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*Plenary sitting*

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**A8-0060/2019**

4.2.2019

**\*\*\*I**  
**REPORT**

on the proposal for a regulation of the European Parliament and of the Council  
on electronic freight transport information  
(COM(2018)0279 – C8-0191/2018 – 2018/0140(COD))

Committee on Transport and Tourism

Rapporteur: Claudia Schmidt

### ***Symbols for procedures***

- \* Consultation procedure
- \*\*\* Consent procedure
- \*\*\*I Ordinary legislative procedure (first reading)
- \*\*\*II Ordinary legislative procedure (second reading)
- \*\*\*III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

### ***Amendments to a draft act***

#### **Amendments by Parliament set out in two columns**

Deletions are indicated in ***bold italics*** in the left-hand column. Replacements are indicated in ***bold italics*** in both columns. New text is indicated in ***bold italics*** in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

#### **Amendments by Parliament in the form of a consolidated text**

New text is highlighted in ***bold italics***. Deletions are indicated using either the ■ symbol or strikeout. Replacements are indicated by highlighting the new text in ***bold italics*** and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.

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## **DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION**

**on the proposal for a regulation of the European Parliament and of the Council on electronic freight transport information  
(COM(2018)0279 – C8-0191/2018 – 2018/0140(COD))**

**(Ordinary legislative procedure: first reading)**

*The European Parliament,*

- having regard to the Commission proposal to Parliament and the Council (COM(2018)0279),
  - having regard to Article 294(2) and Articles 91, 100(2) and 192(1) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C8-0191/2018),
  - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
  - having regard to the opinion of the European Economic and Social Committee of ...<sup>1</sup>
  - having regard to the opinion of the European Committee of the Regions of ....<sup>2</sup>
  - having regard to Rules 59 of its Rules of Procedure,
  - having regard to the report of the Committee on Transport and Tourism (A8-0060/2019),
1. Adopts its position at first reading hereinafter set out;
  2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;
  3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

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<sup>1</sup> OJ C ... (not yet published in the OJ)

<sup>2</sup> OJ C ..... (not yet published in the OJ)

## Amendment 1

### Proposal for a regulation Recital 1

*Text proposed by the Commission*

(1) The efficiency of freight transport and logistics is vital for the competitiveness of the Union economy, the functioning of the internal market and the social and economic cohesion of all regions of the Union.

*Amendment*

(1) The efficiency of freight transport and logistics is vital for the **growth and** competitiveness of the Union economy, the functioning of the internal market and the social and economic cohesion of all regions of the Union.

## Amendment 2

### Proposal for a regulation Recital 1 a (new)

*Text proposed by the Commission*

*Amendment*

***(1a) The purpose of this Regulation is to reduce the costs of processing transport information between authorities and economic operators, to improve the enforcement capabilities of the authorities and to encourage the digitalisation of the freight transport and logistics.***

## Amendment 3

### Proposal for a regulation Recital 2

*Text proposed by the Commission*

(2) The movement of goods is accompanied by a large amount of information which is still exchanged in paper format, among businesses and between businesses and the public authorities. The use of paper documents represents a significant administrative burden for logistic operators.

*Amendment*

(2) The movement of goods is accompanied by a large amount of information which is still exchanged in paper format, among businesses and between businesses and the public authorities. The use of paper documents represents a significant administrative burden **and an additional cost** for logistic

*operators and related industries (such as trade and manufacturing), in particular for SMEs, and has a negative impact on the environment.*

#### **Amendment 4**

##### **Proposal for a regulation Recital 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***(2a) Effective and efficient enforcement of the rules is a prerequisite for fair competition in the internal market. Further digitalisation of enforcement tools is essential in order to free up enforcement capacity, reduce unnecessary administrative burdens on international transport operators and in particular SMEs, better target high-risk transport operators and detect fraudulent practices. This digital, "smart" enforcement necessitates all relevant information to become paperless and be available for competent authorities in electronic form. Therefore, the use of electronic transport documents should in the future become the rule. Furthermore, in order to provide enforcement officials, including those performing roadside checks, with a clear and complete overview of the transport operators being checked, they should have direct and real-time access to all relevant information, so as to be able to detect infringements and abnormalities quicker and more efficiently.***

#### *Justification*

*The transport sector is seriously lagging behind in the digitalization of freight information. This hampers the efficiency of the sector and the supply chain and complicates efficient and effective enforcement of the rules by competent authorities. The use of electronic documents should therefore in the future become the rule. This will free up enforcement capacity, reduce unnecessary administrative burden on transport operators, better target high-risk operators and detect fraudulent practices.*

## Amendment 5

### Proposal for a regulation

#### Recital 3

##### *Text proposed by the Commission*

(3) The absence of a uniform legal framework at Union level requiring public authorities to accept relevant freight transport information, required by legislation, in electronic form, is considered to be the main reason for the lack of progress towards the simplification and greater efficiency made possible by available electronic means. The lack of acceptance by public authorities of information in electronic form affects not only ease of communication between them and operators but, indirectly, also hampers the development of simplified business-to-business electronic communication across the Union.

