Amendment 267


Report

Amendment 267


Proposal for a directive

Article 1 – paragraph 1 – point 6 – point -a (new)

Directive 2006/22/EC

Article 8 – paragraph 1 – introductory part

Present text

Amendment

(-a) In paragraph 1, the introductory part is replaced by the following:

1. Information made available bilaterally under Article 17(3) of Regulation (EEC) No 3820/85 or Article 19 (3) of Regulation (EEC) No 3821/85 shall be exchanged between the designated bodies notified to the Commission in accordance with Article 7(2):

1. Information made available bilaterally under Article 22(2) of Regulation (EC) No 561/2006 or Article 40 of Regulation (EU) No 165/2014 shall be exchanged between the designated bodies notified to the Commission in accordance with Article 7:

Or. en
Amendment 268
Elżbieta Katarzyna Łukacijewska, Dariusz Rosati, Cláudia Monteiro de Aguiar,  
Marian-Jean Marinescu, Claudia Schmidt, Danuta Jazłowiecka, Krzysztof Hetman,  
Andrzej Grzyb, Jerzy Buzek, Barbara Kudrycka, Julia Pitera, Marek Plura, Danuta  
Maria Hübner, Michał Boni, Maria Grapini, Adam Szejnfeld, Andrey Novakov, György  
Hölvényi, Asim Ademov, Andor Deli, Norbert Erdős, Csaba Sógor, Kinga Gál, Franc  
Bogovič, László Tőkés, Boguslaw Sonik, Jan Olbrycht, Agnieszka Kozłowska-Rajewicz,  
Czesław Adam Siekierski, Eduard Kukan, Emil Radev, Vladimir Urutchev, Eva  
Maydell, József Szájer, Andrea Bocsor, Pál Csáky, András Gyürk, Nuno Melo, José  
Manuel Fernandes, Fernando Ruas, José Inácio Faria, Claudia Ťapardel, Kosma  
Zlotowski, Angel Dzhambazki, Zdzisław Krasnodębski, Beata Gosiewska, Czesław Hoc,  
Anna Elżbieta Fotyga, Tomasz Piotr Poręba, Stanisław Ożóg, Ryszard Czarnecki,  
Jadwiga Wiśniewska, Richard Sulík, Edward Czesak, Zbigniew Kuźmiuk, Bolesław G.  
Piecha, Ryszard Antoni Legutko

Report Merja Kyllönen
Enforcement requirements and specific rules for posting drivers in the road transport sector  

Proposal for a directive
Article 1 – paragraph 1 – point 6 – point a
Directive 2006/22/EC
Article 8 – paragraph 1 – point b

Text proposed by the Commission Amendment

(b) upon reasoned request by a Member State in individual cases.

(b) at the specific request of a Member State in individual cases, provided that the information required is not available through direct consultation of national electronic registers referred to in Article 16(5) of Regulation (EC) No 1071/2009.
Amendment 269

Report A8-0206/2018
Merja Kyllönen

Proposal for a directive
Article 1 – paragraph 1 – point 6 – point b
Directive 2006/22/EC
Article 8 – paragraph 1 a – subparagraph 1

Text proposed by the Commission

1a. Member State shall submit the information requested by other Member States pursuant to paragraph 1(b) of this Article within 25 working days from the receipt of the request in cases requiring in-depth examination or involving checks at premises of the undertakings concerned. A shorter time limit may be mutually agreed between the Member States. In urgent cases or cases requiring simple consultation of registers, such as of a risk rating system, the requested information shall be submitted within three working days.

Amendment

1a. Member States shall submit the information requested by other Member States pursuant to paragraph 1(b) of this Article within 10 working days from the receipt of the request. In duly justified cases requiring in-depth examination or involving checks at the premises of the undertakings concerned, the time limit shall be 20 working days. A shorter time limit may be mutually agreed between the Member States. In urgent cases or cases requiring simple consultation of registers, such as of a risk rating system, the requested information shall be submitted within three working days.

