, and a reduction in the minimum rates of taxation to avoid imbalances in public budgets. An idea to link vehicle taxation to a bonus system based on environmental performance of vehicles was also raised.

#### **Proposal for a Directive on the interoperability of electronic road toll systems and facilitating cross-border exchange of information on the failure to pay road fees in the Union (recast) – COM(2017)0280**

- Massimiliano Salini (EPP)
- Ordinary Legislative procedure, report
- Vote in TRAN: 24 May 2018
- Vote in Plenary: tbd

The Rapporteur welcomed the Commission proposal. He stressed that interoperability of toll systems in the EU was very important to avoid unfair competition and unnecessary costs. In this respect, the selection of technologies is crucial, and should be left to the co-legislators. The Rapporteur was therefore not in favour of delegating powers to the Commission to modify the list of selected technologies. He was in favour of the

mechanism to exchange information between Member States in case of failure to pay road fees. However, he did not support the use of Automatic Number Plate Recognition as this system is not reliable. Access to Member States' databases should be provided to ensure enforcement. The Rapporteur called for consistency between the Directive on Electronic Road Toll Systems and the Directive on Road charging.

Members generally supported the views of the Rapporteur. Some Members were of the opinion that interoperability should also apply to urban areas, in particular to low emission zones. They were in favour of a clarification of the governance mechanism.

### Next steps

For the road charging part, the deadline for amendments was fixed for 20 February, and the TRAN Committee will assess the amendments on 19/20 March.

## Mobility package: Market and social aspects

### Consideration of draft reports

#### Proposal for a Regulation on minimum requirements on maximum daily and weekly driving times, rest periods and tachographs – COM(2017)0277

- Rapporteurs: Wim van de Camp (EPP),
- Ordinary Legislative procedure, report
- Vote in TRAN: 24 May 2018
- Vote in Plenary: tbd

The debate on market and social aspects of the mobility package began with a lively exchange on Mr van de Camp's draft report on driving and rest times.

The Rapporteur welcomed the Commission proposal and presented his ideas for further improvements:

- further increased flexibility in the road sector, providing an option for the driver to go home at least once a month, paid by his/her employer;
- further improved drivers' working conditions, endorsing the ban for drivers' sleep in the cabin, but with some exceptions to the weekly rest of 45 hours, where rest in the cabin would be allowed, provided it is taken in dedicated certified parking areas, with proper conditions, and using the pre-paid cards;
- making the profession of drivers more attractive;

- improving enforcement of the rules, starting with a proposal for mandatory use of smart tachographs in international transport already from 2020, and better use of digital data



Members broadly welcomed this draft report, as a well-balanced approach to complex issues, and raised further points on the return home, including the definition of 'home', the lack of proper parking areas, the need to certify also the cabins, on the extension of rules to light commercial vehicles, and on further improvement of enforcement.

#### Proposal for a Directive of the Posting of drivers in the road transport sector - COM(2017)0278

- Rapporteurs: Merja Kyllönen (GUE/NGL),
- Ordinary Legislative procedure, report
- Vote in TRAN: 24 May 2018
- Vote in Plenary: tbd

The Rapporteur underlines that it is necessary to take into account the mobile nature of the profession of the driver when it comes to application of the rules on posting of drivers. The Rapporteur clarifies the application of the rules on posting of drivers to transport operations carried out between companies belonging to the same group, as well as to transport operations carried out with the help of temporary employment agencies.

The Rapporteur makes it clear that rules on minimum rates of pay and paid annual holidays of a host Member State should apply to cabotage operations from the very first day. She also calls for including the road leg of combined transport within the scope of rules on posting of drivers, and proposes exemptions for marginal transport operations linked to some other activities, such as movement of circuses. She also seeks to find a more balanced approach to responsibility for breaching rules, which should not only be on the drivers' side.

