Amendment 814
Ismail Ertug
on behalf of the S&D Group
Pavel Telička
on behalf of the ALDE 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 6 – point b
Directive 2006/22/EC
Article 8 – paragraph 1 a – subparagraph 1

Text proposed by the Commission

1a. Member State shall submit the information requested by other Member States pursuant to paragraph 1(b) of this Article within 25 working days from the receipt of the request in cases requiring in-depth examination or involving checks at premises of the undertakings concerned. A shorter time limit may be mutually agreed between the Member States. In urgent cases or cases requiring simple consultation of registers, such as of a risk rating system, the requested information shall be submitted within three working days.

Amendment

1a. Member States shall submit the information requested by other Member States pursuant to paragraph 1(b) of this Article within 10 working days from the receipt of the request. In duly justified cases requiring in-depth examination or involving checks at the premises of the undertakings concerned, the time limit shall be 20 working days. A shorter time limit may be mutually agreed between the Member States. In urgent cases or cases requiring simple consultation of registers, such as of a risk rating system, the requested information shall be submitted within three working days.
Or. en
Amendment 815
Ismail Ertug
on behalf of the S&D Group
Pavel Telička
on behalf of the ALDE Group

Report
Merja Kyllönen

Proposal for a directive
Article 1 – paragraph 1 – point 6 – point b
Directive 2006/22/EC
Article 8 – paragraph 1 a – subparagraph 2

Text proposed by the Commission
Where the requested Member State considers that the request is insufficiently reasoned, it shall inform the requesting Member State accordingly within 10 working days. The requesting Member State shall further substantiate the request. Where this is not possible, the request may be rejected by the Member State.

Amendment
Where the requested Member State considers that the request is insufficiently reasoned, it shall inform the requesting Member State accordingly within five working days. The requesting Member State shall further substantiate the request. Where this is not possible, the request may be rejected by the Member State.

Or. en
Amendment 816
Ismail Ertug
on behalf of the S&D Group
Pavel Telička
on behalf of the ALDE Group

Report
Merja Kyllönen

Proposal for a directive
Article 1 – paragraph 1 – point 6 – point b
Directive 2006/22/EC
Article 8 – paragraph 1 a – subparagraph 3 a

Text proposed by the Commission
Where it is difficult or impossible to comply with a request for information or to carry out checks, inspections or investigations, the Member State in question shall inform the requesting Member State accordingly within 10 working days, giving reasons. The Member States concerned shall discuss with each other with a view to finding a solution for any difficulty raised.

Amendment
Where it is difficult or impossible to comply with a request for information or to carry out checks, inspections or investigations, the requested Member State shall inform the requesting Member State accordingly within five working days, and provide reasons to duly justify the difficulty or impossibility of providing the relevant information. The Member States concerned shall discuss with each other with a view to finding a solution for any difficulty raised.

Or. en
Amendment 817
Ismail Ertug
on behalf of the S&D Group
Pavel Telička
on behalf of the ALDE Group

Report
Merja Kyllönen

Proposal for a directive
Article 1 – paragraph 1 – point 6 – point b
Directive 2006/22/EC
Article 8 – paragraph 1 a – subparagraph 4 (new)

Text proposed by the Commission

Amendment

Where the Commission becomes aware of a persisting problem in the exchange of information or a permanent refusal to supply information, it may take all necessary measures to remedy the situation, including, where necessary, it may open an investigation and eventually apply sanctions to the Member State.

Or. en
Amendment 818
Ismail Ertug
on behalf of the S&D Group
Pavel Telička
on behalf of the ALDE Group

Report
Merja Kyllönen

Proposal for a directive
Article 1 – paragraph 1 – point 6 – point b a (new)
Directive 2006/22/EC
Article 8 – paragraph 2

Present Text
(ba) paragraph 2 is replaced by the following:

2. **Member States shall seek to establish systems for the electronic exchange of information. In accordance with the procedure referred to in Article 12(2), the Commission shall define a common methodology for effective information exchange.**

Amendment
2. By way of derogation from Article 21 of Directive 2014/67/EU, the exchange of information between the competent authorities of the Member States provided for in paragraphs 1 and 1a of this Article shall be implemented through the Internal Market Information System (IMI), established by Regulation (EU) No 1024/2012. Competent authorities of the Member States shall have direct access in real time to data in national electronic registers via the European Register of Road Transport Undertakings (ERRU) as
Amendment 819
Ismail Ertug
on behalf of the S&D Group
Pavel Telička
on behalf of the ALDE Group