##### *Amendment*

(3) The absence of a uniform legal framework at Union level requiring public authorities to accept relevant freight transport information, required by legislation, in electronic form, is considered to be the main reason for the lack of progress towards the simplification and greater efficiency made possible by available electronic means. The lack of acceptance by public authorities of information in electronic form affects not only ease of communication between them and operators but, indirectly, also hampers the development of simplified business-to-business electronic communication across the Union ***and will lead to an increase in administrative costs, especially for SMEs.***

## Amendment 6

### Proposal for a regulation

#### Recital 4

##### *Text proposed by the Commission*

(4) Some areas of Union transport law require competent authorities to accept digitised information, but this concerns by far not all relevant Union legislation. It should be possible to use electronic means to make regulatory information on freight transport available to the authorities throughout the territory of the Union and in respect of all relevant phases of transport operations conducted within the Union. Furthermore, that possibility should apply to all regulatory information, in all transport modes.

##### *Amendment*

(4) Some areas of Union transport law require competent authorities to accept digitised information, but this concerns by far not all relevant Union legislation. ***To reduce administrative burdens and to make controls and countering infringements more efficient,*** it should ***always*** be possible to use electronic means to make regulatory information on freight transport available to the authorities throughout the territory of the Union and in respect of all relevant phases of transport operations conducted within the Union. Furthermore, that possibility should apply to all regulatory information, in all transport modes. ***Member States should***



*accept electronic transport documents in general, and ratify and apply the e-CMR protocol without delay. Therefore, authorities should communicate electronically with the economic operators concerned as regards regulatory information and make their own data digitally available, in line with applicable law.*

## Amendment 7

### Proposal for a regulation Recital 5 a (new)

*Text proposed by the Commission*

*Amendment*

*(5a) In order to reduce administrative burden and to free up scarce enforcement capacity, economic operators should be required to provide electronically regulatory information to Member States' competent authorities and Member States' competent authorities should communicate electronically with the economic operators concerned as regards the provision of regulatory information.*

## Amendment 8

### Proposal for a regulation Recital 6

*Text proposed by the Commission*

*Amendment*

(6) Since this Regulation is only intended to facilitate the provision of information, specifically, by electronic means, it should not affect the provisions of Union or national law determining the content of regulatory information and, in particular, should not impose any additional regulatory information requirements. **While** this Regulation is intended to allow compliance with regulatory information requirements through electronic means rather by means

(6) Since this Regulation is only intended to facilitate **and encourage** the provision of information **between economic operators and administrative bodies**, specifically, by electronic means, it should not affect the provisions of Union or national law determining the content of regulatory information and, in particular, should not impose any additional regulatory information requirements. **Since** this Regulation is intended to allow compliance with regulatory information

of paper documents, it should not otherwise affect the relevant Union provisions on requirements regarding the documents to be used for the structured presentation of the information in question. The provisions of Union legislation on shipments of waste containing procedural requirements for the shipments as should equally remain unaffected by this Regulation. This Regulation should also be without prejudice to the provisions on reporting obligations set out in Regulation (EU) No 952/2013 or in implementing or delegated acts adopted under its terms.

requirements through electronic means rather by means of paper documents, ***it should enable the development of European Platforms in order to exchange and easily share the information.*** It should not otherwise affect the relevant Union provisions on requirements regarding the documents to be used for the structured presentation of the information in question. The provisions of Union legislation on shipments of waste containing procedural requirements for the shipments as should equally remain unaffected by this Regulation. This Regulation should also be without prejudice to the provisions on reporting obligations set out in Regulation (EU) No 952/2013 or in implementing or delegated acts adopted under its terms. ***However, the Commission should assess if the provisions regarding the content of regulatory information requirements regarding the transport of goods on the territory of the Union need to be adapted in order to improve the enforcement capabilities of the competent authorities.***

## Amendment 9

### Proposal for a regulation Recital 9

#### *Text proposed by the Commission*

(9) In defining those specifications, due account should be taken of relevant data exchange specifications laid down in relevant Union law, and in relevant European and international standards for multimodal data exchange, as well as ***of*** the principles and recommendations set out in the European Interoperability Framework<sup>27</sup>, which provides an approach to the delivery of European digital public services commonly agreed by the Member States. Due care should also be taken that these specifications remain technology neutral and open to innovative

#### *Amendment*

(9) In defining those specifications, due account should be taken of relevant data exchange specifications laid down in relevant Union law, and in relevant European and international standards for multimodal data exchange, ***including the GDPR provisions. Investments made by economic operators and therefore already existing mode specific data models should also be taken into account,*** as well as the principles and recommendations set out in the European Interoperability Framework<sup>27</sup>, which provides an approach to the delivery of European digital public services commonly agreed by the Member

technologies.

