



2015/0278(COD)

13.2.2017

AMENDMENTS

31 - 370

Draft opinion

Keith Taylor

(PE595.734v01-00)

on the proposal for a directive of the European Parliament and of the Council
on the approximation of the laws, regulations and administrative provisions of
the Member States as regards the accessibility requirements for products and
services

Proposal for a directive

(COM(2015)0615 – C8-00000 – 2015/0278(COD))

AM_Com_LegOpinion

Amendment 31
Marie-Christine Arnautu

Proposal for a directive
Title 1

Text proposed by the Commission

Proposal for a
***Directive of the European Parliament and
of the Council***

on the approximation of the laws,
regulations and administrative provisions
of the Member States as regards the
accessibility requirements for products and
services

(Text with EEA relevance)

Amendment

Proposal for a
Council recommendation

on the approximation of the laws,
regulations and administrative provisions
of the Member States as regards the
accessibility requirements for products and
services

(Text with EEA relevance)

Or. fr

Amendment 32
Marie-Christine Arnautu

Proposal for a directive
Recital 1

Text proposed by the Commission

(1) The purpose of this ***Directive*** is to
contribute to the proper functioning of the
internal market by approximating laws,
regulations and administrative provisions
of the Member States, by eliminating
barriers to the free movement of certain
accessible products and services. This will
increase the availability of accessible
products and services on the internal
market.

Amendment

(1) The purpose of this
Recommendation is to contribute to the
proper functioning of the internal market
by approximating laws, regulations and
administrative provisions of the Member
States, by eliminating barriers to the free
movement of certain accessible products
and services. This will increase the
availability of accessible products and
services on the internal market.

Or. fr

Amendment 33
Olga Sehnalová, Claudia Țapardel, Maria Grapini, Lucy Anderson, Miltiadis Kyrkos,

Jens Nilsson

Proposal for a directive
Recital 1

Text proposed by the Commission

(1) The purpose of this Directive is to contribute to the proper functioning of the internal market by approximating laws, regulations and administrative provisions of the Member States, by eliminating barriers to the free movement of **certain** accessible products and services This will increase the availability of accessible products and services on the internal market.

Amendment

(1) The purpose of this Directive is to contribute to the proper functioning of the internal market by approximating laws, regulations and administrative provisions of the Member States, by eliminating barriers to the free movement of accessible products and services This will increase the availability of accessible products and services on the internal market.

Or. en

Justification

Alignment with the title of the Directive.

Amendment 34
Marie-Christine Arnautu

Proposal for a directive
Recital 2

Text proposed by the Commission

(2) The demand for accessible products and services is high and the number of citizens with disabilities and/or functional limitations will increase significantly with the ageing of the European Union's population. An environment where products and services are more accessible **allows for a more inclusive society and** facilitates independent living.

Amendment

(2) The demand for accessible products and services is high and the number of citizens with disabilities and/or functional limitations will increase significantly with the ageing of the European Union's population. An environment where products and services are more accessible facilitates independent living.

Or. fr

Amendment 35

Olga Sehnalová, Claudia Țapardel, Maria Grapini, Lucy Anderson, Miltiadis Kyrkos, Jens Nilsson

Proposal for a directive

Recital 2

Text proposed by the Commission

(2) The demand for accessible products and services is high and the number of citizens with disabilities and/or functional limitations will increase significantly with the ageing of the European Union's population. An environment where products and services are more accessible allows for a more inclusive society and *facilitates* independent living.

Amendment

(2) The demand for accessible products and services is high and the number of citizens with disabilities and/or functional limitations will increase significantly with the ageing of the European Union's population. An environment where products and services are more accessible allows for a more inclusive society and *is a prerequisite for* independent living.

Or. en

Amendment 36

Markus Pieper, Markus Ferber

Proposal for a directive

Recital 3

Text proposed by the Commission

(3) The disparities between the laws and administrative measures adopted by the Member States in relation to accessibility of products and services for persons with functional limitations including persons with disabilities create barriers to the free movement of such products and services and distort effective competition in the internal market.
Economic operators, in particular small and medium-sized enterprises (SMEs), are particularly affected by those barriers.

Amendment

(3) The disparities between the laws and administrative measures adopted by the Member States in relation to accessibility of products and services for persons with functional limitations including persons with disabilities create barriers to the free movement of such products and services and distort effective competition in the internal market.

Or. de

Amendment 37

Olga Sehnalová, Claudia Țapardel, Maria Grapini, Lucy Anderson, Miltiadis Kyrkos, Jens Nilsson

Proposal for a directive

Recital 3

Text proposed by the Commission

(3) The disparities between the laws and administrative measures adopted by the Member States in relation to accessibility of products and services for persons with functional limitations **including** persons with disabilities create barriers to the free movement of such products and services and distort effective competition in the internal market. Economic operators, in particular small and medium-sized enterprises (SMEs), are particularly affected by those barriers.

Amendment

(3) The disparities between the laws and administrative measures adopted by the Member States in relation to accessibility of products and services for persons with functional limitations **and** persons with disabilities create barriers to the free movement of such products and services and distort effective competition in the internal market. Economic operators, in particular small and medium-sized enterprises (SMEs), are particularly affected by those barriers.

Or. en

Justification

Reference to “persons with functional limitations” in addition to the term “persons with disabilities” should be retained in order to illustrate that much wider part of the population will benefit from this Directive. Also when making the estimated costs and benefits analysis, it is key to take into account the whole population that benefit from accessible products and services.

Amendment 38

Markus Pieper, Markus Ferber

Proposal for a directive

Recital 4

Text proposed by the Commission

(4) ***Due to the*** differences in national accessibility requirements, ***individual professionals, SMEs and micro-enterprises in particular are discouraged from entering into business ventures outside their own domestic markets. The***

Amendment

(4) ***The*** differences in national accessibility requirements ***may*** negatively affect competitiveness and growth, due to the additional costs incurred in the development and marketing of accessible products and services for each national

national, or even regional or local, accessibility requirements that Member States have put in place currently differ as regards both coverage and level of detail. Those differences negatively affect competitiveness and growth, due to the additional costs incurred in the development and marketing of accessible products and services for each national market.

market.

Or. de

Amendment 39

Olga Sehnalová, Claudia Țapardel, Maria Grapini, Lucy Anderson, Miltiadis Kyrkos, Jens Nilsson

Proposal for a directive

Recital 6

Text proposed by the Commission

(6) The approximation of national measures at Union level is therefore necessary for the proper functioning of the internal market in order to put an end to fragmentation in the market of accessible products and services, to create economies of scale, to facilitate cross-border trade and mobility, as well as to help economic operators to concentrate resources on innovation instead of using those resources for complying with fragmented legal requirements across the Union.

Amendment

(6) The approximation of national measures at Union level is therefore necessary for the proper functioning of the internal market in order to put an end to fragmentation in the market of accessible products and services, to create economies of scale, to facilitate cross-border trade *freedom of movement of products and services, as well as the free movement of persons* and mobility, as well as to help economic operators to concentrate resources on innovation instead of using those resources for complying with fragmented legal requirements across the Union.

Or. en

Amendment 40

Markus Pieper, Markus Ferber

Proposal for a directive

Recital 6

Text proposed by the Commission

(6) The approximation of national measures at Union level *is* therefore ***necessary for the proper*** functioning of the internal market in order to ***put an end to*** fragmentation in the market of accessible products and services, to create economies of scale, to facilitate cross-border trade and mobility, as well as to help economic operators to concentrate resources on innovation instead of using those resources for complying with fragmented legal requirements across the Union.

Amendment

(6) The approximation of national measures at Union level therefore ***promotes better*** functioning of the internal market in order to ***reduce*** fragmentation in the market of accessible products and services, to create economies of scale, to facilitate cross-border trade and mobility, as well as to help economic operators to concentrate resources on innovation instead of using those resources for complying with fragmented legal requirements across the Union.

Or. de

Amendment 41

Lucy Anderson, Olga Sehnalová, Miltiadis Kyrkos

Proposal for a directive

Recital 7 a (new)

Text proposed by the Commission

Amendment

(7a) whereas in its reactions to the European Parliament's resolution on "Europe, the world's No 1 tourist destination – a new political framework for tourism in Europe", adopted by the Commission on 13 December 2011, the Commission acknowledged the need to ensure a seamless chain of accessible services to all (transport, accommodation, catering, and attractions), and to this end, it has started to put in place actions to raise awareness, improve the skills in the touristic sector, and ultimately increase the quality of tourist facilities for those with special needs or disabilities;

Or. en

Amendment 42

Lucy Anderson, Olga Sehnalová, Miltiadis Kyrkos, Jens Nilsson

Proposal for a directive

Recital 8 a (new)

Text proposed by the Commission

Amendment

(8a) whereas the Treaty on the Functioning of the EU (TFEU) requires the Union to combat discrimination based on disability when defining and implementing its policies and activities (Article 10) and gives it the power to adopt legislation to address such discrimination (Article 19);

Or. en

Amendment 43

Marie-Christine Arnautu

Proposal for a directive

Recital 9

Text proposed by the Commission

Amendment

(9) This Directive respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union. In particular, this **Directive** seeks to ensure full respect for the rights of persons with disabilities to benefit from measures designed to ensure their independence, social and occupational integration and participation in the life of the community **and to promote the application of Article 26 of the Charter of Fundamental Rights of the European Union.**

(9) In particular, this **Recommendation** seeks to ensure full respect for the rights of persons with disabilities to benefit from measures designed to **better** ensure their independence, social and occupational integration and participation in the life of the community.

Or. fr

Amendment 44
Lucy Anderson, Olga Sehnalová

Proposal for a directive
Recital 9

Text proposed by the Commission

(9) This Directive respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union. In particular, this Directive seeks to ensure full respect for the rights of persons with disabilities to benefit from measures designed to ensure their independence, social and occupational integration and participation in the life of the community and to promote the application of **Article 26** of the Charter of Fundamental Rights of the European Union.

