Amendment 160
Ismail Ertug, Kathleen Van Brempt, Mercedes Bresso, Agnes Jongerius
on behalf of the S&D Group

Report
Merja Kyllönen
Enforcement requirements and specific rules for posting drivers in the road transport sector
(COM(2017)0278 - C8-0170/2017 - 2017/0121(COD))

Proposal for a directive
Article 2 – paragraph 2 – subparagraph 1

Text proposed by the Commission

Member States shall not apply points (b) and (c) of the first subparagraph of Article 3 (1) of Directive 96/71/EC to drivers in the road transport sector employed by undertakings referred to in Article 1(3)(a) of that Directive, when performing international carriage operations as defined by Regulations 1072/2009 and 1073/2009 where the period of posting to their territory to perform these operations is shorter than or equal to 3 days during a period of one calendar month.

Amendment

Member States shall apply points (b) and (c) of the first subparagraph of Article 3 (1) of Directive 96/71/EC to drivers in the road transport sector employed by undertakings referred to in Article 1(3)(a) of that Directive, when performing international carriage or cabotage operations as defined by Regulations 1072/2009 and 1073/2009.

By way of derogation Member States shall not apply points (b) and (c) of the first subparagraph of Article 3 (1) of Directive 96/71/EC to drivers in the road transport sector employed by undertakings referred to in Article 1(3)(a) of that Directive, when performing international carriage operations as defined by Regulations 1072/2009 and 1073/2009, where these are limited to operations that start from the Member State where the road transport operator is registered and go directly to another Member State followed by one unloading and/or one loading in that Member State within two working days after arrival and a direct return to the Member State where the road transport operator is registered, not including any cabotage operation or any other type of
operation in any other Member State.

Or. en