States. ***Furthermore, the proper engagement of all relevant stakeholders is important in the development and preparation of those specifications.*** Due care should also be taken that these specifications remain technology neutral and open to innovative technologies.

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<sup>27</sup> European Interoperability Framework – Implementation Strategy, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions (COM(2017) 134).

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<sup>27</sup> European Interoperability Framework – Implementation Strategy, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions (COM(2017) 134).

## Amendment 10

### Proposal for a regulation Recital 11

#### *Text proposed by the Commission*

(11) To build the confidence of both the Member States authorities and the economic operators as regards the compliance of the eFTI platforms and eFTI services providers with those requirements, the Member States competent authorities should put in place a certification system underpinned by accreditation in accordance with Regulation (EC) 765/2008 of the European Parliament and of the Council<sup>28</sup>.

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<sup>28</sup> Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and

#### *Amendment*

(11) To build the confidence of both the Member States authorities and the economic operators as regards the compliance of the eFTI platforms and eFTI services providers with those requirements, the Member States competent authorities should put in place a certification system underpinned by accreditation in accordance with Regulation (EC) 765/2008 of the European Parliament and of the Council<sup>28</sup>. ***Due to the relatively long implementation period the Commission should assess if technologies like the blockchain technology could guarantee a similar result as the certification system while substantially bringing down costs for economic operators and Member States.***

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<sup>28</sup> Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and

repealing Regulation (EEC) No 339/93 (OJ L 218 13.8.2008, p.30).

repealing Regulation (EEC) No 339/93 (OJ L 218 13.8.2008, p.30).

## **Amendment 11**

### **Proposal for a regulation**

#### **Recital 12**

*Text proposed by the Commission*

*Amendment*

**(12) In order to ensure uniform conditions for the implementation of the obligation to accept the regulatory information made available in electronic format pursuant to this Regulation, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council<sup>29</sup>.**

**deleted**

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<sup>29</sup> Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

#### *Justification*

*The proposal includes a large number of issues to be established by implementing acts. These issues include access and processing rules for competent authorities and functional requirements for eFTI platforms and service providers. Since these are issues of general application and aim to supplement certain non-essential elements of the legislative act, they should all be established by delegated acts.*

## **Amendment 12**

### **Proposal for a regulation**

#### **Recital 13**

**(13) In particular, implementing powers should be conferred on the Commission to establish a common data set and subsets in relation to the respective regulatory information requirements covered by this Regulation, as well as common procedures and detailed rules for competent authorities for the access to and processing of that information where the economic operators concerned make this information available electronically, including detailed rules and technical specifications.** **deleted**

*Justification*

*The proposal includes a large number of issues to be established by implementing acts. These issues include access and processing rules for competent authorities and functional requirements for eFTI platforms and service providers. Since these are issues of general application and aim to supplement certain non-essential elements of the legislative act, they should all be established by delegated acts.*

**Amendment 13**

**Proposal for a regulation  
Recital 14**

**(14) Implementing powers should also be conferred on the Commission to establish detailed rules for the implementation of the requirements for eFTI platforms and for eFTI services providers.** **deleted**

*Justification*

*The proposal includes a large number of issues to be established by implementing acts. These issues include access and processing rules for competent authorities and functional requirements for eFTI platforms and service providers. Since these are issues of general application and aim to supplement certain non-essential elements of the legislative act, they should all be established by delegated acts.*

## Amendment 14

### Proposal for a regulation Recital 15 – indent 4 a (new)

*Text proposed by the Commission*

*Amendment*

- *to establish common procedures, technical specifications and detailed rules for competent authorities for the access to and processing of the respective information requirements covered by this Regulation, as well as detailed rules for the implementation of the requirements for eFTI platforms and for eFTI services providers.*

## Amendment 15

### Proposal for a regulation Recital 20 a (new)

*Text proposed by the Commission*

*Amendment*

- (20a) The Commission should start immediately to work on the necessary delegated acts in order to avoid further delays and to ensure that economic operators and Member States have enough time to prepare.*