Amendment

(9) This Directive respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union. In particular, this Directive seeks to ensure full respect for the rights of persons with disabilities to benefit from measures designed to ensure their independence, social and occupational integration and participation in the life of the community and to promote the application of **Articles 21 and 26** of the Charter of Fundamental Rights of the European Union, ***explicitly prohibit discrimination on the ground of disability, and provide for equal participation of the persons with disabilities in society.***

Or. en

Amendment 45
Jens Nilsson, Olga Sehnalová, Claudia Țapardel, Isabella De Monte

Proposal for a directive
Recital 9

Text proposed by the Commission

(9) This Directive respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union. In particular, this Directive seeks to ensure full respect for the rights of persons with disabilities to benefit from measures designed to ensure their independence, social and occupational integration and participation in the life of the community and to promote the

Amendment

(9) This Directive respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union. In particular, this Directive seeks to ensure full respect for the rights of persons with disabilities, ***with a perspective of gender equality***, to benefit from measures designed to ensure their independence, social and occupational integration and participation in the life of

application of Article 26 of the Charter of Fundamental Rights of the European Union.

the community and to promote the application of Article 26 of the Charter of Fundamental Rights of the European Union *and the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD)*.

Or. en

Amendment 46

Izaskun Bilbao Barandica, Jozo Radoš, Pavel Telička, Dominique Riquet

Proposal for a directive

Recital 9

Text proposed by the Commission

(9) This Directive respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union. In particular, this Directive seeks to ensure full respect for the rights of persons with disabilities to benefit from measures designed to ensure their independence, social and occupational integration and participation in the life of the community and to promote the application of Article 26 of the Charter of Fundamental Rights of the European Union.

Amendment

(9) This Directive respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union. In particular, this Directive seeks to ensure full respect for the rights of persons with disabilities to benefit from measures designed to ensure their independence, social and occupational integration and participation in the life of the community and to promote the application of Article 26 of the Charter of Fundamental Rights of the European Union *and the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD)*.

Or. es

Amendment 47

Isabella De Monte

Proposal for a directive

Recital 9

Text proposed by the Commission

(9) This Directive respects the

Amendment

(9) This Directive respects the

fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union. In particular, this Directive seeks to ensure full respect for the rights of persons with disabilities to benefit from measures designed to ensure their independence, social and occupational integration and participation in the life of the community and to promote the application of Article 26 of the Charter of Fundamental Rights of the European Union.

fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union. In particular, this Directive seeks to ensure full respect for the rights of persons with disabilities to benefit from measures designed to ensure their independence, ***dignity***, social and occupational integration and participation in the life of the community and to promote the application of Article 26 of the Charter of Fundamental Rights of the European Union.

Or. it

Amendment 48
Elżbieta Katarzyna Łukacijewska

Proposal for a directive
Recital 9 a (new)

Text proposed by the Commission

Amendment

(9a) The definition of people with disabilities and the scope of accessibility requirements resulting thereof should be without prejudice to the definitions of disabled people and people with reduced mobility used for the needs of sectorial legislation and to the accessibility requirements set in this legislation.

Or. en

Amendment 49
Marie-Christine Arnautu

Proposal for a directive
Recital 11

Text proposed by the Commission

Amendment

(11) In accordance with Article 216(2) of the Treaty, agreements concluded by the Union are binding upon the

deleted

institutions of the Union and on its Member States. Thus, after the conclusion by the Union of the United Nations Convention on the Rights of Persons with Disabilities (the Convention), its provisions have become an integral part of the Union legal order.

Or. fr

Amendment 50

Kosma Zlotowski, Tomasz Piotr Poręba

Proposal for a directive

Recital 11 a (new)

Text proposed by the Commission

Amendment

(11a) The definition of people with disabilities and the scope of accessibility requirements resulting thereof should be without prejudice to the definitions of disabled people and people with reduced mobility used for the needs of sectorial legislation, especially in the field of transport and to the accessibility requirements set in this legislation.

Or. en

Amendment 51

Marie-Christine Arnautu

Proposal for a directive

Recital 12

Text proposed by the Commission

Amendment

(12) *In its* Article 9, *the Convention requires its* parties to the Convention to take appropriate measures to ensure that persons with disabilities have access to the physical environment, to transportation, to information and communications, including information and communications

(12) *The United Nations Convention on the Rights of Persons with Disabilities ('the Convention'), in Article 9 thereof, invites the States* Parties to the Convention to take appropriate measures to ensure that persons with disabilities have access to the physical environment, to transportation, to

technologies and systems, and to other facilities and services open or provided to the public, both in urban and in rural areas, on an equal basis with others. *The United Nations Committee on the Rights of Persons with Disabilities has indicated the need to create a legislative framework with concrete, enforceable and time-bound benchmarks for monitoring the gradual implementation of accessibility.*

information and communications, including information and communications technologies and systems, and to other facilities and services open or provided to the public, both in urban and in rural areas, on an equal basis with others.

Or. fr

Amendment 52

Olga Sehnalová, Claudia Țapardel, Maria Grapini, Lucy Anderson, Miltiadis Kyrkos

Proposal for a directive

Recital 12 a (new)

Text proposed by the Commission

Amendment

(12a) In the rail transport sector, the binding Directive 2016/797 on the interoperability of the EU rail system^{1a} and the Technical Specifications for Interoperability (PRM TSI)^{1b} explicitly refer to, and implement the accessibility requirements set out in Article 9 of the Convention. As a result, in the rail transport sector accessibility for persons with disabilities and persons with reduced mobility is regulated in this sector-specific legislation. In order to ensure consistency between the sector-specific legislation and the European Accessibility Act, any future revision of the PRM TSI should also take into account the accessibility requirements resulting from the European Accessibility Act.

^{1a} Directive (EU) 2016/797 of the European Parliament and of the Council of 11 May 2016 on the interoperability of the rail system within the European Union (OJ L 138, 26.5.2016, p. 44–101).

^{1b} Commission Regulation (EU) No 1300/2014 of 18 November 2014 on the technical specifications for interoperability relating to accessibility of the Union's rail system for persons with disabilities and persons with reduced mobility (OJ L 356, 12.12.2014, p. 110–178).

Or. en

Justification

Directive (EU) 2016/797 on the interoperability of the EU rail system implements the UNCRPD. In order to ensure consistency, the European Accessibility Act should, once adopted, guide the future revision of the PRM TSI.

Amendment 53

Izaskun Bilbao Barandica, Jozo Radoš, Dominique Riquet

Proposal for a directive

Recital 12 a (new)

Text proposed by the Commission

Amendment

(12a) Bearing in mind the existence of services for people with disabilities, something that should also be also taken into account.

Or. es

Amendment 54

Izaskun Bilbao Barandica, Jozo Radoš, Pavel Telička, Dominique Riquet

Proposal for a directive

Recital 12 b (new)

Text proposed by the Commission

Amendment

(12b) The aforementioned Convention calls, in Article 4, for research into and the development and promotion of the availability and use of new technologies,

including information and communications technologies, mobility aids, devices and assistive technologies, suitable for persons with disabilities, giving priority to technologies at an affordable cost;

Or. es

Amendment 55

Olga Sehnalová, Claudia Țapardel, Maria Grapini, Lucy Anderson, Jens Nilsson

Proposal for a directive

Recital 13

Text proposed by the Commission

(13) The entry into force of the Convention in the Member States' legal orders entails the need to adopt additional national provisions on accessibility of products and services which without Union action would further increase disparities between national provisions.

Amendment

(13) The entry into force of the Convention in the Member States' legal orders entails the need to adopt additional national provisions on accessibility of products and services ***and the built environment related to the provision of goods and services*** which without Union action would further increase disparities between national provisions.

Or. en

Justification

This Directive should contain mandatory provisions covering the built environment related to the products and services included in the Act. Making built environment accessible will help Member States to comply with their obligations under the Article 9 on the UN CRPD.

Amendment 56

Marie-Christine Arnautu

Proposal for a directive

Recital 13

Text proposed by the Commission

(13) The entry into force of the

Amendment

(13) The entry into force of the

Convention in the Member States' legal orders entails the need to adopt additional national provisions on accessibility of products and services *which without Union action would further increase disparities between national provisions*.

Convention in the Member States' legal orders entails the need to adopt additional national provisions on accessibility of products and services.

Or. fr

Amendment 57

Izaskun Bilbao Barandica, Jozo Radoš, Pavel Telička, Dominique Riquet

Proposal for a directive

Recital 13 a (new)

Text proposed by the Commission

Amendment

(13a) The Commission should encourage the relevant authorities, including at local level, to include barrier-free accessibility to urban transport services in their sustainable urban mobility plans.

Or. es

Amendment 58

Izaskun Bilbao Barandica, Jozo Radoš, Pavel Telička, Dominique Riquet

Proposal for a directive

Recital 13 b (new)

Text proposed by the Commission

Amendment

(13b) Beyond the requirements laid down in this proposal, efforts should be made to implement and enforce the Union Regulations on the rights of passengers using air, rail, bus and inland-waterway transport; these efforts should focus on intermodal aspects with a view to promoting barrier-free accessibility, including facets such as infrastructure and transportation vehicles.

Amendment 59
Marie-Christine Arnautu

Proposal for a directive
Recital 14

Text proposed by the Commission

Amendment

(14) It is therefore necessary to facilitate the implementation of the Convention by providing common Union rules.

deleted

Amendment 60
Olga Sehnalová, Claudia Țapardel, Maria Grapini, Lucy Anderson, Miltiadis Kyrkos, Jens Nilsson

Proposal for a directive
Recital 16

Text proposed by the Commission

Amendment

(16) Products and services falling within the scope of this Directive are the result of a screening exercise, carried out during the preparation of the Impact Assessment that identified those relevant products and services for persons with functional limitations, *including* persons with disabilities and older persons, for which Member States have adopted or are likely to adopt diverging national accessibility requirements.

(16) Products and services falling within the scope of this Directive are the result of a screening exercise, carried out during the preparation of the Impact Assessment that identified those relevant products and services for persons with functional limitations *older persons and* persons with disabilities and older persons, for which Member States have adopted or are likely to adopt diverging national accessibility requirements.

Justification

Reference to “persons with functional limitations” in addition to the term “persons with disabilities” should be retained in order to illustrate that much wider part of the population

will benefit from this Directive. Also when making the estimated costs and benefits analysis, it is key to take into account the whole population that benefit from accessible products and services.

Amendment 61

Marie-Christine Arnautu

Proposal for a directive

Recital 16

Text proposed by the Commission

(16) Products and services falling within the scope of this **Directive** are the result of a screening exercise, carried out during the preparation of the Impact Assessment that identified those relevant products and services for persons with functional limitations, including persons with disabilities and older persons, for which Member States have adopted or are likely to adopt diverging national accessibility requirements.

