Amendment 675
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 c (new)

*Text proposed by the Commission*

*Amendment*

Member States shall not apply neither this Directive, nor Directive 96/71/EC as amended by ... [2016/0070 (COD)] or Directive 2014/67/EU to transit operations.

Or. en
22.3.2019

Amendment 676
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 d (new)

Text proposed by the Commission
Transit operations shall be fully exempt from the scope of Directive 96/71/EC and of this Directive.

Amendment

Or. en
22.3.2019

Amendment 677
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 2

Text proposed by the Commission

When the period of posting is longer than 3 days, Member States shall apply points (b) and (c) of the first subparagraph of Article 3 (1) of Directive 96/71/EC for the entire period of posting to their territory during the period of one calendar month referred to in the first subparagraph.

Amendment

deleted

Or. en
22.3.2019

Amendment 678
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 2

Text proposed by the Commission

When the period of posting is longer than 3 days, Member States shall apply points (b) and (c) of the first subparagraph of Article 3 (1) of Directive 96/71/EC for the entire period of posting to their territory during the period of one calendar month referred to in the first subparagraph.

Amendment

When the period of posting is longer than [10] cumulative days concerning international transport and [7] cumulative days concerning cabotage, Member States shall apply points (b) and (c) of the first subparagraph of Article 3 (1) for the rest of the period of posting within their territory during the period of one calendar month referred to in the first subparagraph.

Or. en
<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>3. For the purposes of the calculation of the periods of posting referred to in paragraph 2:</td>
<td>3. For the purposes of the calculation of the periods of posting referred to in paragraph 2, <em>a day may not be less than at least 24 hours respectively spent in the territory of the host Member State</em>. The weekly rest periods shall be excluded from the calculation of the periods of posting.</td>
</tr>
</tbody>
</table>

*Or. en*
Proposal for a directive
Article 2 – paragraph 3 – point a

Text proposed by the Commission

(a) a daily working period shorter than six hours spent in the territory of a host Member State shall be considered as half a day;

Amendment

deleted
22.3.2019

Amendment 681
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 3 – point b

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
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<tbody>
<tr>
<td>(b) a daily working period of six hours or more spent in the territory of a host Member State shall be considered as a full day;</td>
<td>deleted</td>
</tr>
</tbody>
</table>

Or. en
Amendment 682
Kosma Złotowski, Roberts Zīle
on behalf of the ECR Group

Report
Merja Kyllönen

Proposal for a directive
Article 2 – paragraph 3 – point c

Text proposed by the Commission

(c) breaks and rest periods as well as periods of availability spent in the territory of a host Member State shall be considered as working period.

Amendment
deleted

Or. en
22.3.2019

Amendment 683
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 4

Text proposed by the Commission

 [...] deleted

Amendment

Or. en
4. Member States may only impose the following administrative requirements and control measures:

(a) an obligation for the driver to keep and make available, where requested at the roadside control, in paper or electronic form, and evidence of transport operation taking place in the host Member State, such as an electronic consignment note (e-CMR) or evidence referred to in Article 8 of Regulation (EC) No 1072/2009 of the European Parliament and of the Council;

(b) an obligation for the driver to keep and make available, where requested at the roadside control, the tachograph records, and in particular the country codes of Member States where the driver has been present when carrying out international road transport operations or cabotage operations;

(c) in case of credible indications of possible infringements of this Directive, Directive 2006/22/CE and Directive 2014/67/EU, the Member States shall request within a reasonable period of time not shorter than 30 working days for information to the Member State of establishment that will ask to the road...
transport operator, after the period of posting. The information referred to shall only comprise the following details:

- the evidence of transport operation taking place in the host Member State, such as an electronic consignment note (e-CMR) or evidence referred to in Article 8 of Regulation (EC) No 1072/2009 of the European Parliament and of the Council.

- the tachograph records, and in particular the country codes of Member States where the driver has been present when carrying out international road transport operations or cabotage operations.

- a copy of the employment contract and posting declaration or an equivalent document such as certificate of employment within the meaning of Article 3 of Council Directive 91/533/EEC, available in one of EU official languages.

Or. en