## Amendment 16

### Proposal for a regulation Article 1 – paragraph 1 – introductory part

*Text proposed by the Commission*

*Amendment*

1. This Regulation establishes a legal framework for the electronic communication of regulatory information related to the transport of goods on the territory of the Union. For that purpose, this Regulation:

1. This Regulation establishes a legal framework for the electronic communication of regulatory information related to the transport of goods on the territory of the Union, ***including its interoperability***. For that purpose, this Regulation:

## Amendment 17

### Proposal for a regulation

#### Article 1 – paragraph 1 – point a

*Text proposed by the Commission*

(a) lays down the conditions under which Member States' competent authorities are required to accept regulatory information ***when made available*** electronically by economic operators concerned;

*Amendment*

(a) lays down the conditions under which Member States' competent authorities are required to accept regulatory information ***provided*** electronically by economic operators concerned;

## Amendment 18

### Proposal for a regulation

#### Article 1 – paragraph 1 – point a a (new)

*Text proposed by the Commission*

*Amendment*

***(aa) lays down the conditions under which the economic operators concerned are required to make regulatory information electronically available to the Member States' competent authorities;***

## Amendment 19

### Proposal for a regulation

#### Article 1 – paragraph 1 – point a b (new)

*Text proposed by the Commission*

*Amendment*

***(ab) lays down the conditions under which Member States' competent authorities have to communicate electronically with the economic operators concerned as regards the provision of regulatory information.***

## Amendment 20

### Proposal for a regulation

#### Article 1 – paragraph 2 – subparagraph 1

*Text proposed by the Commission*

This Regulation applies to regulatory information requirements set out in Union acts laying down the conditions for the transport of goods on the territory of the Union in accordance with Title VI of Part Three of the Treaty, or laying down the conditions for the shipments of waste. In respect of the shipment of waste, this Regulation does not apply to controls by customs offices, as provided for in the applicable Union *provisions*. The Union acts to which this Regulation applies and the corresponding regulatory information requirements are listed in part A of Annex I.

*Amendment*

This Regulation applies to regulatory information requirements set out in Union acts laying down the conditions for the transport of goods on the territory of the Union in accordance with Title VI of Part Three of the Treaty, or laying down the conditions for the shipments of waste ***and regulatory information requirements for the transport of goods set out in international conventions applicable in the Union***. In respect of the shipment of waste, this Regulation does not apply to controls by customs offices, as provided for in the applicable Union *provisions*. The Union acts to which this Regulation applies and the corresponding regulatory information requirements are listed in part A of Annex I.

**Amendment 21**

**Proposal for a regulation**

**Article 2 – paragraph 1 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

***(ba) incorporate references to other Union legal acts governing the transport of goods, which establish regulatory information requirements;***

**Amendment 22**

**Proposal for a regulation**

**Article 2 – paragraph 1 – point b b (new)**

*Text proposed by the Commission*

*Amendment*

***(bb) incorporate references to international conventions applicable in the Union establishing regulatory information requirements directly or indirectly related to the transport of***



*goods.*

## Amendment 23

### Proposal for a regulation Article 4 – title

*Text proposed by the Commission*

4 Requirements for economic  
*optiterators* concerned

*Amendment*

Requirements for *the* economic *operators*  
concerned

## Amendment 24

### Proposal for a regulation Article 4 – paragraph 1 – subparagraph 1

*Text proposed by the Commission*

*Where* economic operators concerned make regulatory information available electronically, they shall do so on the basis of data processed in a certified eFTI platform and, if applicable, by a certified eFTI service provider. The regulatory information shall be made available in machine-readable format and, at the request of the competent authority, in human-readable format.

*Amendment*

Economic operators concerned *shall* make regulatory information available electronically. They shall do so on the basis of data processed in a certified eFTI platform, *in accordance with Article 8*, and, if applicable, by a certified eFTI service provider, *in accordance with Article 9*. The regulatory information shall be made available in machine-readable format and, at the request of the competent authority, in human-readable format.

## Amendment 25

### Proposal for a regulation Article 4 – paragraph 1 – subparagraph 2

*Text proposed by the Commission*

Information in machine-readable format shall be made available via an authenticated and secure connection to the data source of an eFTI platform. Economic operators concerned shall communicate the Internet address via which the information can be accessed, together with any other elements that are necessary to allow the

*Amendment*

Information in machine-readable format shall be made available via an authenticated, *interoperable* and secure connection to the data source of an eFTI platform. Economic operators concerned shall communicate the Internet address via which the information can be accessed, together with any other elements that are

competent authority to uniquely identify the regulatory information.

necessary to allow the competent authority to uniquely identify the regulatory information.