Amendment

(16) Products and services falling within the scope of this **Recommendation** are the result of a screening exercise, carried out during the preparation of the Impact Assessment that identified those relevant products and services for persons with functional limitations, including persons with disabilities and older persons, for which Member States have adopted or are likely to adopt diverging national accessibility requirements.

Or. fr

Amendment 62

Dieter-Lebrecht Koch, Sabine Verheyen

Proposal for a directive

Recital 17

Text proposed by the Commission

(17) Each product and service has to comply with the accessibility requirements identified in Article 3 and listed in Annex I to be accessible for persons with disabilities and older persons. The e-commerce accessibility obligations also apply to the online sale of services under Article 1(2)(a) to (e) of this Directive.

Amendment

(17) Each product and service ***falling within the scope of this Directive and placed on the market after the date of application of this Directive*** has to comply with the accessibility requirements identified in Article 3 and listed in Annex I to be accessible for persons with disabilities and older persons. The e-commerce accessibility obligations also apply to the online sale of services under Article 1(2)(a) to (e) of this Directive.

Justification

It should be made clear that the directive applies exclusively to new products and services and only to those falling within its scope.

Amendment 63

Marie-Christine Arnautu

Proposal for a directive

Recital 17

Text proposed by the Commission

(17) Each product and service has to comply with the accessibility requirements identified in Article 3 and listed in Annex I to be accessible for persons with disabilities and older persons. The e-commerce accessibility obligations also apply to the online sale of services under Article 1(2)(a) to (e) of this **Directive**.

Amendment

(17) Each product and service has to comply with the accessibility requirements identified in Article 3 and listed in Annex I to be accessible for persons with disabilities and older persons. The e-commerce accessibility obligations also apply to the online sale of services under Article 1(2)(a) to (e) of this **Recommendation**.

Or. fr

Amendment 64

Dieter-Lebrecht Koch, Sabine Verheyen

Proposal for a directive

Recital 18

Text proposed by the Commission

(18) **It** is necessary to introduce the accessibility requirements in the least burdensome manner for the economic operators and the Member States, notably by only including in the scope the products and services which have been thoroughly selected.

Amendment

(18) **On the one hand, it** is necessary to introduce the accessibility requirements in the least burdensome manner for the economic operators and the Member States, notably by only including in the scope the products and services which have been thoroughly selected **and which are placed on the market after the date of application of this Directive. On the other hand, it is necessary to enable economic**

operators to implement the accessibility requirements set out in this Directive efficiently, in particular by taking into account the lifetime of self-service terminals, ticketing machines and check-in machines.

Or. de

Justification

It should be made clear that the directive applies exclusively to new products and services. Automatic machines are very costly to purchase and their long lifetime should therefore be taken into account.

Amendment 65

Markus Pieper, Markus Ferber

Proposal for a directive

Recital 18

Text proposed by the Commission

(18) It is necessary to introduce the accessibility requirements in the least burdensome manner for the economic operators and the Member States, notably by only including in the scope the products and services which have been thoroughly selected.

Amendment

(18) It is necessary to introduce the accessibility requirements in the least burdensome manner for the economic operators and the Member States, notably by only including in the scope the products and services which have been thoroughly selected *and by specifying that the Directive applies only to those undertakings which have the resources to comply with reporting and documentation requirements.*

Or. de

Amendment 66

Olga Sehnalová, Claudia Tapardel, Maria Grapini, Lucy Anderson, Jens Nilsson

Proposal for a directive

Recital 18

Text proposed by the Commission

(18) It is necessary to introduce the accessibility requirements in the least burdensome manner for the economic operators and the Member States, notably by only including in the scope the products and services which have been thoroughly selected.

Amendment

(18) It is necessary to introduce the accessibility requirements ***which enable all people to fully use the products and services and infrastructure including built environment covered by this Directive*** in the least burdensome manner for the economic operators and the Member States, notably by only including in the scope the products and services which have been thoroughly selected.

Or. en

Justification

This Directive should contain mandatory provisions covering the built environment related to the products and services included in the Act. Making built environment accessible will help Member States to comply with their obligations under the Article 9 on the UN CRPD.

Amendment 67

Rosa Estaràs Ferragut

Proposal for a directive

Recital 18

Text proposed by the Commission

(18) It is necessary to introduce the accessibility requirements in the least burdensome manner for the economic operators and the Member States, notably by only including in the scope the products and services which have been thoroughly selected.

Amendment

(18) It is necessary to introduce the accessibility requirements in the ***most effective and*** least burdensome manner for the economic operators and the Member States, notably by only including in the scope the products and services which have been thoroughly selected.

Or. en

Amendment 68

Olga Sehnalová, Claudia Țapardel, Maria Grapini, Lucy Anderson, Jens Nilsson

Proposal for a directive
Recital 19

Text proposed by the Commission

(19) It is therefore necessary to specify accessibility requirements for the placing on the market of products and services which fall within the scope of this Directive in order to ensure their free circulation in the internal market.

Amendment

(19) It is therefore necessary to specify accessibility requirements for the placing on the market of products and services ***as well as the built environment connected to the provision of those products and services*** which fall within the scope of this Directive in order to ensure their free circulation in the internal market.

Or. en

Justification

This Directive should contain mandatory provisions covering the build environment related to the products and services included in the Act. Making built environment accessible will help Member States to comply with their obligations under the Article 9 on the UN CRPD.

Amendment 69
Lucy Anderson, Olga Sehnalová, Jens Nilsson

Proposal for a directive
Recital 19

Text proposed by the Commission

(19) It is therefore necessary to specify accessibility requirements for the placing on the market of products and services which fall within the scope of this Directive in order to ensure their free circulation in the internal market.

Amendment

(19) It is therefore necessary to specify accessibility requirements for the placing on the market of products and services which fall within the scope of this Directive in order to ensure their free circulation in the internal market ***and tackle the obstacles to a barrier-free Europe.***

Or. en

Amendment 70
Marie-Christine Arnautu

Proposal for a directive
Recital 19

Text proposed by the Commission

(19) It is therefore necessary to specify accessibility requirements for the placing on the market of products and services which fall within the scope of this **Directive** in order to *ensure* their free circulation in the internal market.

Amendment

(19) It is therefore necessary to specify accessibility requirements for the placing on the market of products and services which fall within the scope of this **Recommendation** in order to *facilitate* their free circulation in the internal market.

Or. fr

Amendment 71
Marie-Christine Arnautu

Proposal for a directive
Recital 20

Text proposed by the Commission

(20) This **Directive** should *make compulsory* the use of functional accessibility requirements in terms of general objectives. *These should be precise enough to create legally binding obligations and sufficiently detailed so as to make it possible to assess conformity in order to ensure the good functioning of the internal market for the products and services covered.*

Amendment

(20) This **Recommendation** should *permit* the use of functional accessibility requirements in terms of general objectives.

Or. fr

Amendment 72
Marie-Christine Arnautu

Proposal for a directive
Recital 22

Text proposed by the Commission

(22) Member States shall take *all* appropriate measures to ensure that, *where*

Amendment

(22) Member States shall take appropriate measures to ensure that the

the products and services covered by this **Directive** comply with the relevant accessibility requirements, *their free movement within the Union is not impeded due to reasons of accessibility*.

products and services covered by this **Recommendation** comply with the relevant accessibility requirements.

Or. fr

Amendment 73

Izaskun Bilbao Barandica, Jozo Radoš, Gesine Meissner, Pavel Telička, Dominique Riquet

Proposal for a directive

Recital 22 a (new)

Text proposed by the Commission

Amendment

(22a) Certain elements of the accessibility requirements laid down by this Directive, particularly those set out in Annex I relating to the provision of information, are already covered by existing legislative acts of the Union in the area of transport. Those acts include Regulations (EC) Nos 1371/2007^{1a} and (EU) 1300/2014 of the European Parliament and of the Council^{1b} and Commission Regulation (EU) No 454/2011^{1c} as regards rail transport; Regulation (EU) No 181/2011 of the European Parliament and of the Council^{1d} as regards bus and coach transport; and Regulation (EU) No 1177/2010 of the European Parliament and of the Council^{1e} as regards maritime transport. To ensure regulatory consistency and predictability for the economic operators covered by those acts, the relevant requirements under this Directive should be deemed to be complied with where the relevant parts of those acts are complied with. However, when the accessibility requirements are not covered, for example the requirement to make websites of airlines accessible, this Directive should apply.

^{1a} Regulation (EC) No 1371/2007 of the European Parliament and of the Council of 23 October 2007 on rail passengers' rights and obligations (OJ L 315, 3.12.2007, p. 14).

^{1b} Regulation (EU) No 1300/2014 of the European Parliament and of the Council of 18 November 2014 on the technical specifications for interoperability relating to accessibility of the Union's rail system for persons with disabilities and persons with reduced mobility (OJ L 356, 12.12.2014, p. 110).

^{1c} Commission Regulation (EU) No 454/2011 of 5 May 2011 on the technical specification for interoperability relating to the subsystem 'telematics applications for passenger services' of the trans-European rail system (OJ L 123, 12.5.2011, p. 11).

^{1d} Regulation (EU) No 181/2011 of the European Parliament and of the Council of 16 February 2011 concerning the rights of passengers in bus and coach transport and amending Regulation (EC) No 2006/2004 (OJ L 55, 28.2.2011, p. 1).

^{1e} 19 Regulation (EU) No 1177/2010 of the European Parliament and of the Council of 24 November 2010 concerning the rights of passengers when travelling by sea and inland waterway and amending Regulation (EC) No 2006/2004 (OJ L 334, 17.12.2010, p. 1).

Or. es

Justification

It is not appropriate to cover with this Directive accessibility requirements which are already covered by other legislations. It would create only legal uncertainty and is not in line with the principle of Better regulation. However, when an aspect, such as airline websites, is not regulated in another Union act, this Directive will be applicable.

Text proposed by the Commission

Amendment

(22a) Certain elements of the accessibility requirements laid down by this Directive, particularly those set out in Annex I relating to the provision of information, are already covered by existing legislative acts of the Union in the area of transport. Those acts include Regulations (EC) Nos 1371/2001^{1a} and (EU) 1300/2014 of the European Parliament and of the Council^{1b} and Commission Regulation (EU) No 454/2011^{1c} as regards rail transport; Regulation (EU) No 181/2011 of the European Parliament and of the Council^{1d} as regards bus and coach transport; Regulation (EU) No 1177/2010 of the European Parliament and of the Council^{1e} as regards maritime and inland waterway transport and Regulation (EC) No 1107/2006 as regards air transport^{1f}. To ensure regulatory consistency and predictability for the economic operators covered by those acts, fulfilment of the requirements on accessibility in the sectorial Union legislation should be deemed as fulfilment of the relevant requirements defined in this Directive. However, when the accessibility requirements are not covered, for example the requirement to make websites of airlines accessible, this Directive should apply.