Or. en
Amendment 270

Report A8-0206/2018
Merja Kyllönen

Proposal for a directive
Article 1 – paragraph 1 – point 6 – point b
Directive 2006/22/EC
Article 8 – paragraph 1 a – subparagraph 2

Text proposed by the Commission

Where the requested Member State considers that the request is insufficiently reasoned, it shall inform the requesting Member State accordingly within 10 working days. The requesting Member State shall further substantiate the request. Where this is not possible, the request may be rejected by the Member State.

Amendment

Where the requested Member State considers that the request is insufficiently reasoned, it shall inform the requesting Member State accordingly within five working days. The requesting Member State shall further substantiate the request. Where this is not possible, the request may be rejected by the Member State.

Or. en
Amendment 271
Elżbieta Katarzyna Łukacijewska, Dariusz Rosati, Cláudia Monteiro de Aguiar,
Marian-Jean Marinescu, Claudia Schmidt, Danuta Jazłowiecka, Krzysztof Hetman,
Andrzej Grzyb, Jerzy Buzek, Barbara Kudrycka, Julia Pitera, Marek Plura, Danuta
Maria Hübner, Michał Boni, Maria Grapini, Adam Szejnfeld, Andrey Novakov, György
Hőlvényi, Asim Ademov, Andor Deli, Norbert Erdős, Csaba Sógor, Kinga Gál, Franc
Bogovič, László Tőkés, Boguslaw Sonik, Jan Olbrycht, Agnieszka Kozłowska-Rajewicz,
Czesław Adam Siekierski, Eduard Kukan, Emil Radev, Vladimir Urutchev, Eva
Maydell, József Szájer, Andrea Bocskor, Pál Csáky, András Gyürk, Nuno Melo, José
Manuel Fernandes, Fernando Ruas, José Inácio Faria, Claudia Ţapardel, Kosma
Zlotowski, Angel Dzhambazki, Zdzisław Krasnodębski, Beata Gosiewska, Czesław Hoc,
Anna Elżbieta Fotyga, Tomasz Piotr Poręba, Stanisław Ożóg, Ryszard Czarnecki,
Jadwiga Wiśniewska, Richard Sulík, Edward Czesak, Zbigniew Kuźmiuk, Bolesław G.
Piecha, Ryszard Antoni Legutko

Report
Merja Kyllönen
Enforcement requirements and specific rules for posting drivers in the road transport sector

Proposal for a directive
Article 1 – paragraph 1 – point 6 – point b
Directive 2006/22/EC
Article 8 – paragraph 1 a – subparagraph 3

Text proposed by the Commission

Where it is difficult or impossible to comply with a request for information or to carry out checks, inspections or investigations, the Member State in question shall inform the requesting Member State accordingly within 10 working days, giving reasons. The Member States concerned shall discuss with each other with a view to finding a solution for any difficulty raised.

Amendment

Where it is difficult or impossible to comply with a request for information or to carry out checks, inspections or investigations, the requested Member State shall inform the requesting Member State accordingly within five working days, and provide reasons to duly justify the difficulty or impossibility of providing the relevant information. The Member States concerned shall discuss with each other with a view to finding a solution for any difficulty raised.

Or. en
Amendment 272

Report
Merja Kyllönen

Proposal for a directive
Article 1 – paragraph 1 – point 6 – point b
Directive 2006/22/EC
Article 8 – paragraph 1 a – subparagraph 4 (new)

Text proposed by the Commission
Amendment

Where the Commission becomes aware of a persisting problem in the exchange of information or a permanent refusal to supply information, it may take all necessary measures to remedy the situation, including, where necessary, it may open an investigation and eventually apply sanctions to the Member State.