Furthermore, the Rapporteur calls for establishing a "one-stop-shop" to ease transport companies, and especially SMEs' compliance with their notification obligations. Last but not least, the Rapporteur would like to establish a common pay slip for international road transport in order to facilitate controls of compliance with rules on minimum wages. Given the complexity and procedural aspects of this dossier, the Rapporteur would further consider her approach to the application of minimum rates of pay and holidays to international transport operations.

In the debate, Members underlined a need to strike the right balance on this highly sensitive topic, and called for finding stable majorities for compromises. They touched upon issues of whether transit should be explicitly excluded from rules on posting of drivers, and the length of derogations for international transport.

**Proposal for a Regulation amending Reg (EC) 1071/2009 on access to occupation and Reg (EC) 1072/2009 on haulage market COM(2017)0281**

- Rapporteurs: Jens Nilsson (S & D)
- Ordinary Legislative procedure, report
- Vote in TRAN: 24 May 2018
- Vote in Plenary: tbd

Mr Nilsson's draft report on access to the haulage market and to the occupation was presented. In his draft report, the Rapporteur supports the Commission's objective to clarify the rules and improve the level playing field in the sector. In order to further strengthen the proposal, the Rapporteur suggests several points to ensure balanced conditions for fair competition in Europe and rigorous enforcement.

More specifically, the Rapporteur proposed to strengthen the requirements regarding the establishment of a real business presence in order to effectively fight so-called letterbox companies, to apply the same criteria to light commercial vehicles operating internationally as those applying to trucks, to address the issue of systemic cabotage, to increase the use of the smart tachograph and to encourage administrative cooperation and effective enforcement.

In the following debate, many issues were raised, mostly looking for the right balance, including the best way forward on the issue of (illegal, systemic) cabotage, the additional administrative burden on SMEs, and the possibility for effective enforcement of the rules.

**Proposal for a Directive on the use of vehicles hired without drivers for the carriage of goods by road**

- Rapporteurs: Cláudia Monteiro de Aguiar (EPP)
- Ordinary Legislative procedure, report
- Vote in TRAN: 24 May 2018
- Vote in Plenary: tbd

Ms Monteiro de Aguiar largely supports the Commission proposal, which aims to remove current restrictions for the use of vehicles hired without drivers for the carriage of goods by road, and establish a uniform regulatory framework across the EU to ensure equal access for transport operators to the market for hired vehicles.

The Rapporteur considers that Member states should not limit cross-border use of hired vehicles, provided those meet all the necessary safety standards. Nevertheless, the Member States should be able to apply certain restrictions to their own companies for avoiding fiscal distortions.

Contrary to the Commission, she considers that Member States should be allowed to maintain current restrictions in place on the use of hired vehicles, with a gross vehicle weight above six tonnes for own account operations, if necessary.

Members broadly endorsed the draft report. The various levels of road transport taxation remains an issue, as well as the need for proper registration of drivers of hired vehicles, and cross border accessibility of data.

**Next steps**

For the market and social aspects' part, the deadline for amendments was fixed for 21 February, and the TRAN Committee will assess the amendments on 19/20 March.

**Scrutiny: Presentation by the Commission of two Delegated Regulations on Railway Common safety methods**

These two delegated acts were issued by the EC within the framework of Directive (EU) 2016/798, and their aim is to harmonise the supervision of national safety authorities through the application of common safety methods (CSM). The discussion focused on the coordinating role of ERA (European Railways Agency) and the EC when supervising infrastructure managers with cross-border infrastructure, the renewal or update of single safety certificates, and the involvement of ERA in investigations following a railway accident. To the last point, the EC replied that national authorities are responsible for investigations, but ERA can intervene

when the accident was caused by a malfunction not identified at the time of the authorisation.