^{1a} Regulation (EC) No 1371/2007 of the European Parliament and of the Council of 23 October 2007 on rail passengers' rights and obligations (OJ L 315, 3.12.2007, p. 14).

^{1b} Regulation (EU) No 1300/2014 of the European Parliament and of the Council

of 18 November 2014 on the technical specifications for interoperability relating to accessibility of the Union's rail system for persons with disabilities and persons with reduced mobility (OJ L 356, 12.12.2014, p. 110).

^{1c} Commission Regulation (EU) No 454/2011 of 5 May 2011 on the technical specification for interoperability relating to the subsystem 'telematics applications for passenger services' of the trans-European rail system (OJ L 123, 12.5.2011, p. 11).

^{1d} Regulation (EU) No 181/2011 of the European Parliament and of the Council of 16 February 2011 concerning the rights of passengers in bus and coach transport and amending Regulation (EC) No 2006/2004 (OJ L 55, 28.2.2011, p. 1).

^{1e} Regulation (EU) No 1177/2010 of the European Parliament and of the Council of 24 November 2010 concerning the rights of passengers when travelling by sea and inland waterway and amending Regulation (EC) No 2006/2004 (OJ L 334, 17.12.2010, p. 1).

^{1f} Regulation (EC) No 1107/2006 of the European Parliament and of the Council of 5 July 2006 concerning the rights of disabled persons and persons with reduced mobility when travelling by air (OJ L 204, 26.7.2006, p. 1).

Or. en

Amendment 75

Kosma Złotowski, Tomasz Piotr Poręba

Proposal for a directive

Recital 22 a (new)

Text proposed by the Commission

Amendment

(22a) Certain elements of the accessibility requirements, particularly, in

relation to the provision of information, as set out in Annex I of this Directive are already covered by existing Union law in the area of transport. This includes Regulation (EC) No 1371/2007, Regulation (EU) 1300/2014 and Regulation (EU) 454/2011 as regards rail transport; Regulation 181/2011 (EU) as regards bus and coach transport; Regulation (EU) 1177/2010 as regards waterborne maritime and inland waterway transport; and Regulation (EU) 1107/2006 as regards air transport. To ensure regulatory consistency and predictability for the economic operators covered by those acts, fulfilment of the requirements on accessibility in the sectorial Union legislation should be deemed as fulfilment of the relevant requirements defined in this Directive.

Or. en

Amendment 76

Ivo Belet

Proposal for a directive

Recital 22 a (new)

Text proposed by the Commission

Amendment

(22a) Certain elements of the accessibility requirements laid down by this Directive, particularly some which are contained in Annex I concerning the provision of information, already fall under existing European Union legislation on transport, including Regulation (EU) No 1300/2014 of the European Parliament and of the Council on the accessibility of the Union's rail system for persons with disabilities and persons with reduced mobility. The revision of the PRM TSI which has been announced by the Commission and is scheduled for the first half of 2018 must prioritise a comprehensive expansion of

accessibility requirements which are not listed in Annex I to this Directive.

Or. nl

Amendment 77

Izaskun Bilbao Barandica, Jozo Radoš, Gesine Meissner, Pavel Telička, Dominique Riquet

**Proposal for a directive
Recital 22 b (new)**

Text proposed by the Commission

Amendment

(22b) The determination of the scope of this Directive with regard to air, bus, rail and waterborne passenger transport services should be based on the existing sectoral legislation relating to passenger rights. Where this Directive does not apply to certain types of transport services, Member States should be able to encourage service providers to apply the relevant accessibility requirements provided for in this directive.

Or. es

Amendment 78

Kosma Złotowski, Tomasz Piotr Poręba

**Proposal for a directive
Recital 22 b (new)**

Text proposed by the Commission

Amendment

(22b) The determination of the scope of this Directive with regard to air, bus, rail and waterborne passenger transport services should be based on the existing sectoral legislation relating to passenger rights. Where this Directive does not apply to certain types of transport services, Member States should be able to encourage service providers to apply the relevant accessibility requirements

provided for in this Directive.

Or. en

Amendment 79

Elżbieta Katarzyna Łukacijewska

Proposal for a directive

Recital 23

Text proposed by the Commission

(23) In some situations, common accessibility requirements of the built environment would facilitate the free movement of the related services and of persons with disabilities. Therefore, this Directive enables Member States to include the built environment used in the provision of the services under the scope of this Directive, ***ensuring compliance with*** the accessibility requirements set ***in*** Annex X.

Amendment

(23) In some situations, common accessibility requirements of the built environment ***including transport infrastructure used by passengers*** would facilitate the free movement of the related services and of persons with disabilities. Therefore, this Directive enables Member States to include the built environment used in the provision of the services under the scope of this Directive, ***where no other EU binding legislation on built environment exists. Where Member State decide to apply accessibility requirements to the built environment used in the provision of services covered by this Directive, they may adopt all or some of*** the accessibility requirements set ***out in section V of Annex I. However, the Member States should not be required to amend or introduce national rules on accessibility of the built environment, if they do not decide to apply accessibility requirements provided for in this Directive related to the built environment used in the provision of the services under the scope of this Directive.***

Or. en

Justification

The Commission proposal does not make a choice between including built environment or not. It is proposed to remove this enabling clause. Member States will still be able to apply this directive to built environment if they wish so. A new paragraph has been introduced in

article 28 to require the Commission within two years to report on a possible inclusion.

Amendment 80

Kosma Zlotowski, Tomasz Piotr Poręba

Proposal for a directive

Recital 23

Text proposed by the Commission

(23) In some situations, common accessibility requirements *of* the built environment would facilitate the free movement of the related services and of persons with disabilities. Therefore, this Directive enables Member States to include the built environment used in the provision of the services under the scope of this Directive, *ensuring compliance with* the accessibility requirements set *in* Annex X.

Amendment

(23) In some situations, common accessibility requirements *related to* the built environment *including transport infrastructure used by passengers* would facilitate the free movement of the related services and of persons with disabilities. Therefore, this Directive enables Member States to include the built environment used in the provision of the services under the scope of this Directive *where no other EU binding legislation on built environment exists. Where Member State decide to apply accessibility requirements to the built environment used in the provision of services covered by this Directive, they may adopt all or some of the accessibility requirements set out in section V of Annex I. However, Member States should not be required to amend or introduce national rules on accessibility of the built environment, if they do not decide to apply accessibility requirements provided for in this Directive related to the built environment used in the provision of the services under the scope of this Directive.*

Or. en

Amendment 81

Olga Sehnalová, Maria Grapini, Lucy Anderson, Jens Nilsson

Proposal for a directive

Recital 23

Text proposed by the Commission

Amendment

(23) *In some situations*, common **accessibility** requirements of the built environment **would facilitate the free movement of the related** services **and of** persons with disabilities. Therefore, this Directive **enables** Member States to include the built environment used in the provision of the services under the scope of this Directive, ensuring compliance with the accessibility requirements set in Annex X.

(23) **Without** common **accessibility** requirements of the built environment **connected to products and services**, **any accessibility standards of** services **cannot be effective in ensuring accessibility for persons with functional limitations and** persons with disabilities. Therefore, this Directive **obliges** Member States to include the built environment used in the provision of the services under the scope of this Directive, ensuring compliance with the accessibility requirements set in Annex X.

Or. en

Justification

This Directive should contain mandatory provisions covering the build environment related to the products and services included in the Act. Making built environment accessible will help Member States to comply with their obligations under the Article 9 on the UN CRPD.

Amendment 82
Dieter-Lebrecht Koch

Proposal for a directive
Recital 23

Text proposed by the Commission

Amendment

(23) *In some situations*, common accessibility requirements of the built environment would facilitate the free movement of the related services and of persons with disabilities. **Therefore, this Directive enables Member States** to include the built environment used in the provision of the services under the scope of this Directive, ensuring compliance with the accessibility requirements set in Annex X.

(23) **Insofar as** common accessibility requirements of the built environment would facilitate the free movement of the related services and of persons with disabilities, **Member States may decide** to include the built environment used in the provision of the services under the scope of this Directive, ensuring compliance with the accessibility requirements set in Annex X.

Or. de

Justification

It is for the Member States themselves to decide whether to apply accessibility requirements to the built environment or not. If they do apply any, they should be subject to the criteria laid down in the directive.

Amendment 83

Marie-Christine Arnautu

Proposal for a directive

Recital 23

Text proposed by the Commission

(23) In some situations, common accessibility requirements of the built environment would facilitate the free movement of the related services and of persons with disabilities. Therefore, this **Directive** enables Member States to include the built environment used in the provision of the services under the scope of this **Directive**, ensuring compliance with the accessibility requirements set in Annex X.

Amendment

(23) In some situations, common accessibility requirements of the built environment would facilitate the free movement of the related services and of persons with disabilities. Therefore, this **Recommendation** enables Member States to include the built environment used in the provision of the services under the scope of this **Recommendation**, ensuring compliance with the accessibility requirements set in Annex X.

Or. fr

Amendment 84

Izaskun Bilbao Barandica, Jozo Radoš, Dominique Riquet

Proposal for a directive

Recital 23

Text proposed by the Commission

(23) In some situations, common accessibility requirements of the built environment would facilitate the free movement of the related services and of persons with disabilities. Therefore, this Directive **enables** Member States to include the built environment used in the provision of the services under the scope of this Directive, ensuring compliance with

Amendment

(23) In some situations, common accessibility requirements of the built environment would facilitate the free movement of the related services and of persons with disabilities. Therefore, this Directive **requires** Member States to include the built environment used in the provision of the services within the scope of this Directive, ensuring compliance with

the accessibility requirements set in Annex X.

the accessibility requirements set out in Annex X.

Or. es

Amendment 85

Dieter-Lebrecht Koch, Sabine Verheyen

Proposal for a directive

Recital 23 a (new)

Text proposed by the Commission

Amendment

(23a) Where existing legislation provides for voluntary compliance with accessibility requirements, the relevant provisions shall not be amended by this Directive.

Or. de

Justification

Where the application of accessibility requirements is voluntary, it will remain so under this directive.

