Amendment 276

Report
Merja Kyllönen

Proposal for a directive
Article 1 – paragraph 1 – point 7 – point b a (new)
Directive 2006/22/EC
Article 9 – paragraph 3 – subparagraph 1

Present text
(ba) In paragraph 3, the first subparagraph is replaced by the following:

Amendment
3. An initial list of infringements of Regulations (EEC) No 3820/85 and (EEC) No 3821/85 is set out in Annex III.

3. An initial list of infringements of Regulations (EC) No 561/2006 and (EU) No 165/2014 is set out in Annex III.

Or. en
Amendment 277

Report
Merja Kyllönen

Proposal for a directive
Article 1 – paragraph 1 – point 7 – point b b (new)
Directive 2006/22/EC
Article 9 – paragraph 3 – subparagraph 2

Present text
Amendment

(bb) In paragraph 3, the second subparagraph is replaced by the following:

With a view to giving guidelines on the weighting of infringements of Regulations (EEC) No 3820/85 or (EEC) 3820/85, the Commission may, as appropriate, in accordance with the procedure referred to in Article 12(2), adapt Annex III with a view to establishing guidelines on a common range of infringements, divided into categories according to their gravity.

With a view to giving guidelines on the weighting of infringements of Regulation (EC) No 561/2006 or (EU) No 165/2014, the Commission is empowered to adopt delegated acts in accordance with Article 15a amending Annex III with a view to establishing guidelines on a common range of infringements, divided into categories according to their gravity.

Or. en
Amendment 278

Amendment 278

22.3.2019 A8-0206/278

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

Proposal for a directive

Article 1 – paragraph 1 – point 7 – point b c (new)

Directive 2006/22/EC

Article 9 – paragraph 3 – subparagraph 3

Present text

Amendment

(bc) In paragraph 3, the third subparagraph is replaced by the following:

The category for the most serious infringements should include those where failure to comply with the relevant provisions of Regulations (EEC) No 3820/85 or (EEC) 3821/85 create a serious risk of death or serious personal injury.

“The category for the most serious infringements should include those where failure to comply with the relevant provisions of Regulations (EC) No 561/2006 or (EU) 165/2014 create a serious risk of death or serious personal injury.”

Or. en
Amendment 279

Report A8-0206/2018
Merja Kyllönen

Proposal for a directive
Article 1 – paragraph 1 – point 7 – point c
Directive 2006/22/EC
Article 9 – paragraph 4

Text proposed by the Commission

4. In order to facilitate targeted roadside checks, the data contained in the national risk rating system shall be accessible at the time of control to all the competent control authorities of the Member State concerned.

Amendment

4. In order to facilitate targeted roadside checks, the data contained in the national risk rating system and the national registers of transport undertakings and activities shall be accessible at the time of the check to all the competent control authorities of the Member State concerned through at least an electronic application common to all EU Member States, through which they will have direct real-time access to the ERRU.

Or. en
Amendment 280

Report
Merja Kyllönen

Proposal for a directive
Article 1 – paragraph 1 – point 7 – point c
Directive 2006/22/EC
Article 9 – paragraph 5

Text proposed by the Commission

5. Member States shall make the information contained in the national risk rating system available upon request or directly accessible to all competent authorities of other Member States in accordance with the time limits set out in Article 8.

Amendment

5. Member States shall make the information contained in the national risk rating system directly accessible through interoperable national electronic registers as referred to in Article 16 of Regulation (EC) No 1071/2009 to all competent authorities of other Member States. (AM 228, 229, 230, 231). In this regard, the exchange of information and data on transport operators infringements and risk rating shall be concentrated and carried out through the interconnection that ERRU provides between the different national registers in the Member States.

Or. en
Amendment 281

Report
Merja Kyllönen

Proposal for a directive
Article 1 – paragraph 1 – point 8
Directive 2006/22/EC
Article 11 – paragraph 3

3. The Commission shall establish a common approach to recording and controlling periods of other work, as defined in point (e) of Article 4 of Regulation (EC) No 561/2006, and periods of at least one week during which a driver is away from the vehicle, by implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 12(2);

Amendment
3. The Commission is empowered to adopt delegated acts in accordance with Article 15a establishing a common approach to the recording and controlling of periods of other work, as defined in point (e) of Article 4 of Regulation (EC) No 561/2006, including the form of the recording and specific cases in which it is to take place and to the recording and controlling of periods of at least one week during which a driver is away from the vehicle and is unable to carry out any activities with that vehicle;
Amendment 282


Report

Merja Kyllönen


Proposal for a directive

Article 1 – paragraph 1 – point 8 a (new)

Directive 2006/22/EC

Article 12

Present text

Amendment

(8a) Article 12 is replaced by the following:

1. The Commission shall be assisted by the Committee set up by Article 42(1) of Regulation (EU) No 182/2011. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at three months.

3. The Committee shall adopt its
United in diversity

Rules of Procedure.

Or. en
Amendment 283


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 8 b (new)
Directive 2006/22/EC
Article 13 – point b

**Present text**

(b) to encourage a coherence of approach between enforcement authorities and a harmonised interpretation of Regulation (EEC) No 3820/85 between enforcement authorities;

**Amendment**

(8b) in Article 13, point b is replaced by the following:

“(b) to encourage a coherence of approach between enforcement authorities and a harmonised interpretation of Regulation (EC) No 561/2006 between enforcement authorities;”;

Or. en
Amendment 284

Report A8-0206/2018
Merja Kyllönen

Proposal for a directive
Article 1 – paragraph 1 – point 8 c (new)
Directive 2006/22/EC
Article 14

Present text
Amendment

(8c) Article 14 is replaced by the following:

Article 14

Negotiations with third countries
Once this Directive has entered into force, the Community shall begin negotiations with the relevant third countries with a view to the application of rules equivalent to those laid down in this Directive.
Pending the conclusion of these negotiations, Member States shall include data on checks carried out on vehicles from third countries in their returns to the Commission as set out in Article 16 (2) of Regulation (EEC) No 3820/85."

Once this Directive has entered into force, the Union shall begin negotiations with the relevant third countries with a view to the application of rules equivalent to those laid down in this Directive.
Pending the conclusion of these negotiations, Member States shall include data on checks carried out on vehicles from third countries in their returns to the Commission as set out in Article 17 of Regulation (EC) No 561/2006."
Amendment 285

Report
Merja Kyllönen

Proposal for a directive
Article 1 – paragraph 1 – point 8 d (new)
Directive 2006/22/EC
Article 15

Present text

Amendments to the Annexes which are necessary to adapt them to developments in best practice shall be adopted in accordance with the procedure referred to in Article 12(2).

Amendment

(8d) Article 15 is replaced by the following:

The Commission is empowered to adopt delegated acts in accordance with Article 15a amending Annexes I and II to introduce necessary adaptations to developments in best practice.