## INI Report on Odometer manipulation in motor vehicles

### Consideration of draft report

- Rapporteur: Ismail Ertug (S & D)
- Legislative INI report
- Vote in TRAN: 25/26 April 2018
- Vote in Plenary: (tbd)

The Rapporteur highlighted the magnitude of the problem with tampered odometers in passenger cars in the European Union. Estimates show that between 5% and 12% of cars are affected with odometer manipulation in national markets, but between 30% and 50% of all cars in cross-border trade. In some Member States, the rate rises to 80% of imported cars. The economic damage caused by this tampering for the whole of the EU is estimated at between EUR 5.6 and 9.6 billion.

There are also severe negative impacts on road safety. Due to the incorrect mileage, the car owner will follow a wrong maintenance and inspection plan, which in turn can lead to more unsafe vehicles on the roads. Despite this, there is no EU legislative framework addressing the problem. The national solutions as implemented, for example, in Belgium and the Netherlands are promising. That is why a European database solution could help to collect data in a uniform manner and enable cross-border exchange. Building upon existing structures like the EUCARIS would be a cost-effective approach.

In the debate, most Members supported the Rapporteur's approach to finding a cost-efficient solution at EU level. They also called for rapid action.

As the next steps, the deadline for amendments was fixed for 7 February.

## Discharges 2016: European Commission and Agencies

### Consideration of draft opinions

- Rapporteurs: Isabella De Monte (S&D, IT), Markus Ferber (EPP,DE), Gesine Meissner (ALDE,DE), Jakop Dalunde (Greens/EFA, SE)
- Discharge Procedure
- Deadline for tabling amendments: 25 January 2018
- Vote in TRAN Committee: 20 February 2018
- Vote in CONT Committee: 19-20 March 2018
- Vote in Plenary: April 2018

The Rapporteurs were in favour of granting discharges to the Commission, the transport agencies (EMSA, ERA and EASA) and joint undertakings SESAR and Shift2Rail. They noted the positive results and important contributions of these bodies in their area of activity. Some Members stressed that the discharge procedure should be an opportunity to assess how EU programmes are implemented, the cost-effectiveness of EU subsidies, and the degree of innovation achieved. They underlined the number and complexity of financial instruments available, which undermine the transparency of the level of funding of EU projects. They took the opportunity to recall that they disagreed with the principle of transferring funds from the Connecting Europe facility to the European Fund for Strategic Investments.



© European Union 2018

## Presentation by Mr Ivaylo Moskovsky, Minister of Transport and Infrastructure of Bulgaria, on Bulgarian Presidency priorities

Mr. Moskovski, Minister of Transport, Information Technology and Communications, presented the Bulgarian Presidency's plans in the area of transport.

The Presidency's action will be based on seeking consensus, competitiveness and cohesion in all policy sectors, including through deepening cooperation on the integration of the Western Balkan countries into the European family.

With regard to the first Mobility Package, the Minister informed the Committee that priority will be given to work on the dossiers on access to the market and the profession, as well as on specific legislation on posting of drivers, hired vehicles, and interoperability of electronic road toll systems. Bulgaria will aim for a common approach on the rules to help improve the interoperability of electronic road toll systems in Europe. The Presidency has also started looking at revised common rules for the combined transport of goods.

## Committee on Transport and Tourism

In the area of aviation, the Presidency will focus on the Regulation on safeguarding competition, and will encourage the EU's negotiations with third countries for the conclusion of comprehensive bilateral air transport agreements.

Regarding maritime transport, action will focus on the new Directive on port reception facilities for ship-generated waste, and on reducing administrative burden on businesses. Mr. Moskovski confirmed that Bulgaria will host the next European maritime day from 31 May to 1 June 2018 in Burgas on the Black sea, and that a High-Level Ministerial Meeting on "Multimodal Transport in Europe" will be organised in Bulgaria jointly with the European Commission.

In their answers to the Minister's presentation, Members insisted on the key role of transport in European citizens' daily life, and on the need for concrete results.

Files relating to the posting of drivers in the road transport sector, the minimum requirements for maximum daily and weekly driving times, minimum breaks and daily and weekly rest periods, as well as on the common rules for access to the international road haulage market, are considered by the Committee as a priority. Members reminded the Presidency of the strong demand from citizens for a better harmonised European transport market, and for concrete actions against unfair competition in Europe. This is why achieving the Mobility Packages is so crucial, even if the Committee recognises it will require difficult efforts.