Amendment 86

Marie-Christine Arnautu

Proposal for a directive

Recital 24

Text proposed by the Commission

Amendment

(24) It is necessary to provide that, for legislative acts of the Union establishing accessibility obligations without providing accessibility requirements or specifications, accessibility is defined by reference to the accessibility requirements of this ***Directive***. That is the case of Directive 2014/23/EU of the European Parliament and of the Council³⁵, Directive 2014/24/EU of the European Parliament

(24) It is necessary to provide that, for legislative acts of the Union establishing accessibility obligations without providing accessibility requirements or specifications, accessibility is defined by reference to the accessibility requirements of this ***Recommendation***. That is the case of Directive 2014/23/EU of the European Parliament and of the Council³⁵, Directive 2014/24/EU of the European Parliament

and of the Council³⁶, and Directive 2014/25/EU of the European Parliament and of the Council³⁷, which require that technical specifications and technical or functional requirements of the concessions, works or services falling within their scope take into account accessibility criteria for persons with disabilities or "design for all" users.

³⁵ Directive 2014/23/EU of the European Parliament and of the Council of 26 February 2014 on the award of concession contracts (OJ L 94, 28.3.2014, p. 1).

³⁶ Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (OJ L 94, 28.3.2014, p. 65).

³⁷ Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC (OJ L 94, 28.3.2014, p. 243).

and of the Council³⁶, and Directive 2014/25/EU of the European Parliament and of the Council³⁷, which require that technical specifications and technical or functional requirements of the concessions, works or services falling within their scope take into account accessibility criteria for persons with disabilities or "design for all" users.

³⁵ Directive 2014/23/EU of the European Parliament and of the Council of 26 February 2014 on the award of concession contracts (OJ L 94, 28.3.2014, p. 1).

³⁶ Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (OJ L 94, 28.3.2014, p. 65).

³⁷ Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC (OJ L 94, 28.3.2014, p. 243).

Or. fr

Amendment 87

Izaskun Bilbao Barandica, Jozo Radoš, Pavel Telička, Dominique Riquet

Proposal for a directive

Recital 24 a (new)

Text proposed by the Commission

Amendment

(24a) The obligation to ensure accessibility of the transport infrastructure on the Trans-European Transport Network is established in Regulation (EU) No 1315/2013 of the European Parliament and of the Council.^{1a} The accessibility requirements provided for in this Directive should also

apply to certain elements of the transport infrastructure regulated by that Regulation, to the extent that the products and services covered by this Directive are concerned and the infrastructure and the built environment related to these services are intended to be used by passengers.

^{1a} 46 Regulation (EU) No 1315/2013 of the European Parliament and of the Council of 11 December 2013 on Union guidelines for the development of the trans-European transport network (OJ L 348, 20.12.2013, p. 1).

Or. es

Justification

When dealing with the TEN-T it is necessary to aim it at passengers and be very clear on which parts are in and out, while avoiding duplicating legislation.

Amendment 88

Dieter-Lebrecht Koch, Sabine Verheyen

Proposal for a directive

Recital 24 a (new)

Text proposed by the Commission

Amendment

(24a) In order to establish coherent legislation for passenger transport, existing legislation on accessibility laid down in Regulation (EC) No 1371/2007, Regulation (EU) No 1300/2014 and Regulation (EU) No 454/2011 for rail transport, Regulation (EU) No 181/2011 for bus and coach transport, Regulation (EU) No 1177/2010 for sea and inland waterway transport and Regulation (EC) No 1107/2006 for air transport should be applied as a matter of priority. Where areas are not covered by this legislation, they should come within the scope of this Directive.

Justification

Regulations governing the accessibility of the transport sector are already in force, and these should not be circumvented or undermined. The directive under consideration here should be seen as complementing existing legislation, as there would otherwise be legal uncertainty.

Amendment 89

Kosma Zlotowski, Tomasz Piotr Poręba

Proposal for a directive

Recital 24 a (new)

Text proposed by the Commission

Amendment

(24a) Taking into account importance of trans-European transport network in terms of allowing seamless mobility and accessibility for all users, Member States may give due consideration to application of accessibility criteria related to built environment in case of transport infrastructure investment realized on the TEN-T network.

Or. en

Amendment 90

Elżbieta Katarzyna Łukacijewska

Proposal for a directive

Recital 24 a (new)

Text proposed by the Commission

Amendment

(24a) Taking into account importance of trans-European transport network in terms of allowing seamless mobility and accessibility for all users, Member States may give due consideration to application of accessibility criteria related to built environment in case of transport infrastructure investment realized on the

Justification

When dealing with the TEN-T it is necessary to aim it at passengers and be very clear on which parts are in and out, whilst avoiding doubling legislation.

Amendment 91
Marie-Christine Arnautu

Proposal for a directive
Recital 25

Text proposed by the Commission

(25) Accessibility should be achieved by the removal and prevention of barriers, preferably through a universal design **or "design for all"** approach. Accessibility should not exclude the provision of reasonable accommodation when requested by national **or Union** law.

Amendment

(25) Accessibility should be achieved by the removal and prevention of barriers, preferably through a universal design approach. Accessibility should not exclude the provision of reasonable accommodation when required by national law.

Amendment 92
Markus Pieper, Markus Ferber

Proposal for a directive
Recital 26

Text proposed by the Commission

(26) Most jobs in the Union are provided by SMEs and micro-enterprises. They have a crucial importance for future growth, but very often face hurdles and obstacles in developing their products or services, notably in the cross-border context. It *is* therefore **necessary** to facilitate **the work of the SMEs and micro-enterprises** by harmonising the national

Amendment

(26) Most jobs in the Union are provided by SMEs and micro-enterprises. They have a crucial importance for future growth, but very often face hurdles and obstacles in developing their products or services, notably in the cross-border context. It **could** therefore **be advantageous** to facilitate **cross-border trade and sales** by harmonising the

provisions on accessibility while maintaining the necessary safeguards.

national provisions on accessibility while maintaining the necessary safeguards.

Or. de

Amendment 93
Marie-Christine Arnautu

Proposal for a directive
Recital 27

Text proposed by the Commission

(27) This **Directive** should be based on Decision No 768/2008/EC of the European Parliament and of the Council³⁸ as it concerns products already subject to other Union acts, this way **ensuring** the consistency of Union legislation.

³⁸ Decision No 768/2008/EC of the European Parliament and of the Council of 9 July 2008 on a common framework for the marketing of products (OJ L 218, 13/08/2008, p. 82).

Amendment

(27) This **Recommendation** should be based on Decision No 768/2008/EC of the European Parliament and of the Council³⁸ as it concerns products already subject to other Union acts, **ensuring in** this way the consistency of Union legislation.

³⁸ Decision No 768/2008/EC of the European Parliament and of the Council of 9 July 2008 on a common framework for the marketing of products (OJ L 218, 13/08/2008, p. 82).

Or. fr

Amendment 94
Marie-Christine Arnautu

Proposal for a directive
Recital 28

Text proposed by the Commission

(28) All economic operators intervening in the supply and distribution chain should ensure that they make available on the market only products which are in conformity with the accessibility requirements of this **Directive**. It is necessary to provide for a clear and proportionate distribution of obligations

Amendment

(28) All economic operators intervening in the supply and distribution chain should ensure that they make available on the market only products which are in conformity with the accessibility requirements of this **Recommendation**. It is necessary to provide for a clear and proportionate distribution of obligations

which correspond to the role of each operator in the supply and distribution process.

which correspond to the role of each operator in the supply and distribution process.

Or. fr

Amendment 95
Marie-Christine Arnautu

Proposal for a directive
Recital 34

Text proposed by the Commission

(34) Distributors should ensure that their handling of the product does not adversely affect the compliance of the product with the accessibility requirements of this **Directive**.

Amendment

(34) Distributors should ensure that their handling of the product does not adversely affect the compliance of the product with the accessibility requirements of this **Recommendation**.

Or. fr

Amendment 96
Marie-Christine Arnautu

Proposal for a directive
Recital 37

Text proposed by the Commission

(37) This **Directive** should follow the principle of 'think small first' and should take account of the administrative burdens that SMEs are faced with. It should set light rules in terms of conformity assessment and should establish safeguard clauses for economic operators, rather than providing for general exceptions and derogations for those enterprises. Consequently, when setting up the rules for the selection and implementation of the most appropriate conformity assessment procedures, the situation of SMEs should be taken into account and the obligations to assess conformity of accessibility

Amendment

(37) This **Recommendation** should follow the principle of 'think small first' and should take account of the administrative burdens that SMEs are faced with. It should set light rules in terms of conformity assessment and should establish safeguard clauses for economic operators, rather than providing for general exceptions and derogations for those enterprises. Consequently, when setting up the rules for the selection and implementation of the most appropriate conformity assessment procedures, the situation of SMEs should be taken into account and the obligations to assess

requirements should be limited to the extent that they do not pose a disproportionate burden on SMEs. In addition, market surveillance authorities should operate in a proportionate manner in relation to the size of undertakings and to the small serial or non-serial nature of the production concerned, without creating unnecessary obstacles for SMEs and without compromising the protection of public interests.

conformity of accessibility requirements should be limited to the extent that they do not pose a disproportionate burden on SMEs. In addition, market surveillance authorities should operate in a proportionate manner in relation to the size of undertakings and to the small serial or non-serial nature of the production concerned, without creating unnecessary obstacles for SMEs and without compromising the protection of public interests.

Or. fr

Amendment 97
Marie-Christine Arnautu

Proposal for a directive
Recital 40

Text proposed by the Commission

(40) In the absence of harmonised standards and where needed for market harmonisation purposes, the Commission should be able adopt implementing acts establishing common technical specifications for the accessibility requirements set in this Directive.

Amendment

deleted

Or. fr

Amendment 98
Olga Sehnalová, Claudia Țapardel, Maria Grapini, Lucy Anderson, Miltiadis Kyrkos, Jens Nilsson

Proposal for a directive
Recital 40

Text proposed by the Commission

(40) In the absence of harmonised standards and where needed for market harmonisation purposes, the Commission

Amendment

(40) In the absence of harmonised standards and where needed for market harmonisation purposes, the Commission

should be able adopt implementing acts establishing common technical specifications for the accessibility requirements set in this Directive.

should be able adopt , *in cooperation with organisations representing persons with disabilities*, implementing acts establishing common technical specifications for the accessibility requirements set in this Directive.

Or. en

Justification

Participation of persons with disabilities and their representative organisations on equal basis with other stakeholders should be promoted.