#### **Amendment 26**

##### **Proposal for a regulation Article 5 – title**

*Text proposed by the Commission*

Acceptance by competent authorities

*Amendment*

Acceptance **and provision of regulatory information** by competent authorities

#### **Amendment 27**

##### **Proposal for a regulation Article 5 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***Member States' competent authorities shall communicate with the economic operators concerned concerning regulatory information electronically.***

#### **Amendment 28**

##### **Proposal for a regulation Article 7 – paragraph 1 – introductory part**

*Text proposed by the Commission*

The Commission ***shall*** establish the following ***by means of implementing acts***:

*Amendment*

The Commission ***is empowered to adopt delegated acts in accordance with Article 13, in order to*** establish the following:

#### **Amendment 29**

##### **Proposal for a regulation Article 7 – paragraph 1 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

***(ba) common procedures and detailed rules for validating the identity of any natural person or legal entity issuing legally binding statements hereunder;***

## **Amendment 30**

### **Proposal for a regulation**

#### **Article 7 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***Existing, standardised data models and data sets identified in international conventions that are applicable in the Union shall be used as a reference for defining these common eFTI data, procedures and rules for access.***

## **Amendment 31**

### **Proposal for a regulation**

#### **Article 7 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

***Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 14(2).***

***deleted***

## **Amendment 32**

### **Proposal for a regulation**

#### **Article 8 – paragraph 1 – introductory part**

*Text proposed by the Commission*

*Amendment*

1. The eFTI platforms used for processing regulatory information shall provide functionalities that ensure that:

1. ***The eFTI platforms shall be governed by the general principles of technological neutrality as well as interoperability.*** The eFTI platforms used for processing regulatory information shall

provide functionalities that ensure that:

### Amendment 33

#### Proposal for a regulation

#### Article 8 – paragraph 1 – point a

*Text proposed by the Commission*

(a) personal data **can** be processed in accordance with Regulation (EU) 2016/679;

*Amendment*

(a) personal data **have to** be processed in accordance with Regulation (EU) 2016/679;

### Amendment 34

#### Proposal for a regulation

#### Article 8 – paragraph 1 – point b

*Text proposed by the Commission*

(b) commercial data **can** be processed in accordance with Article 6;

*Amendment*

(b) commercial data **have to** be processed in accordance with Article 6;

### Amendment 35

#### Proposal for a regulation

#### Article 8 – paragraph 1 – point b a (new)

*Text proposed by the Commission*

*Amendment*

***(ba) eFTI platforms and the data contained therein are interoperable;***

### Amendment 36

#### Proposal for a regulation

#### Article 8 – paragraph 1 – point c

*Text proposed by the Commission*

*Amendment*

(c) a unique electronic identifying link can be established between the data processed and the physical shipment of a determined set of goods to which that data is related, from origin to destination, under

(c) a unique electronic identifying link can be established between the data processed and the physical shipment of a determined set of goods to which that data is related, from origin to destination, under

the terms of a single transport contract,  
*irrespective of the quantity or number of  
containers, packages, or pieces;*

the terms of a single transport contract *or  
consignment note;*

#### **Amendment 37**

##### **Proposal for a regulation**

##### **Article 8 – paragraph 1 – point e a (new)**

*Text proposed by the Commission*

*Amendment*

*(ea) competent authorities have  
immediate access to all relevant  
information, as provided for in national  
or Union legislation, in order to ensure  
public order and compliance with Union  
legal acts governing the transport of  
goods in accordance with Title VI of Part  
Three of the Treaty;*

#### **Amendment 38**

##### **Proposal for a regulation**

##### **Article 8 – paragraph 1 – point h**

*Text proposed by the Commission*

*Amendment*

(h) the data elements processed  
correspond to the common eFTI data set  
and subsets, and can be processed in any of  
the official languages of the Union.

(h) the data elements processed  
correspond to the common eFTI data set  
and subsets, and can be processed in any of  
the official languages of the Union *or co-  
official in a Member State.*

#### **Amendment 39**

##### **Proposal for a regulation**

##### **Article 8 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

*1a. There shall be a standardised eFTI  
format which includes all regulatory  
information requirements listed in part A  
of Annex 1 and all regulatory information  
requirements listed in part B of Annex 1  
under a designated and distinct section of*

*the eFTI format listed by Member States.*

#### Amendment 40

##### Proposal for a regulation Article 8 – paragraph 2

*Text proposed by the Commission*

2. The Commission ***shall*** adopt, ***by means of implementing acts***, detailed rules regarding the requirements laid down in paragraph 1. ***Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 14(2).***

*Amendment*

2. The Commission ***is empowered to*** adopt ***delegated acts in accordance with Article 13, in order to establish*** detailed rules regarding the requirements laid down in paragraph 1.