Regarding the aviation sector, Members raised their concerns about safeguarding fair competition with third countries. The current state of play relating to cooperation between Bulgaria and Romania for the drainage of the Danube river was also raised, as it appears that 2 opposite projects are on the table. A decision still has to be taken on this important dossier.

Finally, the TRAN Committee reaffirmed its will to develop an efficient and fruitful cooperation with the Bulgarian Presidency.

## European Rail Traffic Management System - the way forward

*Presentation by the Rapporteur, Mr Balko, of ECA SR on ERTMS and presentation by the EC, DG MOVE of SWD(2017)0375*

ERTMS is a major industrial programme to harmonise the automatic train control and communication system throughout the rail system in Europe and along the TEN-T network in particular. The ECA Special Report takes a critical view on deployment of ERTMS because

infrastructure managers and railway undertakings are still reluctant to invest in ERTMS mostly due to high investment costs. Several MEPs questioned the EC on how the deployment plan can be successful, and requested a realistic European strategy, as ERTMS are facing the same problems as ten years ago. The EC presented some best practices in some Member States which are in the process of introducing ERTMS as the sole national management system, and suggested that financing individual business cases should help further development in the coming years.

## Combined transport of goods - amending Directive 92/106 - COM(2017)0648

*Exchange of views with the Commission*

The Commission (DG MOVE) explained to Members that the proposal to amend directive 92/106 on combined transport was aimed at accelerating the shift from road-only to other modes of transport such as rail and waterways, with a view to reducing emissions, road congestion and accidents. This would be done through a clearer definition of combined transport, a better enforcement by way of digitalisation, and updated incentives.

The Rapporteur, Daniela Aiuto (EFDD, IT) said that she welcomed those objectives, and insisted on the need to invest further in combined transport terminals and boost digitalisation to reduce bureaucracy and make controls easier. She also intends to work on the definition to make sure that it is made clearer and that it is consistent with other horizontal legislation, wants to avoid any abuse of cabotage through the existing exemption in the directive, and also intends to pay special attention to the posting of drivers.

Members also focused their interventions on the definition, with some questioning the 150 km or 20% limit for the road legs proposed by the Commission, on the necessary support to investments in infrastructure, and on the development of digitalisation. The cabotage and posting of drivers issues would be sensitive topics in the debate.

## Access to international bus and coach market - amending Regulation 1073/2009 - COM(2017)0647

*Exchange of views with the Commission*

Eddy Liegeois (EC) presented the Commission proposal, which aims to stimulate the use of coaches over long distances and thereby reduce the use of cars, emissions and congestion. It addresses the main challenges of restrictions in national markets and discriminatory practices concerning access to terminals, which prevent

the launch of new services. Currently there is a patchwork of rules across the EU, ranging from liberalised to closed markets. The Commission is proposing common rules, whereby the Member States would retain control of commercial services through the authorisation procedure which enables them to refuse authorisation, if the economic equilibrium of a public service contract is compromised.

During the discussion, Members expressed a number of concerns regarding the proposed market liberalisation, including on whether the proposal respected the principle of subsidiarity, and how it would affect bus services provided under public service obligations. They also noted the link of this file with legislation regarding posting of workers and driving and rest times.