Amendment 99

Marie-Christine Arnautu

Proposal for a directive

Recital 42

Text proposed by the Commission

(42) For conformity assessment of products, this ***Directive*** should use the Internal Production Control of "Module A", described in Annex II to Decision No 768/2008/EC, as it enables economic operators to demonstrate, and the competent authorities to ensure, that products made available in the market conform to the accessibility requirements while not imposing a disproportionate burden.

Amendment

(42) For conformity assessment of products, this ***Recommendation*** should use the Internal Production Control of "Module A", described in Annex II to Decision No 768/2008/EC, as it enables economic operators to demonstrate, and the competent authorities to ensure, that products made available in the market conform to the accessibility requirements while not imposing a disproportionate burden.

Or. fr

Amendment 100

Rosa Estaràs Ferragut

Proposal for a directive

Recital 42 a (new)

(42a) When carrying out market surveillance of products, market surveillance authorities should review the assessment in cooperation with persons with disabilities and their organizations.

Or. en

Amendment 101
Marie-Christine Arnautu

Proposal for a directive
Recital 44

Text proposed by the Commission

(44) The CE marking, indicating the conformity of a product with the accessibility requirements of this **Directive**, is the visible consequence of a whole process comprising conformity assessment in a broad sense. This **Directive** should follow the general principles governing the CE marking of Regulation (EC) No 765/2008 of the European Parliament and of the Council⁴⁰ setting out the requirements for accreditation and market surveillance relating to the marketing of products.

⁴⁰ 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, 13/08/2008, p. 30).

Amendment

(44) The CE marking, indicating the conformity of a product with the accessibility requirements of this **Recommendation**, is the visible consequence of a whole process comprising conformity assessment in a broad sense. This **Recommendation** should follow the general principles governing the CE marking of Regulation (EC) No 765/2008 of the European Parliament and of the Council⁴⁰ setting out the requirements for accreditation and market surveillance relating to the marketing of products.

⁴⁰ 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, 13/08/2008, p. 30).

Or. fr

Amendment 102
Marie-Christine Arnautu

Proposal for a directive
Recital 47

Text proposed by the Commission

Amendment

(47) Member States should check the compliance of services with the obligations of this Directive and should follow up complaints or reports related to non-compliance in order to ensure that corrective action has been taken.

deleted

Or. fr

Amendment 103
Rosa Estaràs Ferragut

Proposal for a directive
Recital 48

Text proposed by the Commission

Amendment

(48) Member States are expected to ensure that market surveillance authorities check the compliance of the economic operators with the criteria referred to in Article 12 (3) in accordance with Chapter V.

(48) Member States are expected to ensure that market surveillance authorities check the compliance of the economic operators with the criteria referred to in Article 12 (3) in accordance with Chapter V and that they hold regular consultations with organizations representing persons with disabilities.

Or. en

Amendment 104
Rosa Estaràs Ferragut

Proposal for a directive
Recital 48 a (new)

Text proposed by the Commission

Amendment

(48a) National databases containing all

relevant information on the degree of accessibility of the products and services listed in Article 1 (1) and (2) would allow a better inclusion in the market surveillance of people with functional limitations, including people with disabilities and their organizations.

Or. en

Amendment 105
Marie-Christine Arnautu

Proposal for a directive
Recital 49

Text proposed by the Commission

(49) Member States are expected to ensure that competent authorities indicated in Article 22 notify the Commission of the use of the exceptions referred to in Article 22 (1) as well as include the assessment referred to in paragraph (2) in accordance with Chapter VI.

Amendment

deleted

Or. fr

Amendment 106
Rosa Estaràs Ferragut

Proposal for a directive
Recital 50

Text proposed by the Commission

(50) A safeguard procedure should be set up which applies only in the event of disagreement between Member States over measures taken by a Member State under which interested parties are informed of measures intended to be taken with regard to products not complying with the accessibility requirements of this Directive.

Amendment

(50) A safeguard procedure should be set up which applies only in the event of disagreement between Member States over measures taken by a Member State under which interested parties are informed of measures intended to be taken with regard to products not complying with the accessibility requirements of this Directive.

It should allow market surveillance authorities, in cooperation with the relevant economic operators, to act at an earlier stage in respect of such products.

It should allow market surveillance authorities, in cooperation with ***organizations representing persons with disabilities and*** the relevant economic operators, to act at an earlier stage in respect of such products.

Or. en

Amendment 107

Marie-Christine Arnautu

Proposal for a directive

Recital 50

Text proposed by the Commission

(50) A safeguard procedure should be set up which applies only in the event of disagreement between Member States over measures taken by a Member State under which interested parties are informed of measures intended to be taken with regard to products not complying with the accessibility requirements of this ***Directive***. It should allow market surveillance authorities, in cooperation with the relevant economic operators, to act at an earlier stage in respect of such products.

Amendment

(50) A safeguard procedure should be set up which applies only in the event of disagreement between Member States over measures taken by a Member State under which interested parties are informed of measures intended to be taken with regard to products not complying with the accessibility requirements of this ***Recommendation***. It should allow market surveillance authorities, in cooperation with the relevant economic operators, to act at an earlier stage in respect of such products.

Or. fr

Amendment 108

Marie-Christine Arnautu

Proposal for a directive

Recital 52

Text proposed by the Commission

(52) ***In order to ensure uniform conditions for the implementation of chapter IV of this Directive, implementing powers should be conferred on the***

Amendment

deleted

Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council.⁴¹

⁴¹ *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, 28.02.2011, p. 13).*

Or. fr

Amendment 109
Marie-Christine Arnautu

Proposal for a directive
Recital 54

Text proposed by the Commission

Amendment

(54) Since the objective of this Directive, namely, the elimination of barriers to the free movement of certain accessible products and services to contribute to the proper functioning of the internal market, cannot be sufficiently achieved by the Member States because it requires the harmonisation of different rules currently existing in their respective legal systems, but can rather, by reason of defining common accessibility requirements and rules for the functioning of the single market, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Directive does not go beyond what is necessary in order to achieve that objective,

deleted

Amendment 110

Olga Sehnalová, Claudia Tapardel, Maria Grapini, Miltiadis Kyrkos

Proposal for a directive

Recital 54 a (new)

Text proposed by the Commission

Amendment

(54a) The deployment of applications providing information based on spatial data services contributes to the independent and safe movement of persons with functional limitation and persons with disabilities. The spatial data for these applications should provide the content of information adapted to the specific needs of persons with functional limitation and persons with disabilities.

Or. en

Justification

Spatial data services for persons with disabilities and persons with functional limitations provide real-time information on accessibility to transport services.

Amendment 111

Dieter-Lebrecht Koch, Sabine Verheyen

Proposal for a directive

Article 1 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

(1) Chapters I, II to V, and VII apply to the following products:

(1) Chapters I, II to V, and VII apply to the following ***new*** products ***placed on the market after the date of application of this Directive:***

Or. de

Justification

It should be made clear that the directive applies only to new products and services.

Amendment 112

Keith Taylor

Proposal for a directive

Article 1 – paragraph 1 – point b – introductory part

Text proposed by the Commission

Amendment

(b) the following self-service terminals:

(b) the following self-service terminals
*if the offered services are not for free for
the persons mentioned in Art.2, point (3)
and (4):*

Or. en

Amendment 113

Izaskun Bilbao Barandica, Jozo Radoš, Pavel Telička, Dominique Riquet

Proposal for a directive

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

Text proposed by the Commission

Amendment

(ia) *payment terminals*

Or. es

Amendment 114

**Olga Sehnalová, Claudia Țapardel, Maria Grapini, Lucy Anderson, Miltiadis Kyrkos,
Jens Nilsson**

Proposal for a directive

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

Text proposed by the Commission

Amendment

(iiia) *payment terminals.*

Or. en

Justification

Transactions through payment terminals are the most commonly used form of electronic payment in the EU. Making payment terminals more accessible can help Member States to comply with their obligations under the Article 9 on the UN CRPD.

Amendment 115
Wim van de Camp

Proposal for a directive
Article 1 – paragraph 1 – point b – point iii a (new)

Text proposed by the Commission

Amendment

(iiia) ***payment terminals;***

Or. en

Justification

Many consumers, especially persons with disabilities and elderly, encounter problems when operating payment terminals. These include but are not limited to; typing in the code, inability to properly hear audio and reading small letters on the screen. This can compromise the privacy of these consumers and leaves them more vulnerable to fraud and theft.

Amendment 116
Dieter-Lebrecht Koch, Sabine Verheyen

Proposal for a directive
Article 1 – paragraph 2 – introductory part

Text proposed by the Commission

Amendment

(2) Chapters I, II to V, and VII, apply to the following services:

(2) Chapters I, II to V, and VII apply to the following services ***provided after the date of application of this Directive:***

Or. de

Justification

It should be made clear that the directive applies only to new products and services.

Amendment 117

Elżbieta Katarzyna Łukacijewska

Proposal for a directive

Article 1 – paragraph 2 – point b

Text proposed by the Commission

(b) audiovisual media services **and** related consumer equipment with advanced computing capability;

Amendment

(b) **services providing access to** audiovisual media services, **including** related consumer equipment with advanced computing capability **used for the provision of those services**;

Or. en

Amendment 118

Kosma Złotowski, Tomasz Piotr Poręba

Proposal for a directive

Article 1 – paragraph 2 – point c

Text proposed by the Commission

(c) **air, bus, rail and waterborne passenger transport services**;

Amendment

deleted

Or. en

Amendment 119

Izaskun Bilbao Barandica, Jozo Radoš, Pavel Telička, Dominique Riquet

Proposal for a directive

Article 1 – paragraph 2 – point c

Text proposed by the Commission

(c) air, bus, rail and waterborne passenger transport services;

Amendment

(c) air, bus, rail and waterborne passenger transport, **mobility and the intermodal connection** services **provided in relation thereto, such as public urban transport – including underground systems – rail, tramway, trolleybus and**

bus systems, as regards:

- (i) self-service terminals, ticketing machines and check-in machines;*
- (ii) website- and mobile device-based services, smart ticketing and real-time information;*
- (iii) vehicles, the related infrastructure and the built environment;*

Member States shall ensure that, within their territory, fleets of taxis and hire cars include an adequate proportion of adapted vehicles.