#### Amendment 41

##### Proposal for a regulation Article 9 – paragraph 1 – point a a (new)

*Text proposed by the Commission*

*Amendment*

***(aa) data is interoperable***

#### Amendment 42

##### Proposal for a regulation Article 9 – paragraph 1 – point b

*Text proposed by the Commission*

(b) data is stored and accessible for ***an appropriate period of time***, in accordance with the relevant regulatory information requirements;

*Amendment*

(b) data is stored and accessible for ***four years***, in accordance with the relevant regulatory information requirements;

#### Amendment 43

##### Proposal for a regulation Article 9 – paragraph 1 – point c

*Text proposed by the Commission*

(c) authorities have immediate access to regulatory information concerning a freight transport operation processed by means of their eFTI platforms, when this access is given to the authorities by an economic operator concerned;

*Amendment*

(c) **competent** authorities have immediate access to regulatory information concerning a freight transport operation processed by means of their eFTI platforms, when this access is given to the **competent** authorities by an economic operator concerned;

**Amendment 44**

**Proposal for a regulation  
Article 9 – paragraph 2**

*Text proposed by the Commission*

2. The Commission **shall** adopt, **by means of implementing acts**, detailed rules regarding the requirements laid down in paragraph 1. **Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 14(2).**

*Amendment*

2. The Commission **is empowered to** adopt **delegated acts in accordance with Article 13, in order to establish** detailed rules regarding the requirements laid down in paragraph 1.

**Amendment 45**

**Proposal for a regulation  
Article 10 – paragraph 3**

*Text proposed by the Commission*

3. Member States shall maintain an updated list of the accredited conformity assessment bodies, and of the eFTI platforms and eFTI service providers certified by those bodies in accordance with Articles 11 and 12. They shall make that list publicly available on an official government Internet website. The list shall be **regularly** updated, and by the latest by 31 **March** each year.

*Amendment*

3. Member States shall maintain an updated list of the accredited conformity assessment bodies, and of the eFTI platforms and eFTI service providers certified by those bodies in accordance with Articles 11 and 12. They shall make that list publicly available on an official government Internet website. The list shall be updated **without delay each time a change to the information that it contains occurs**, and by the latest by 31 **May** each year.

## Amendment 46

### Proposal for a regulation

#### Article 10 – paragraph 4

*Text proposed by the Commission*

4. By 31 **March** each year, Member States shall submit the lists referred to in paragraph 3 to the Commission, together with the address of the website where those lists have been published. The Commission shall publish a link to those website addresses on its official webpage.

*Amendment*

4. By 31 **May** each year, Member States shall submit the lists referred to in paragraph 3 to the Commission, together with the address of the website where those lists have been published. The Commission shall publish a link to those website addresses on its official webpage.

## Amendment 47

### Proposal for a regulation

#### Article 11 – paragraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

***1a. Certification shall be performed in an independent manner to avoid distortions of competition. Compliance shall be ensured with existing, standardised platforms identified in international conventions that are applicable in the Union.***

*Justification*

*Certification of solutions and platforms are required to ensure the compliance with the eCMR protocol, data security and interoperability of the eFTI data set. Certification should be independent and countries should not favour their own solution providers. Conditions for certification need to be predefined and commonly applicable within the EU. A clear definition of the “allowed/approved” variations of signature procedures and security standards, as well as a clear definition of “data” protection, is needed.*

## Amendment 48

### Proposal for a regulation

#### Article 11 – paragraph 1 b (new)

*Text proposed by the Commission*

*Amendment*

***1b. Existing IT systems, that are***



*currently used by economic operators in the transport sector to provide regulatory information and that meet the functional requirements laid down in Article 8(1), shall be certified as eFTI-platforms.*

## Amendment 49

### Proposal for a regulation Article 13 – paragraph 2

#### *Text proposed by the Commission*

2. The power to adopt delegated acts referred to in Article 2, Article 11(5) and Article 12(3) shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Regulation].

#### *Amendment*

2. The power to adopt delegated acts referred to in Article 2, **Article 7, Article 8(2), Article 9(2)**, Article 11(5) and Article 12(3) shall be conferred on the Commission for an indeterminate period of time from ... [date of entry into force of this Regulation].