Or. en
Amendment 273

Report
Merja Kyllönen

Proposal for a directive
Article 1 – paragraph 1 – point 6 – point b a (new)
Directive 2006/22/EC
Article 8 – paragraph 2

Present text

Amendment

In Article 8, paragraph 2 is replaced by the following:

2. **Member States shall seek to establish systems for the electronic exchange of information. In accordance with the procedure referred to in Article 12(2), the Commission shall define a common methodology for effective information exchange.**

2. By way of derogation from Article 21 of Directive 2014/67/EU, the exchange of information between the competent authorities of the Member States provided for in paragraphs 1 and 1a of this Article shall be implemented through the Internal Market Information System (IMI), established by Regulation (EU) No 1024/2012. Competent authorities of the Member States shall have direct access in real time to data in national electronic registers via the European Register of Road Transport Undertakings (ERRU) as referred to in Article 16 of Regulation (EC) No 1071/2009.
Amendment 274

Report
Merja Kyllönen

Proposal for a directive
Article 1 – paragraph 1 – point 6 – point b b (new)
Directive 2006/22/EC
Article 8 – paragraph 2 a

Text proposed by the Commission

Amendment

(bb) In Article 8, the following paragraph is added:

2a. The Commission shall develop an electronic application common to all Member States, that will provide inspectors direct real-time access to the EERRU and IMI during roadside checks and premises by 2020. This application shall be developed via a pilot project.

Or. en
Amendment 275
Elżbieta Katarzyna Łukacijewska, Dariusz Rosati, Cláudia Monteiro de Aguiar,
Marian-Jean Marinescu, Claudia Schmidt, Danuta Jazłowiecka, Krzysztof Hetman,
Andrzej Grzyb, Jerzy Buzek, Barbara Kudrycka, Julia Pitera, Marek Plura, Danuta
Maria Hübner, Michal Boni, Maria Grapini, Adam Szejnfeld, Andrey Novakov, György
Hőlvényi, Asim Ademov, Andor Deli, Norbert Erdös, Csaba Sógor, Kinga Gál, Franc
Bogovič, László Tőkés, Boguslaw Sonik, Jan Olbrycht, Agnieszka Kozłowska-Rajewicz,
Czesław Adam Siekierski, Eduard Kukan, Emil Radev, Vladimir Urutchev, Eva
Maydell, József Szájer, Andrea Bocsor, Pál Csáky, András Gyürk, Nuno Melo, José
Manuel Fernandes, Fernando Ruas, José Inácio Faria, Claudia Ťapardel, Kosma
Zlotowski, Angel Dzhambazki, Zdzisław Krasnodębski, Beata Gosiewska, Czesław Hoc,
Anna Elżbieta Fotyga, Tomasz Piotr Poręba, Stanisław Ożóg, Ryszard Czarnecki,
Jadwiga Wiśniewska, Richard Sulik, Edward Czesak, Zbigniew Kuźmiuk, Bolesław G.
Piecha, Ryszard Antoni Legutko

Report A8-0206/2018
Merja Kyllönen
Enforcement requirements and specific rules for posting drivers in the road transport sector

Proposal for a directive
Article 1 – paragraph 1 – point 7 – point a
Directive 2006/22/EC
Article 9 – paragraph 1 – subparagraph 2

The Commission shall, by means of implementing acts, establish a common formula for calculating a risk rating of undertakings, which shall take into account the number, severity and frequency of occurrence of infringements as well as the results of controls where no infringement has been detected and whether a road transport undertaking has been using the smart tachograph, pursuant to Chapter II of Regulation (EU) No 165/2014, on all its vehicles. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 12(2) of this Directive.

The Commission is empowered to adopt delegated acts in accordance with Article 15a establishing a common formula for calculating a risk rating of undertakings, which shall take into account the number, severity and frequency of occurrence of infringements as well as the results of controls where no infringement has been detected and whether a road transport undertaking has been using the smart tachograph, pursuant to Chapter II of Regulation (EU) No 165/2014, on its vehicles.