Or. es

Amendment 120
Jana Žitňanská, Helga Stevens

Proposal for a directive
Article 1 – paragraph 2 – point c

Text proposed by the Commission

(c) air, bus, rail and waterborne passenger transport services;

Amendment

- (c) air, bus, rail and waterborne passenger transport services, ***including public urban transport such as underground, rail, tramway, trolleybus and bus systems, as regards:***
- (i) self-service terminals, ticketing machines and check-in machines, with at least half of the total number of machines operating in each station area easily accessible.*
 - (ii) websites, mobile device-based services, smart ticketing and real-time information;*
 - (iii) vehicles, related infrastructure, and the built environment;*
 - (iv) Member States shall ensure that, within their territory, fleets of taxis and hire cars include an adequate proportion of adapted vehicles.*

Amendment 121

Olga Sehnalová, Claudia Țapardel, Maria Grapini, Lucy Anderson, Miltiadis Kyrkos, Jens Nilsson

Proposal for a directive

Article 1 – paragraph 2 – point c

Text proposed by the Commission

(c) air, bus, rail and waterborne passenger transport services;

Amendment

(c) air, bus ***and coach***, rail and waterborne passenger transport services ***including urban transport:***

(i) ***the built environment***

(ii) ***self-service terminals, ticketing machines and check-in machines and payment terminals, with at least one easily accessible machine operating in each defined station area;***

(iii) ***websites, mobile device-based services, smart ticketing and real-time information***

Or. en

Justification

Extend the scope of the Directive to coach services and urban transport. Making coach services and urban transport more accessible can help Member States to comply with their obligations under the Article 9 on the UN CRPD.

Amendment 122

Dieter-Lebrecht Koch, Sabine Verheyen

Proposal for a directive

Article 1 – paragraph 2 – point c

Text proposed by the Commission

(c) air, bus, rail and waterborne passenger transport services;

Amendment

(c) air, bus, rail and waterborne passenger transport services ***and intermodal passenger transport services in***

relation to:

- (i) websites, mobile device-based services, smart ticketing and real time information;*
- (ii) self-service terminals, ticketing machines and check-in machines used for provision of passenger transport services;*

Or. de

Justification

This addition should be included in the scope for reasons of comprehensibility.

Amendment 123
Gesine Meissner

Proposal for a directive
Article 1 – paragraph 2 – point c

Text proposed by the Commission

(c) air, bus, rail and waterborne passenger transport services;

Amendment

(c) air, bus, rail and waterborne passenger transport **and mobility** services **with regard to the following aspects:**

- (i) websites, mobile services, intelligent ticket terminals*
- (ii) self-service terminal, ticket machines*
- (iii) built environment addressed in Art.3 (10);*

Or. en

Amendment 124
Inés Ayala Sender

Proposal for a directive
Article 1 – paragraph 2 – point c

Text proposed by the Commission

Amendment

(c) air, bus, rail and waterborne passenger transport services;

(c) air, bus, rail and waterborne passenger transport services; ***Member States shall ensure that fleets of taxis and hire cars include an adequate proportion of adapted vehicles.***

Or. es

Amendment 125

Lucy Anderson, Olga Sehnalová

Proposal for a directive

Article 1 – paragraph 2 – point c

Text proposed by the Commission

Amendment

(c) air, bus, rail and waterborne passenger transport services;

(c) air, bus, rail and waterborne passenger transport services, ***including urban transport and step-free access on all public stations;***

Or. en

Amendment 126

Izaskun Bilbao Barandica, Jozo Radoš, Dominique Riquet

Proposal for a directive

Article 1 – paragraph 2 – point f a (new)

Text proposed by the Commission

Amendment

(fa) tourism-related services, including accommodation, catering and the provision of accessibility and beach-enjoyment systems;

Or. es

Amendment 127

Olga Sehnalová, Claudia Țapardel, Maria Grapini, Lucy Anderson, Miltiadis Kyrkos

Proposal for a directive
Article 1 – paragraph 2 – point f a (new)

Text proposed by the Commission

Amendment

(fa) accommodation services.

Or. en

Justification

Extend the scope of the Directive to accommodation services. Making accommodation services more accessible can help Member States to comply with their obligations under the Article 9 on the UN CRPD.

Amendment 128
Marie-Christine Arnautu

Proposal for a directive
Article 1 – paragraph 3 – introductory part

Text proposed by the Commission

Amendment

3. Chapters I, VI and VII of this **Directive** apply to the following:

3. Chapters I, VI and VII of this **Recommendation** apply to the following:

Or. fr

Amendment 129
Izaskun Bilbao Barandica, Jozo Radoš, Pavel Telička, Dominique Riquet

Proposal for a directive
Article 1 – paragraph 3 – point a

Text proposed by the Commission

Amendment

(a) public contracts and concessions which are subject to Directive 2014/23/EU⁴² Directive 2014/24/EU and Directive 2014/25/EU.

(a) public contracts and concessions **of all kinds** which are subject to Directive 2014/23/EU⁴² Directive 2014/24/EU and Directive 2014/25/EU.

⁴² Directive 2014/23/EU of the European Parliament and of the Council of 26

⁴² Directive 2014/23/EU of the European Parliament and of the Council of 26

February 2014 on the award of concession contracts (OJ L 94, 28.3.2014, p. 1)

February 2014 on the award of concession contracts (OJ L 94, 28.3.2014, p. 1)

Or. es

Amendment 130

Kosma Złotowski, Tomasz Piotr Poręba

Proposal for a directive

Article 1 – paragraph 3 – point c

Text proposed by the Commission

Amendment

(c) tender procedures for public passenger transport services by rail and by road under Regulation (EC) No 1370/2007 of the European Parliament and of the Council.⁴⁵

deleted

⁴⁵ *Regulation (EC) No 1370/2007 of the European Parliament and of the Council of 23 October 2007 on public passenger transport services by rail and by road and repealing Council Regulations (EEC) 1191/69 and 1107/70 (OJ L 315 of 3.12.2007, p.1).*

Or. en

Amendment 131

Gesine Meissner

Proposal for a directive

Article 1 – paragraph 3 – point c

Text proposed by the Commission

Amendment

(c) tender procedures for public passenger transport services by rail and by road under Regulation (EC) No 1370/2007 of the European Parliament and of the Council.⁴⁵

deleted

⁴⁵ *Regulation (EC) No 1370/2007 of the European Parliament and of the Council of 23 October 2007 on public passenger transport services by rail and by road and repealing Council Regulations (EEC) 1191/69 and 1107/70 (OJ L 315 of 3.12.2007, p.1).*

Or. en

Justification

Public passenger transport services will have to comply with additional provisions ranging from accessible vehicles, facilities and build environment. It would result in unequal treatment between private and public transport services, the latter having to fulfil provisions of article 21 and Annex IV. It would moreover result in enormous additional costs.

Amendment 132

Dieter-Lebrecht Koch, Sabine Verheyen

Proposal for a directive

Article 1 – paragraph 3 – point c

Text proposed by the Commission

(c) *tender procedures* for public passenger transport services by rail and by road under Regulation (EC) No 1370/2007 of the European Parliament and of the Council.⁴⁵

⁴⁵ Regulation (EC) No 1370/2007 of the European Parliament and of the Council of 23 October 2007 on public passenger transport services by rail and by road and repealing Council Regulations (EEC) 1191/69 and 1107/70 (OJ L 315 of 3.12.2007, p.1).

Amendment

(c) *public service contracts which, after the date of application of this Directive, are awarded either through competitive tendering procedures or directly* for public passenger transport services by rail and by road under Regulation (EC) No 1370/2007 of the European Parliament and of the Council⁴⁵, *if the competent authorities have made compliance with accessibility requirements an award criterion;*

⁴⁵ Regulation (EC) No 1370/2007 of the European Parliament and of the Council of 23 October 2007 on public passenger transport services by rail and by road and repealing Council Regulations (EEC) 1191/69 and 1107/70 (OJ L 315 of 3.12.2007, p.1).

Justification

Competent authorities are free to choose whether compliance with accessibility requirements should be an award criterion or not. If they do make them a condition, however, the criteria must be consistent with the accessibility requirements laid down in the directive.

Amendment 133

Izaskun Bilbao Barandica, Jozo Radoš, Pavel Telička, Dominique Riquet

Proposal for a directive**Article 1 – paragraph 3 – point c***Text proposed by the Commission*

(c) tender procedures for public passenger transport services by rail and by road under Regulation (EC) No 1370/2007 of the European Parliament and of the Council.⁴⁵

⁴⁵ Regulation (EC) No 1370/2007 of the European Parliament and of the Council of 23 October 2007 on public passenger transport services by rail and by road and repealing Council Regulations (EEC) 1191/69 and 1107/70 (OJ L 315 of 3.12.2007, p.1).

Amendment

(c) ***all*** tender procedures for ***contracts, including the direct award of public service contracts for*** public passenger transport services by rail and by road under Regulation (EC) No 1370/2007 of the European Parliament and of the Council.⁴⁵

⁴⁵ Regulation (EC) No 1370/2007 of the European Parliament and of the Council of 23 October 2007 on public passenger transport services by rail and by road and repealing Council Regulations (EEC) 1191/69 and 1107/70 (OJ L 315 of 3.12.2007, p.1).

Or. es

Amendment 134

Kosma Złotowski, Tomasz Piotr Poręba

Proposal for a directive**Article 1 – paragraph 3 – point d***Text proposed by the Commission*

(d) ***transport infrastructure in accordance with Regulation (EU) No 1315/2013 of the European Parliament***

Amendment

deleted

*and of the Council.*⁴⁶

⁴⁶ *Regulation (EU) No 1315/2013 of the European Parliament and of the Council of 11 December 2013 on Union guidelines for the development of the trans-European transport network (OJ L 348, 20.12.2013, p.1).*

Or. en

Amendment 135

Olga Sehnalová, Maria Grapini, Lucy Anderson, Miltiadis Kyrkos

Proposal for a directive

Article 1 – paragraph 3 – point d

Text proposed by the Commission

(d) transport infrastructure in accordance with **Regulation** (EU) No 1315/2013 of the European Parliament and of the Council.⁴⁶

Amendment

(d) transport infrastructure in accordance with **Regulations** (EU) No 1315/2013 **and 1316/2013** ^{45a} of the European Parliament and of the Council.⁴⁶

⁴⁶ Regulation (EU) No 1315/2013 of the European Parliament and of the Council of 11 December 2013 on Union guidelines for the development of the trans-European transport network (OJ L 348, 20.12.2013, p.1).