## Amendment 50

### Proposal for a regulation Article 13 – paragraph 3

#### *Text proposed by the Commission*

3. The delegation of power referred to in Article 2, Article 11(5), Article 12(3) 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.

#### *Amendment*

3. The delegation of power referred to in Article 2, **Article 7, Article 8(2), Article 9(2)**, Article 11(5), Article 12(3) 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.

## Amendment 51

### Proposal for a regulation Article 13 – paragraph 4

*Text proposed by the Commission*

*Amendment*

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 on Better Law-Making of 13 April 2016.***

4. Delegated ***acts adopted*** in accordance with ***Article 2 shall apply from one year after their entry into force.***

*Justification*

*Future changes to Annex 1 will introduce new regulatory requirements in the scope of the Regulation. For the sake of legal certainty and to allow both authorities and operators with sufficient time to take the new requirement into account, it is recommended to allow for one year of transition before the application of the amended versions of the Annex. In order to effectively assess costs and benefits of each amendment, it is recommended to consult the sector representatives during the preparation of delegated acts.*

## **Amendment 52**

### **Proposal for a regulation**

#### **Article 13 – paragraph 4 a (new)**

*Text proposed by the Commission*

*Amendment*

4a. ***Before adopting a delegated act, the Commission shall ensure the consultation of the stakeholders concerned and their representative bodies in the appropriate fora, namely via the group of experts established by Commission Decision C(2018) 5921final of 13.09.2018 ('Digital Transport and Logistics Forum').***

## **Amendment 53**

### **Proposal for a regulation**

#### **Article 14**

*Text proposed by the Commission*

*Amendment*

***Article 14***

***deleted***

***Committee procedure***

1. ***The Commission shall be assisted by a committee. That committee shall be a***

*committee within the meaning of Regulation (EU) No 182/2011.*

2. *Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.*

#### *Justification*

*The proposal includes a large number of issues to be established by implementing acts. These issues include access and processing rules for competent authorities and functional requirements for eFTI platforms and service providers. Since these are issues of general application and aim to supplement certain non-essential elements of the legislative act, they should all be established by delegated acts.*

### **Amendment 54**

#### **Proposal for a regulation Article 15 – paragraph 1**

##### *Text proposed by the Commission*

1. By [**five** years from the date of application of this Regulation] at the latest the Commission shall carry out an evaluation of this Regulation and present a report on the main findings to the European Parliament, the Council and the European Economic and Social Committee.

##### *Amendment*

1. By ... [**three** years from the date of application of this Regulation] at the latest the Commission shall carry out an evaluation of this Regulation and present a report on the main findings to the European Parliament, the Council and the European Economic and Social Committee. ***This evaluation shall in particular examine the possibility of extending the scope of this Regulation to certain business-to-business information that is necessary to prove compliance with the relevant requirements in the Union legal acts governing the transport of goods in accordance with Title VI of Part Three of the Treaty.***

### **Amendment 55**

#### **Proposal for a regulation Article 17 – paragraph 2**

##### *Text proposed by the Commission*

It shall apply from [OP insert **four** years

##### *Amendment*

It shall apply from ... [**three** years from the

from the entry into force].

entry into force of this Regulation].

## EXPLANATORY STATEMENT

The transport sector is still lagging behind in using digital means in comparison to other sectors of our society and economy. The large majority of freight transport operations in the EU still require the use of paper documents, leading to the situation that an international truck driver anno 2018 still needs to carry with him in the cabin a huge amount of paper hardcopies of documents. The slow uptake of digitization leads to inefficiencies for market players in the transport and logistic chains, in particular in multimodal and cross-border transport, and to an unnecessary environmental burden. Furthermore, it complicates the enforcement of the rules by national authorities, since the checks need to take place where the paper copies are. Given the fact that total freight transport movements are expected to grow by more than 50% up to 2050, the slow uptake of digitalization will become an even serious issue in the coming years.

The Commission identified two main causes for the slow uptake of electronic transport documentation: a lack of recognition of the legal equivalence of e-documents by competent authorities and a fragmented IT environment without well-established and interoperable systems with generally applicable and binding rules on electronic transport documents.

The Commission proposal (i) requires competent authorities to accept regulatory information (for certain legal acts) in electronic form, and (ii) sets up of framework of certified eFTI platforms and service providers (by conformity assessment bodies).

Your Rapporteur welcomes the Commission proposal. This proposal is long overdue, given that the sector is seriously lagging behind in digitalization compared to the rest of the economy. According to the Impact Assessment, almost 99% of all cross-border transport operations in the EU still involve paper-based documents at one stage of the operation or another. The European Parliament has been calling several times in the past for a stronger push towards paperless transport and urged for a more simplified, paperless, seamless, transparent, secured and trusted information flow between businesses, customers and authorities in this sector.

