

Amendment 618

Marian-Jean Marinescu, Traian Ungureanu, Elżbieta Katarzyna Łukacijewska, Julia Pitera, Agnieszka Kozłowska-Rajewicz, Michał Boni, Janusz Lewandowski, Marek Plura, Daniel Buda, Siegfried Mureşan, Theodor Dumitru Stolojan, Ramona Nicole Mănescu, József Szájer, Mihai Țurcanu, Damian Drăghici, Andrey Novakov, Peter Kouroumbashev, Emil Radev, Deirdre Clune, Andor Deli, Norbert Erdős, Claudiu Ciprian Tănăsescu, Claudia Țapardel, István Ujhelyi, Norica Nicolai, Daciana Octavia Sârbu, Emilian Pavel, Danuta Jazłowiecka, Jerzy Buzek, Czesław Adam Siekierski, Bogusław Sonik, Laurențiu Rebegea, Doru-Claudian Frunzuliță, Renate Weber, Danuta Maria Hübner, Vladimir Urutchev, Tadeusz Zwiefka, Andrey Kovatchev, Cristian-Silviu Buşoi, Svetoslav Hristov Malinov, Maria Gabriela Zoană, Iskra Mihaylova, Ádám Kósa, Cláudia Monteiro de Aguiar, Sorin Moisă

Report**A8-0206/2018****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**Recital 1***Text proposed by the Commission*

(1) In order to create a safe, efficient and socially responsible road transport sector it is necessary to ensure adequate working conditions **and social protection** for drivers, on the one hand, and suitable business and fair competition conditions for operators, on the other.

Amendment

(1) In order to create a safe, efficient and socially responsible road transport sector it is necessary to ensure adequate working conditions for drivers, on the one hand, and suitable business and fair competition conditions for operators, on the other.

Or. en

Amendment 619

Marian-Jean Marinescu, Traian Ungureanu, Elżbieta Katarzyna Łukacijewska, Julia Pitera, Agnieszka Kozłowska-Rajewicz, Michał Boni, Janusz Lewandowski, Marek Plura, Daniel Buda, Siegfried Mureșan, Theodor Dumitru Stolojan, Ramona Nicole Mănescu, József Szájer, Mihai Țurcanu, Damian Drăghici, Andrey Novakov, Peter Kouroumbashev, Emil Radev, Deirdre Clune, Andor Deli, Norbert Erdős, Claudiu Ciprian Tănăsescu, Claudia Țapardel, István Ujhelyi, Norica Nicolai, Daciana Octavia Sârbu, Emilian Pavel, Danuta Jazłowiecka, Jerzy Buzek, Czesław Adam Siekierski, Bogusław Sonik, Laurențiu Rebegea, Doru-Claudian Frunzuliță, Renate Weber, Danuta Maria Hübner, Vladimir Urutchev, Tadeusz Zwiefka, Andrey Kovatchev, Cristian-Silviu Bușoi, Svetoslav Hristov Malinov, Maria Gabriela Zoană, Iskra Mihaylova, Ádám Kósa, Cláudia Monteiro de Aguiar, Sorin Moisă

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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**Recital 3***Text proposed by the Commission*

(3) The balance between enhancing **social and** working conditions for drivers and facilitating the exercise of the freedom to provide road transport services based on fair competition between **national and foreign** operators is crucial for the smooth functioning of the internal market.

Amendment

(3) The balance between enhancing working conditions for drivers and facilitating the exercise of the freedom to provide road transport services based on fair competition between **EU** operators is crucial for the smooth functioning of the internal market.