Report
Merja Kyllönen

Proposal for a directive
Article 1 – paragraph 1 – point 6 – point b b (new)
Directive 2006/22/EC
Article 8 – paragraph 2 a

Text proposed by the Commission

(bb) in Article 8, the following paragraph is added:

“2a. The Commission shall develop an electronic application common to all EU Member States that will provide inspectors direct real-time access to the EERRU and IMI during roadside checks and premises by 2020. This application shall be developed via a pilot project.”,

Or. en
Amendment 820
Ismail Ertug
on behalf of the S&D Group
Pavel Telička
on behalf of the ALDE Group

Report
Merja Kyllönen

Proposal for a directive
Article 1 – paragraph 1 – point 7 – point a
Directive 2006/22/EC
Article 9 – paragraph 1 – subparagraph 2

Text proposed by the Commission

The Commission shall, by means of implementing acts, establish a common formula for calculating a risk rating of undertakings, which shall take into account the number, severity and frequency of occurrence of infringements as well as the results of controls where no infringement has been detected and whether a road transport undertaking has been using the smart tachograph, pursuant to Chapter II of Regulation (EU) No 165/2014, on all its vehicles. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 12(2) of this Directive.

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 15a establishing a common formula for calculating a risk rating of undertakings, which shall take into account the number, severity and frequency of occurrence of infringements as well as the results of controls where no infringement has been detected and whether a road transport undertaking has been using the smart tachograph, pursuant to Chapter II of Regulation (EU) No 165/2014, on its vehicles.
Amendment 821
Ismail Ertug
on behalf of the S&D Group
Pavel Telička
on behalf of the ALDE 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 7 – point b a (new)
Directive 2006/22/EC
Article 9 – paragraph 3 – subparagraph 1

Present text

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

Amendment

(ba) in paragraph 3, the first subparagraph is replaced by the following:

3. An initial list of infringements of Regulations (EC) No 561/2006 and (EU) No 165/2014 is set out in Annex III.
Amendment 822
Ismail Ertug
on behalf of the S&D Group
Pavel Telička
on behalf of the ALDE Group
Merja Kyllönen, Michèle Alliot-Marie, Pascal Arimont, Pilar Ayuso, Georges Bach,
Bendt Bendtsen, Reimer Böge, Daniel Caspary, Pilar del Castillo Vera, Salvatore Cicu,
Alberto Cirio, Birgit Collin-Langen, Lara Comi, Herbert Dorfmann, Christian Ehler,
Frank Engel, Rosa Estarás Ferragut, Francesc Gambús, Elisabetta Gardini, Jens
Gieseke, Esteban González Pons, Luís de Grandes Pascual, Ingeborg Gräßle, Françoise
Grossetête, Christophe Hansen, Monika Hohlmeier, Carlos Iturgaiz, Peter Jahr,
Dieter-Lebrecht Koch, Eduard Kukan, Werner Langen, Giovanni La Via, Peter Liese,
Antonio López-Istúriz White, Barbara Matera, Gabriel Mato, Alessandra Mussolini,
Angelika Niebler, Luděk Niedermayer, Aldo Patriciello, Markus Pieper, Franck Proust,
Dennis Radtke, Massimiliano Salini, Anne Sander, Sven Schulze, Andreas Schwab,
Michaela Šojdrová, Ivan Štefanec, Pavel Svoboda, Axel Voss, Rainer Wieland, Tomáš
Zdechovský

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 7 – point b b (new)
Directive 2006/22/EC
Article 9 – paragraph 3 – subparagraph 2

Present text

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

“With a view to giving guidelines on the weighting of infringements of Regulation
(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.”;

Amendment

(EEC) No 3820/85 or (EEC) 3820/85, 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.”;
Amendment 823
Ismail Ertug
on behalf of the S&D Group
Pavel Telička
on behalf of the ALDE Group
Merja Kyllönen, Michèle Alliot-Marie, Pascal Arimont, Pilar Ayuso, Georges Bach,
Bendt Bendtsen, Reimer Böge, Daniel Caspary, Pilar del Castillo Vera, Salvatore Cicu,
Alberto Cirio, Birgit Collin-Langen, Lara Comi, Herbert Dorfmann, Christian Ehler,
Frank Engel, Rosa Estarás Ferragut, Francesc Gambús, Elisabetta Gardini, Jens
Gieseke, Esteban González Pons, Luis de Grandes Pascual, Ingeborg Gräßle, Françoise
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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 7 – point b c (new)
Directive 2006/22/EC
Article 9 – paragraph 3 – subparagraph 3

Text proposed by the Commission

Amendment

(b c) 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.”;

Or. en