However, your Rapporteur believes that the proposal is rather limited in scope and could be strengthened further. Requiring competent authorities to accept some regulatory information in electronic form will probably not be enough to seriously push the transport sector towards going paperless. Therefore the scope of proposal should be enlarged to include other relevant regulatory information in the field of transport (e.g. Community licence, roadworthiness, driver's qualifications) in order to reduce further administrative burden. As a principle, in the future all transport related regulatory information should be sent electronically. Possibly a transition period could be put in place to allow the big amount of very small SMEs in the sector time to adjust. Furthermore, more use should be made in the future by competent authorities of all available digital information (including relevant business-to-business information such as tolling and ITS) to monitor compliance with transport legislation (such as cabotage or posting) in a smarter way. Finally, gaining and keeping the trust of operators in the safety and the security of the system is vital. Therefore, the proposed system of certified eFTI platforms and service providers, including the correct standards, specifications and access rules, is very important. The setting up of this certification system should be done rather swiftly and based on existing international standards and with the involvement of all relevant stakeholders, so that the market uptake could follow soon.



## PROCEDURE – COMMITTEE RESPONSIBLE

<b>Title</b>	Electronic freight transport information						
<b>References</b>	COM(2018)0279 – C8-0191/2018 – 2018/0140(COD)						
<b>Date submitted to Parliament</b>	17.5.2018						
<b>Committee responsible</b> Date announced in plenary	TRAN 11.6.2018						
<b>Committees asked for opinions</b> Date announced in plenary	IMCO 11.6.2018						
<b>Not delivering opinions</b> Date of decision	IMCO 19.6.2018						
<b>Rapporteurs</b> Date appointed	Claudia Schmidt 3.7.2018						
<b>Discussed in committee</b>	29.1.2019						
<b>Date adopted</b>	29.1.2019						
<b>Result of final vote</b>	<table> <tr> <td>+:                   </td><td>34</td></tr> <tr> <td>–:                   </td><td>2</td></tr> <tr> <td>0:                   </td><td>0</td></tr> </table>	+:	34	–:	2	0:	0
+:	34						
–:	2						
0:	0						
<b>Members present for the final vote</b>	Daniela Aiuto, Lucy Anderson, Marie-Christine Arnautu, Georges Bach, Izaskun Bilbao Barandica, Michael Cramer, Luis de Grandes Pascual, Andor Deli, Karima Delli, Isabella De Monte, Ismail Ertug, Jacqueline Foster, Merja Kyllönen, Miltiadis Kyrkos, Innocenzo Leontini, Bogusław Liberadzki, Peter Lundgren, Elżbieta Katarzyna Łukacijewska, Marian-Jean Marinescu, Gesine Meissner, Cláudia Monteiro de Aguiar, Dominique Riquet, Claudia Schmidt, Claudia Țapardel, Keith Taylor, Marita Ulvskog, Wim van de Camp, Janusz Zemke, Roberts Zile, Kosma Złotowski						
<b>Substitutes present for the final vote</b>	Michael Gahler, Stefan Gehrold, Maria Grapini, Rolandas Paksas, Jozo Radoš						
<b>Substitutes under Rule 200(2) present for the final vote</b>	Andrey Novakov						
<b>Date tabled</b>	4.2.2019						

## FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE

34	+
ALDE	Izaskun Bilbao Barandica, Gesine Meissner, Jozo Radoš, Dominique Riquet
ECR	Peter Lundgren, Roberts Zīle, Kosma Złotowski
EFDD	Daniela Aiuto, Rolandas Paksas
ENF	Marie-Christine Arnautu
GUE/NGL	Merja Kyllönen
PPE	Georges Bach, Wim van de Camp, Andor Deli, Michael Gahler, Stefan Gehrold, Luis de Grandes Pascual, Elżbieta Katarzyna Łukacijewska, Marian-Jean Marinescu, Cláudia Monteiro de Aguiar, Andrej Novakov, Claudia Schmidt
S&D	Lucy Anderson, Isabella De Monte, Ismail Ertug, Maria Grapini, Miltiadis Kyrkos, Bogusław Liberadzki, Claudia Țapardel, Marita Ulvskog, Janusz Zemke
VERTS/ALE	Michael Cramer, Karima Delli, Keith Taylor

2	-
ECR	Jacqueline Foster, Innocenzo Leontini

0	0

Key to symbols:

+ : in favour

- : against

0 : abstention