Or. en

Amendment 620

Marian-Jean Marinescu, Traian Ungureanu, Elżbieta Katarzyna Łukacijewska, Julia Pitera, Agnieszka Kozłowska-Rajewicz, Michał Boni, Janusz Lewandowski, Marek Plura, Daniel Buda, Siegfried Mureșan, Theodor Dumitru Stolojan, Ramona Nicole Mănescu, József Szájer, Mihai Țurcanu, Damian Drăghici, Andrey Novakov, Peter Kouroumbashev, Emil Radev, Deirdre Clune, Andor Deli, Norbert Erdős, Claudiu Ciprian Tănăsescu, Claudia Țapardel, István Ujhelyi, Norica Nicolai, Daciana Octavia Sârbu, Emilian Pavel, Danuta Jazłowiecka, Jerzy Buzek, Czesław Adam Siekierski, Bogusław Sonik, Laurențiu Rebegea, Doru-Claudian Frunzuliță, Renate Weber, Danuta Maria Hübner, Vladimir Urutchev, Tadeusz Zwiefka, Andrey Kovatchev, Cristian-Silviu Bușoi, Svetoslav Hristov Malinov, Maria Gabriela Zoană, Iskra Mihaylova, Ádám Kósa, Cláudia Monteiro de Aguiar, Sorin Moisă

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A8-0206/2018

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**Recital 5***Text proposed by the Commission*

(5) Adequate, effective and consistent enforcement of the working time provisions is crucial for protecting the working conditions of drivers and preventing the distortions of competition resulting from non-compliance. Therefore it is desirable to extend the existing uniform enforcement requirements set out in Directive 2006/22/EC to controlling compliance with the working time provisions set out in Directive 2002/15/EU.

Amendment

(5) Adequate, effective and consistent enforcement of the working time provisions is crucial for **improving road safety**, protecting the working conditions of drivers and preventing the distortions of competition resulting from non-compliance. Therefore it is desirable to extend the existing uniform enforcement requirements set out in Directive 2006/22/EC to controlling compliance with the working time provisions set out in Directive 2002/15/EU. **It is difficult during road side inspections to carry out controls of compliance with working time. Such controls should therefore be limited to checks at the premises of transport operators until smart tachographs are used in the sector.**

Or. en

Amendment 621

Marian-Jean Marinescu, Traian Ungureanu, Elżbieta Katarzyna Łukacijewska, Julia Pitera, Agnieszka Kozłowska-Rajewicz, Michał Boni, Janusz Lewandowski, Marek Plura, Daniel Buda, Siegfried Mureșan, Theodor Dumitru Stolojan, Ramona Nicole Mănescu, József Szájer, Mihai Țurcanu, Damian Drăghici, Andrey Novakov, Peter Kouroumbashev, Emil Radev, Deirdre Clune, Andor Deli, Norbert Erdős, Claudiu Ciprian Tănăsescu, Claudia Țapardel, István Ujhelyi, Norica Nicolai, Daciana Octavia Sârbu, Emilian Pavel, Danuta Jazłowiecka, Jerzy Buzek, Czesław Adam Siekierski, Bogusław Sonik, Laurențiu Rebegea, Doru-Claudian Frunzuliță, Renate Weber, Danuta Maria Hübner, Vladimir Urutchev, Tadeusz Zwiefka, Andrey Kovatchev, Cristian-Silviu Bușoi, Svetoslav Hristov Malinov, Maria Gabriela Zoană, Iskra Mihaylova, Ádám Kósa, Cláudia Monteiro de Aguiar, Sorin Moisă

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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**Recital 11***Text proposed by the Commission*

(11) In order to ensure the effective and proportionate implementation of Directive 96/71/EC in the road transport sector, it is necessary to establish sector-specific rules reflecting the particularity of the highly mobile workforce in the road transport sector and providing a balance between the **social protection** of drivers and the freedom to provide cross-border services for operators.

Amendment

(11) In order to ensure the effective and proportionate implementation of Directive 96/71/EC in the road transport sector, it is necessary to establish sector-specific rules reflecting the particularity of the highly mobile workforce in the road transport sector and providing a balance between the **working conditions** of drivers and the freedom to provide cross-border services for operators.

