Amendment 665
Kosma Złotowski, Roberts Zīle
on behalf of the ECR Group

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 8 c (new)
Directive 2006/22/EC

Article 14

Text proposed by the Commission

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

“Article 14

Negotiations with third countries 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.”

Or. en
Amendment 666
Kosma Złotowski, Roberts Zīle
on behalf of the ECR Group

Report
Merja Kyllönen
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Proposal for a directive
Article 1 – paragraph 1 – point 9 – point a
Directive 2006/22/EC
Annex I – Part A – point 6

Text proposed by the Commission

Amendment

(a) in Part A, the following point (6) is added:

‘(6) weekly working times as set out in Articles 4 and 5 of Directive 2002/15/EC;’

Or. en
Amendment 667
Kosma Złotowski, Roberts Zīle
on behalf of the ECR Group

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 9 – point a a (new)
Directive 2006/22/EC
Annex I – Part A – point 2

Text proposed by the Commission

(a a) in Part A, point (2) is replaced by the following:

“(2) for the period referred to in Article 36, paragraphs (1) and (2) of Regulation (EU) No 165/2014, any cases where the vehicle's authorised speed is exceeded, to be defined as being any periods of more than one minute during which the vehicle's speed exceeds 90 km/h for category N 3 vehicles or 105 km/h for category M 3 vehicles (categories N 3 and M 3 as defined in Directive 2007/46/EC).”

Or. en
Amendment 668
Kosma Złotowski, Roberts Zīle
on behalf of the ECR Group

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 9 – point b a (new)
Directive 2006/22/EC
Annex I – part B – subparagraph 2

Text proposed by the Commission

(b a) in Part B, subparagraph 2 is replaced by the following:

Member States may, if appropriate, check on the joint liability of other instigators or accessories in the transport chain, such as shippers, freight forwarders or contractors, if an infringement is detected, including verification that contracts for the provision of transport permit compliance with Regulations (EC) No 561/2006 and (EU) No 165/2014.

Or. en
Amendment 669
Kosma Złotowski, Roberts Zīle
on behalf of the ECR Group

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

Proposal for a directive
Article 1 – paragraph 1 – point 9 a (new)
Directive 2006/22/EC
Annex I – Part A – point 1

Text proposed by the Commission
(9 a) in Part A, point (1) is replaced by the following:
“(1) daily and weekly driving times, breaks and daily and weekly rest periods; also the preceding days’ record sheets which have to be carried on board the vehicle in accordance with Article 36, paragraphs (1) and (2) of Regulation (EU) No 165/2014 and/or the data stored for the same period on the driver card and/or in the memory of the recording equipment in accordance with Annex II to this Directive and/or on printouts;”:

Or. en
Amendment 670
Kosma Złotowski, Roberts Zīle
on behalf of the ECR Group

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

Proposal for a directive
Article 1 – paragraph 1 – point 9 b (new)
Directive 2006/22/EC
Annex I – Part A – point 4

Text proposed by the Commission

Amendment

(9 b) in Part A, point (4) is replaced by the following:

"(4) the correct functioning of the recording equipment (determination of possible misuse of the equipment and/or the driver card and/or record sheets) or, where appropriate, presence of the documents referred to in Article 16 (2) of Regulation (EC) No 561/2006;"

Or. en
Amendment 671
Kosma Złotowski, Roberts Zīle
on behalf of the ECR Group

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

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 not apply Directive 96/71/EC to drivers in the road transport sector employed by undertakings referred to in Article 1(3)(a) of Directive 96/71/EC, when performing international carriage operations as defined by Regulations (EC) No 1072/2009 and 1073/2009 where the period of posting within their territory to perform these operations is shorter than or equal to 10 cumulative days during a period of one calendar month. A 7 day threshold should also apply to cabotage operations as defined by Regulations (EC) No 1072/2009 and 1073/2009.

Or. en
Amendment 672
Kosma Złotowski, Roberts Zīle
on behalf of the ECR Group

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

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

2. Member States shall not apply 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 (EC) No 1072/2009 and 1073/2009 and transit operations when a driver transits through a Member State without loading or unloading freight and without picking up or setting down passengers.

Or. en
Amendment 673
Kosma Złotowski, Roberts Žile
on behalf of the ECR Group

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

Proposal for a directive
Article 2 – paragraph 2 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

International operations and cabotage operations falling under the scope of this Directive shall be excluded from the rules on long-term posting referred in Article 1 of the legislative act amending the Directive 96/71/EC

Or. en
Proposal for a directive

Article 2 – paragraph 2 – subparagraph 1 b (new)

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<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
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<td>International operations and cabotage operations falling under the scope of this Directive shall be excluded from the provisions on collective agreements which are not universally applicable as defined in Article [...] of Directive 96/71/EC.</td>
<td>Or. en</td>
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