### Next TRAN Committee meeting: planned draft agenda - To be confirmed

Monday 19th February 2018, (15h00-18h30)

- Opinion to REGI Implementation report on Cohesion policy and thematic objective promoting sustainable transport and removing bottlenecks in key network infrastructure - consideration of draft opinion
- Discharges 2016: European Commission and Agencies ERA, Shift2Rail, EASA, EMSA, SESAR - consideration of amendments
- INI report on a European Strategy on Cooperative Intelligent Transport Systems - consideration of amendments

Tuesday 20th February 2018, (09h00-12h30)

- Discharges 2016: European Commission and Agencies ERA, SHift2Rail, EASA, EMSA, SESAR - vote
- Proposal for a Regulation on rail transport statistics (recast) vote
- INI Report on A European Strategy on Cooperative Intelligent Transport Systems - vote
- Hearing on 'Rail Passenger rights in the EU'
- Exchange of views with Peter Füglistaler, Director of Swiss Federal Office of Transport, on modal shift in Switzerland

Tuesday 20th February 2018, (14h30-18h30)

- BREXIT hearing - Impact on Maritime transport
- Regulation on competition in aviation (868/2004) - consideration of amendments
- Exchange of views with the Commission on Report on 2016 Annual Report on the implementation of Regulation (EC) N° 300/2008 on common rules in the field of civil aviation security - COM(2017)0768

Meeting room: P1A002 (PHS)

## TRAN Committee meetings 2018, Brussels

Monday, 26 February, 15h00-18h30  
Tuesday, 27 February, 9h00-12h30

Monday, 5 March, 15h00-18h30

Monday, 19 March, 15h00-18h30  
Tuesday, 20 March, 9h00-12h30  
Tuesday, 20 March, 15h00-18h30

Thursday, 12 April, 9h00-12h30  
Wednesday, 25 April, 9h00-12h30  
Wednesday, 25 April, 15h00-18h30

Monday 14 May, 15h00-18h30  
Tuesday, 15 May, 9h00-12h30  
Tuesday 15 May, 15h00-18h30

Thursday 24 May, 9h00-12h30  
Thursday, 24 May, 15h00-18h30  
Thursday, 7 June, 9h00-12h30  
Thursday 7 June, 15h00-18h30

Wednesday 20 June, 9h00-12h30  
Wednesday 20 June, 15h00-18h30  
Thursday 21 June, 09h00-12h30

Monday, 9 July, 15h00-18h30  
Tuesday, 10 July, 09h00-12h30  
Tuesday, 10 July, 15h00-18h30

Wednesday, 29 August, 9h00-12h30  
Wednesday, 29 August, 15h00- 18h30  
Thursday, 30 August, 9h00-12h30

Thursday, 6 September, 09h00-12h30  
Thursday, 6 September, 15h00-18h30  
Monday, 24 September, 15h00-18h30

Monday, 8 October, 15h00-18h30  
Tuesday, 9 October, 9h00-12h30  
Tuesday, 9 October, 15h00-18h30

Thursday, 8 November, 9h00-12h30  
Thursday, 8 November, 15h00-18h30

Wednesday, 21 November, 9h00-12h30  
Wednesday, 21 November, 15h00-18h30  
Thursday, 22 November, 9h00-12h30

Monday, 3 December, 15h00-18h30

## Useful links

TRAN website: <http://www.europarl.europa.eu/TRAN>

Policy Department Publication in the European Parliament:

<http://www.europarl.europa.eu/committees/en/supporting-analyses.html>

European Aviation Safety Agency newsletters: <http://easa.europa.eu/communications/general-publications.php>

European Railway Agency newsletters: <http://www.era.europa.eu/Communication/Newsletter>

European Maritime Safety Agency newsletters: <http://www.emsa.europa.eu/news-a-press-centre/newsletters.html>

SESAR Joint Undertaking news: <http://www.sesarju.eu/newsroom/all-news>

Innovation & Networks Executive Agency: <http://ec.europa.eu/inea/en>

DG MOVE newsletter: [http://ec.europa.eu/transport/media/newsletter\\_en](http://ec.europa.eu/transport/media/newsletter_en)

Bulgarian Presidency of the Council: <https://eu2018bg.bg/>



Follow us on Twitter: @EP\_Transport

For more information and to subscribe, please contact the TRAN Secretariat:  
[tran-secretariat@europarl.europa.eu](mailto:tran-secretariat@europarl.europa.eu)