Or. en

Amendment 622

Marian-Jean Marinescu, Traian Ungureanu, Elżbieta Katarzyna Łukacijewska, Julia Pitera, Agnieszka Kozłowska-Rajewicz, Michał Boni, Janusz Lewandowski, Marek Plura, Daniel Buda, Siegfried Mureșan, Theodor Dumitru Stolojan, Ramona Nicole Mănescu, József Szájer, Mihai Țurcanu, Damian Drăghici, Andrey Novakov, Peter Kouroumbashev, Emil Radev, Deirdre Clune, Andor Deli, Norbert Erdős, Claudiu Ciprian Tănăsescu, Claudia Țapardel, István Ujhelyi, Norica Nicolai, Daciana Octavia Sârbu, Emilian Pavel, Danuta Jazłowiecka, Jerzy Buzek, Czesław Adam Siekierski, Bogusław Sonik, Laurențiu Rebegea, Doru-Claudian Frunzuliță, Renate Weber, Danuta Maria Hübner, Vladimir Urutchev, Tadeusz Zwiefka, Andrey Kovatchev, Cristian-Silviu Bușoi, Svetoslav Hristov Malinov, Maria Gabriela Zoană, Iskra Mihaylova, Ádám Kósa, Cláudia Monteiro de Aguiar, Sorin Moisă

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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**Recital 12***Text proposed by the Commission*

(12) Such balanced criteria should be based on a concept of a sufficient link of a driver with a territory of a host Member State. Therefore, a time threshold should be established, beyond which the minimum rate of pay and the minimum annual paid holidays of the host Member State shall apply *in case of international transport operations. This time threshold should not apply to cabotage operations as defined by Regulations 1072/2009¹⁸ and 1073/2009¹⁹ since the entire transport operation is taking place in a host Member State. As a consequence the minimum rate of pay and the minimum annual paid holidays of the host Member State should apply to cabotage irrespective of the frequency and duration of the operations carried out by a driver.*

Amendment

(12) Such balanced criteria should be based on a concept of a sufficient link of a driver with a territory of a host Member State. Therefore, a time threshold should be established, beyond which the minimum rate of pay and the minimum annual paid holidays of the host Member State shall apply. International *carriage and* operation *to return to the* Member State *of establishment* should *not be subject to this Directive.*

¹⁸ Regulation (EC) No 1072/2009 of the European Parliament and of the Council of 21 October 2009 on common rules for access to the international road haulage market (OJ L 300, 14.11.2009, p. 72).

¹⁹ Regulation (EC) No 1073/2009 of the European Parliament and of the Council of 21 October 2009 on common rules for access to the international market for coach and bus services, and amending Regulation (EC) No 561/2006 (OJ L 300, 14.11.2009, p.88)

¹⁸ Regulation (EC) No 1072/2009 of the European Parliament and of the Council of 21 October 2009 on common rules for access to the international road haulage market (OJ L 300, 14.11.2009, p. 72).

¹⁹ Regulation (EC) No 1073/2009 of the European Parliament and of the Council of 21 October 2009 on common rules for access to the international market for coach and bus services, and amending Regulation (EC) No 561/2006 (OJ L 300, 14.11.2009, p.88)

Or. en

Amendment 623

Marian-Jean Marinescu, Traian Ungureanu, Elżbieta Katarzyna Łukacijewska, Julia Pitera, Agnieszka Kozłowska-Rajewicz, Michał Boni, Janusz Lewandowski, Marek Plura, Daniel Buda, Siegfried Mureșan, Theodor Dumitru Stolojan, Ramona Nicole Mănescu, József Szájer, Mihai Țurcanu, Damian Drăghici, Andrey Novakov, Peter Kouroumbashev, Emil Radev, Deirdre Clune, Andor Deli, Norbert Erdős, Claudiu Ciprian Tănăsescu, Claudia Țapardel, István Ujhelyi, Norica Nicolai, Daciana Octavia Sârbu, Emilian Pavel, Danuta Jazłowiecka, Jerzy Buzek, Czesław Adam Siekierski, Bogusław Sonik, Laurențiu Rebegea, Doru-Claudian Frunzuliță, Renate Weber, Danuta Maria Hübner, Vladimir Urutchev, Tadeusz Zwiefka, Andrey Kovatchev, Cristian-Silviu Bușoi, Svetoslav Hristov Malinov, Maria Gabriela Zoană, Iskra Mihaylova, Ádám Kósa, Cláudia Monteiro de Aguiar, Sorin Moisă

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A8-0206/2018

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 1 – paragraph 1 – point 3 a (new)**

Directive 2006/22/EC

Article 2 – paragraph 1 – subparagraph 1

*Present text**Amendment****(3a) in paragraph 1, the first subparagraph is replaced by following:***

1. Member States shall organise a system of appropriate and regular checks on correct and consistent implementation, as referred to in Article 1, both at the roadside and at premises of undertakings of all transport categories.

