Amendment 748
Rina Ronja Kari, Paloma López Bermejo, Marie-Pierre Vieu, Patrick Le Hyaric
on behalf of the GUE/NGL 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 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 or cabotage operations as defined by Regulations 1072/2009 and 1073/2009.

In accordance with Regulations 1072/2009 and 1073/2009, transit shall be considered as international carriage. A driver transiting through the territory of a Member State without loading or unloading shall be considered to be posted to that Member State.

By way of derogation, 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 these are limited to operations that start from the Member
State where the road transport operator is registered, and go directly to another Member State followed by one unloading and/or one loading in that Member State within two working days after arrival and a direct return to the Member State where the road transport operator is registered, not including any cabotage operation or any other type of operation in any other Member State.
Amendment 749
Rina Ronja Kari, Paloma López Bermejo, Marie-Pierre Vieu, Patrick Le Hyaric
on behalf of the GUE/NGL Group
Agnes Jongerius, Evelyn Regner, Karoline Graswander-Hainz, Michael Detjen,
Christine Revault d’Allonnes Bonnefoy, Kathleen Van Brempt, Maria Arena, Hugues
Bayet, Marc Tarabella, Eugen Freund, Karin Kadenbach, Kati Piri, Paul Tang

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Amendment
Member States shall 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 or cabotage operations as defined by Regulations 1072/2009 and 1073/2009.

By way of derogation, 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 these are limited to operations that start from the Member State where the road transport operator is registered, and go directly to another Member State followed by one unloading and/or one loading in that Member State.
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