Amendment 824

Ismail Ertug
on behalf of the S&D Group

Pavel Telička
on behalf of the ALDE Group


Report A8-0206/2018

Merja Kyllönen

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

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.

Amendment

4. In order to facilitate targeted roadside checks, the data contained in the national risk rating system and the national registers of transport undertakings and activities shall be accessible at the time of the check to all the competent control authorities of the Member State concerned through at least an electronic application common to all Member States, through which they will have direct real-time access to the ERRU.

Or. en
Amendment 825
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 c
Directive 2006/22/EC
Article 9 – paragraph 5

Text proposed by the Commission

5. Member States shall make the information contained in the national risk rating system available upon request or directly accessible to all competent authorities of other Member States in accordance with the time limits set out in Article 8.

Amendment

5. Member States shall make the information contained in the national risk rating system directly accessible through interoperable national electronic registers as referred to in Article 16 of Regulation (EC) No. 1071/2009 to all competent authorities of other Member States. (AM 228, 229, 230, 231). In this regard, the exchange of information and data on transport operators infringements and risk rating shall be concentrated and carried out through the interconnection that ERRU provides between the different national registers in the Member States.
Amendment 826
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 8
Directive 2006/22/EC
Article 11 – paragraph 3

Text proposed by the Commission

3. The Commission **shall establish** a common approach to recording and controlling periods of other work, as defined in point (e) of Article 4 of Regulation (EC) No 561/2006, **and** periods of at least one week during which a driver is away from the vehicle, **by implementing** acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 12(2);

Amendment

3. The Commission **is empowered to adopt delegated acts in accordance with Article 15a establishing** a common approach to the recording and controlling of periods of other work, as defined in point (e) of Article 4 of Regulation (EC) No 561/2006, **including the form of the recording and specific cases in which it is to take place and to the recording and controlling of periods of at least one week during which a driver is away from the vehicle and is unable to carry out any activities with that vehicle.**

Or. en
Amendment 827
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 8 a (new)
Directive 2006/22/EC
Article 12

Present text

Amendment

(8a) Article 12 is replaced by the following:

“Article 12 Committee procedure

1. The Commission shall be assisted by the Committee set up by Article 18(1) of Regulation (EEC) No 3821/85.

2. Where reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply, having regard to

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the provisions of Article 8 thereof.

The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at three months.

3. **The Committee shall adopt its Rules of Procedure.**
Amendment 828
Ismail Ertug
on behalf of the S&D Group
Pavel Telička
on behalf of the ALDE Group

Report A8-0206/2018
Merja Kyllönen

Proposal for a directive
Article 1 – paragraph 1 – point 8 b (new)
Directive 2006/22/EC
Article 13 – point b

Present text
(b) to encourage a coherence of approach between enforcement authorities and a harmonised interpretation of Regulation (EEC) No 3820/85 between enforcement authorities;

Amendment
(8b) in Article 13, point (b) is replaced by the following:
“(b) to encourage a coherence of approach between enforcement authorities and a harmonised interpretation of Regulation (EC) No 561/2006 between enforcement authorities;”

Or. en
Amendment 829
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 8 c (new)
Directive 2006/22/EC
Article 14

Present text

Article 14
Negotiations with third countries

Once this Directive has entered into force, the Community 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

Amendment

(8c) 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 16 (2) of Regulation (EEC) No 3820/85.

Commission as set out in Article 17 of Regulation (EC) No 561/2006.”

Or. en
Amendment 830
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 8 d (new)
Directive 2006/22/EC
Article 15

Present text

Article 15

Updating of the Annexes

Amendments to the Annexes which are necessary to adapt them to developments in best practice shall be adopted in accordance with the procedure referred to in Article 12(2).

Amendment

(8d) Article 15 is replaced by the following:

“Article 15

Updating of the Annexes

The Commission is empowered to adopt delegated acts in accordance with Article 15a amending Annexes I and II to introduce necessary adaptations to developments in best practice.”
Amendment 831
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 8 e (new)
Directive 2006/22/EC
Article 15 a (new)

Text proposed by the Commission

(8e) The following Article is inserted:

“Article 15a

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. The power to adopt delegated acts referred to in Article 9(3) and Article 15 shall be conferred on the Commission for a period of 5 years from [date of entry into force of this Directive]. The Commission shall draw up a report in respect of the delegation of power not later than nine
months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

3. The delegation of power referred to in Article 9(3) and Article 15 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 9(3) and Article 15 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.”

Or. en
Amendment 832
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 9 –point -a (new)
Directive 2006/22/EC
Annex I – Part A – point 1

Present text

(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 15 (7) of Regulation (EEC) No 3821/85 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;

Amendment

(-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 (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;”


Proposal for a directive
Article 1 – paragraph 1 – point 9 –point -a a (new)
Directive 2006/22/EC
Annex I – part A – point 2

Present text

(2) for the period referred to in Article 15 (7) of Regulation (EEC) No 3821/85, 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 being defined in Annex II, Part A to Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and

Amendment

(2) in Part A, the 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)
their trailers\textsuperscript{1a}.


Or. en