1. Member States shall organise a system of appropriate and regular checks on correct and consistent implementation, as referred to in Article 1, both at the roadside and at premises of undertakings of all transport categories. ***Member States shall organise roadside checks of the implementation of Directive 2002/15 provided that the technology exists to enable those checks to be effective. The Commission shall, by means of implementing acts, establish a common set of conditions to be fulfilled to allow the authorities of a Member State to organise such checks. Those implementing acts shall be adopted in accordance with the examination***

*procedure referred to in Article 12(2) of
this Directive.*

Or. en

Amendment 624

Marian-Jean Marinescu, Traian Ungureanu, Elżbieta Katarzyna Łukacijewska, Julia Pitera, Agnieszka Kozłowska-Rajewicz, Michał Boni, Janusz Lewandowski, Marek Plura, Daniel Buda, Siegfried Mureșan, Theodor Dumitru Stolojan, Ramona Nicole Mănescu, József Szájer, Mihai Țurcanu, Damian Drăghici, Andrey Novakov, Peter Kouroumbashev, Emil Radev, Deirdre Clune, Andor Deli, Norbert Erdős, Claudiu Ciprian Tănăsescu, Claudia Țapardel, István Ujhelyi, Norica Nicolai, Daciana Octavia Sârbu, Emilian Pavel, Danuta Jazłowiecka, Jerzy Buzek, Czesław Adam Siekierski, Bogusław Sonik, Laurențiu Rebegea, Doru-Claudian Frunzuliță, Renate Weber, Danuta Maria Hübner, Vladimir Urutchev, Tadeusz Zwiefka, Andrey Kovatchev, Cristian-Silviu Bușoi, Svetoslav Hristov Malinov, Maria Gabriela Zoană, Iskra Mihaylova, Ádám Kósa, Cláudia Monteiro de Aguiar, Sorin Moisă

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A8-0206/2018

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 1 – paragraph 1 – point 6 – point b a (new)**

Directive 2006/22/EC

Article 8 – paragraph 2 a (new)

*Text proposed by the Commission**Amendment*

(ba) the following paragraph 2a is added:

2a. The Commission shall, by means of implementing acts, lay out the conditions to establish under the Internal Market Information System (IMI) a digital platform to provide real time exchange of information between undertakings and competent control authorities and allowing verification without administrative or driver input. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 12(2) of this Directive.

Or. en

Amendment 625

Marian-Jean Marinescu, Traian Ungureanu, Elżbieta Katarzyna Łukacijewska, Julia Pitera, Agnieszka Kozłowska-Rajewicz, Michał Boni, Janusz Lewandowski, Marek Plura, Daniel Buda, Siegfried Mureșan, Theodor Dumitru Stolojan, Ramona Nicole Mănescu, József Szájer, Mihai Țurcanu, Damian Drăghici, Andrey Novakov, Peter Kouroumbashev, Emil Radev, Deirdre Clune, Andor Deli, Norbert Erdős, Claudiu Ciprian Tănăsescu, Claudia Țapardel, István Ujhelyi, Norica Nicolai, Daciana Octavia Sârbu, Emilian Pavel, Danuta Jazłowiecka, Jerzy Buzek, Czesław Adam Siekierski, Bogusław Sonik, Laurențiu Rebegea, Doru-Claudian Frunzuliță, Renate Weber, Danuta Maria Hübner, Vladimir Urutchev, Tadeusz Zwiefka, Andrey Kovatchev, Cristian-Silviu Bușoi, Svetoslav Hristov Malinov, Maria Gabriela Zoană, Iskra Mihaylova, Ádám Kósa, Cláudia Monteiro de Aguiar, Sorin Moisă

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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 1 – paragraph 1 – point 6 – point b b (new)**

Directive 2006/22/EC

Article 8 – paragraph 2 b (new)

*Text proposed by the Commission**Amendment*

(bb) the following paragraph 2b is added:

2b. The Commission shall, by means of implementing acts, lay down detailed provisions to establish a single common digital platform to include all systems of electronic exchange of information between Member States, competent authorities, enforcement authorities and undertakings and allowing verification without administrative or driver input.

Or. en

Amendment 626

Marian-Jean Marinescu, Traian Ungureanu, Elżbieta Katarzyna Łukacijewska, Julia Pitera, Agnieszka Kozłowska-Rajewicz, Michał Boni, Janusz Lewandowski, Marek Plura, Daniel Buda, Siegfried Mureșan, Theodor Dumitru Stolojan, Ramona Nicole Mănescu, József Szájer, Mihai Țurcanu, Damian Drăghici, Andrey Novakov, Peter Kouroumbashev, Emil Radev, Deirdre Clune, Andor Deli, Norbert Erdős, Claudiu Ciprian Tănăsescu, Claudia Țapardel, István Ujhelyi, Norica Nicolai, Daciana Octavia Sârbu, Emilian Pavel, Danuta Jazłowiecka, Jerzy Buzek, Czesław Adam Siekierski, Bogusław Sonik, Laurențiu Rebegea, Doru-Claudian Frunzuliță, Renate Weber, Danuta Maria Hübner, Vladimir Urutchev, Tadeusz Zwiefka, Andrey Kovatchev, Cristian-Silviu Bușoi, Svetoslav Hristov Malinov, Maria Gabriela Zoană, Iskra Mihaylova, Ádám Kósa, Cláudia Monteiro de Aguiar, Sorin Moisă

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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 1 – paragraph 1 – point 6 – point b c (new)**

Directive 2006/22/EC

Article 8 – paragraph 2 c (new)

*Text proposed by the Commission**Amendment*

(bc) the following paragraph 2c is added:

2c. The Commission shall, by means of implementing acts, lay down detailed provisions to establish in each Member State a single national authority to be responsible for the implementation and the exchange of information, through the digital platform mentioned to paragraph 2 b, requested by Union legislation regarding road transport.

Or. en

Amendment 627

Marian-Jean Marinescu, Traian Ungureanu, Elżbieta Katarzyna Łukacijewska, Julia Pitera, Agnieszka Kozłowska-Rajewicz, Michał Boni, Janusz Lewandowski, Marek Plura, Daniel Buda, Siegfried Mureșan, Theodor Dumitru Stolojan, Ramona Nicole Mănescu, József Szájer, Mihai Țurcanu, Damian Drăghici, Andrey Novakov, Peter Kouroumbashev, Emil Radev, Deirdre Clune, Andor Deli, Norbert Erdős, Claudiu Ciprian Tănăsescu, Claudia Țapardel, István Ujhelyi, Norica Nicolai, Daciana Octavia Sârbu, Emilian Pavel, Danuta Jazłowiecka, Jerzy Buzek, Czesław Adam Siekierski, Bogusław Sonik, Laurențiu Rebega, Doru-Claudian Frunzuliță, Renate Weber, Danuta Maria Hübner, Vladimir Urutchev, Tadeusz Zwiefka, Andrey Kovatchev, Cristian-Silviu Bușoi, Svetoslav Hristov Malinov, Maria Gabriela Zoană, Iskra Mihaylova, Ádám Kósa, Cláudia Monteiro de Aguiar, Sorin Moisă

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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 1 – paragraph 1 – point 7 – point c**

Directive 2006/22/EC

Article 9 – paragraph 4

*Text proposed by the Commission**Amendment*

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*;

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 *through the digital platform mentioned at Article 8(2a)*.

Or. en