^{45a} *Regulation (EU) No 1316/2013 of the European Parliament and of the Council of 11 December 2013 establishing the Connecting Europe Facility, amending Regulation (EU) No 913/2010 and repealing Regulations (EC) No 680/2007 and (EC) No 67/2010 (OJ L 348, 20.12.2013, p. 129).*

⁴⁶ Regulation (EU) No 1315/2013 of the European Parliament and of the Council of 11 December 2013 on Union guidelines for the development of the trans-European transport network (OJ L 348, 20.12.2013, p.1).

Or. en

Justification

To include the regulation of Connection Europe Facility.

Amendment 136

Keith Taylor

Proposal for a directive

Article 1 – paragraph 3 – point d a (new)

Text proposed by the Commission

Amendment

(da) The numerous existing Regulations dealing with transport services shall be the basis for rules on accessibility to transport and mobility services and achieve greater coherence between these legislative acts as well as include intermodal aspects that are necessary for obtaining barrier-free accessibility.

Or. en

Amendment 137

Markus Pieper, Markus Ferber

Proposal for a directive

Article 1 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

(3a) This Directive shall not apply to the following content of websites and mobile applications:

(a) office file formats published before the entry into force of this Directive, unless such content is needed for active administrative processes relating to the tasks performed by the public sector body concerned;

(b) time-based media published before 23 September 2020;

(c) live time-based media;

(d) online maps and mapping services, as long as essential information is provided in an accessible digital manner

for maps intended for navigational use;
(e) third-party content that is neither funded nor developed by, nor under the control of, the public sector body concerned.

Or. de

Justification

For the sake of consistency, the exceptions provided for in this directive should correspond to those in the directive of 26 October 2016 on the accessibility of the websites and mobile applications of public sector bodies.

Amendment 138

Ismail Ertug

Proposal for a directive

Article 1 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

(3a) The requirements of this Directive shall apply only to products and services placed on the market or made available after the entry into force of this Directive. Products or services that are still operational which were put into service or made available before the entry into force of this Directive need not be replaced prematurely.

Or. de

Amendment 139

Izaskun Bilbao Barandica, Jozo Radoš, Pavel Telička, Dominique Riquet

Proposal for a directive

Article 1 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. Member States may maintain or introduce measures in conformity with

EU law which go beyond the minimum requirements for accessibility established by this Directive.

Or. es

Amendment 140
Markus Pieper, Markus Ferber

Proposal for a directive
Article 1 – paragraph 3 b (new)

Text proposed by the Commission

Amendment

(3b) Chapter II shall not apply to micro-enterprises, due to their limited resources and their field of operation.

Or. de

Amendment 141
Markus Pieper, Markus Ferber

Proposal for a directive
Article 1 – paragraph 3 c (new)

Text proposed by the Commission

Amendment

(3c) The requirements of this Directive shall apply to new products purchased after the entry into force of this Directive. Products that were put into service before the entry into force of this Directive and that are still operational are excluded from the scope of this Directive and do not need to be replaced.

Or. de

Justification

Preservation of stock

Amendment 142
Marie-Christine Arnautu

Proposal for a directive
Article 2 – paragraph 1 – introductory part

Text proposed by the Commission

For the purposes of this **Directive**, the following definitions **shall** apply:

Amendment

For the purposes of this **Recommendation** the following definitions apply:

Or. fr

Amendment 143
Izaskun Bilbao Barandica, Jozo Radoš, Pavel Telička, Dominique Riquet

Proposal for a directive
Article 2 – paragraph 1 – point 1 a (new)

Text proposed by the Commission

Amendment

(1a) barrier-free means perceivable, usable and understandable without encountering any specific obstacle, and not resulting in any reduced independence;

Or. es

Amendment 144
Dieter-Lebrecht Koch

Proposal for a directive
Article 2 – paragraph 1 – point 3

Text proposed by the Commission

Amendment

(3) “persons with functional limitations” means persons who have any physical, mental, intellectual or sensory impairment, age related impairment, or other human body performance related causes, permanent or temporary, which in interaction with various barriers result in their reduced access to products and

deleted

services, leading to a situation that requires adaptation to their particular needs of those products and services;

Or. de

Amendment 145

Izaskun Bilbao Barandica, Jozo Radoš, Pavel Telička, Dominique Riquet

Proposal for a directive

Article 2 – paragraph 1 – point 3

Text proposed by the Commission

(3) “persons with functional limitations” means persons who have any physical, mental, intellectual or sensory impairment, age related impairment, or other human body performance related causes, permanent or temporary, which in interaction with various barriers result in their reduced access to products and services, leading to a situation that requires adaptation to their particular needs of those products and services;

Amendment

(3) “persons with functional limitations” means persons who have any physical, mental, intellectual or sensory impairment, ***reduced mobility***, age-related impairment, or other human body performance related causes, permanent or temporary, which in interaction with various barriers result in their reduced access to products and services, leading to a situation that requires adaptation to their particular needs of those products and services;

Or. es

Amendment 146

Kosma Złotowski, Tomasz Piotr Poręba

Proposal for a directive

Article 2 – paragraph 1 – point 7 a (new)

Text proposed by the Commission

Amendment

(7a) "air passenger transport services" means services provided by air carriers providing scheduled air services within the Union territory or to/from the Union territory or other services related to air services provided by owners of self-service terminals;

Amendment 147

Kosma Zlotowski, Tomasz Piotr Poręba

Proposal for a directive

Article 2 – paragraph 1 – point 7 b (new)

Text proposed by the Commission

Amendment

(7b) "bus passenger transport services" means services covered by Article 2(1) and 2(2) of Regulation (EC) No 181/2011;

Or. en

Amendment 148

Kosma Zlotowski, Tomasz Piotr Poręba

Proposal for a directive

Article 2 – paragraph 1 – point 7 c (new)

Text proposed by the Commission

Amendment

(7c) "rail passenger transport services" means all rail passenger services as referred to in Article 2(1) and 2(2) of Regulation (EC) No 1371/2007;

Or. en

Amendment 149

Kosma Zlotowski, Tomasz Piotr Poręba

Proposal for a directive

Article 2 – paragraph 1 – point 7 d (new)

Text proposed by the Commission

Amendment

(7d) "waterborne passenger transport services" means passenger services covered by Article 2(1) with the exception of services defined in Article 2(2) of the

Or. en

Amendment 150

Jill Seymour

Proposal for a directive

Article 2 – paragraph 1 – point 15

Text proposed by the Commission

(15) “consumer” means **any** natural person ***who purchases the relevant product or is a recipient of the relevant service*** for purposes which are outside his ***trade, business, craft or profession***;

Amendment

(15) “consumer” means ***a*** natural person, ***and in concluding a contract he is acting*** for purposes which are outside his ***commercial or professional activities***;

Or. en

Amendment 151

Izaskun Bilbao Barandica, Jozo Radoš, Dominique Riquet

Proposal for a directive

Article 2 – paragraph 1 – point 20

Text proposed by the Commission

(20) *(Does not affect English version)*

Amendment

(20) *(Does not affect English version)* .

Or. es

Justification

..

Amendment 152

Elżbieta Katarzyna Łukacijewska

Proposal for a directive

Article 2 – paragraph 1 – point 21 a (new)

Text proposed by the Commission

Amendment

(21a) "air passenger transport services" means services provided by air carriers providing scheduled air services within the Union territory or to/from the Union territory or other services related to air services provided by owners of self-service terminals;

Or. en

Justification

For the sake of clarity, it is necessary to define what is meant by air passenger transport services. The definition does not intend to reduce the scope of what was originally proposed by the Commission.

Amendment 153

Olga Sehnalová, Claudia Țapardel, Maria Grapini, Miltiadis Kyrkos

Proposal for a directive

Article 2 – paragraph 1 – point 21 a (new)

Text proposed by the Commission

Amendment

(21a) "spatial data services" as referred to in Article 3 of the Directive 2007/2/EC means the operations which may be performed, by invoking a computer application, on the spatial data contained in spatial data sets or on the related metadata;

Or. en

Justification

This definition is used in the directive 2007/2/EC on establishing an Infrastructure for Spatial Information in the European Community

Amendment 154

Olga Sehnalová, Claudia Țapardel, Maria Grapini, Lucy Anderson, Miltiadis Kyrkos

Proposal for a directive
Article 2 – paragraph 1 – point 21 b (new)

Text proposed by the Commission

Amendment

(21b) "accommodation services" means services that provide short-term lodging and other hospitality services such as hotels, hostels, campsites and apartments for rent as well as other private accommodation facilities.

Or. en

Amendment 155
Kosma Zlotowski, Tomasz Piotr Poręba

Proposal for a directive
Article 3 – paragraph 3

Text proposed by the Commission

Amendment

3. The following self-service terminals: Automatic Teller Machines, ticketing machines and check-in machines shall comply with the requirements set out in Section II of Annex I.

3. The following self-service terminals: Automatic Teller Machines, ticketing machines and check-in machines shall comply with the requirements set out in Section II of Annex I. ***When the above-mentioned terminals and machines are disposed in line or series, at least one of those terminals or machines is accessible according to the requirements in the Annex I.***

Or. en

Amendment 156
Izaskun Bilbao Barandica, Jozo Radoš, Pavel Telička, Dominique Riquet

Proposal for a directive
Article 3 – paragraph 3

Text proposed by the Commission

Amendment

3. The following self-service

3. The following self-service ***payment***

terminals: *Automatic Teller Machines*, ticketing machines and check-in machines shall comply with the requirements set out in Section II of Annex I.

terminals: *automatic teller machines*, ticketing machines and check-in machines shall comply with the requirements set out in Section II of Annex I.

Or. es

Amendment 157

Olga Sehnalová, Claudia Țapardel, Maria Grapini, Lucy Anderson, Miltiadis Kyrkos, Jens Nilsson

Proposal for a directive Article 3 – paragraph 3

Text proposed by the Commission

3. The following self-service terminals: Automatic Teller Machines, ticketing machines and check-in machines shall comply with the requirements set out in Section II of Annex I.

Amendment

3. The following self-service terminals: Automatic Teller Machines, ticketing machines, ***payment terminals*** and check-in machines shall comply with the requirements set out in Section II of Annex I.

Or. en

Justification

Transactions through payment terminals are the most commonly used form of electronic payment in the EU. Making payment terminals more accessible can help Member States to comply with their obligations under the Article 9 on the UN CRPD.

Amendment 158

Wim van de Camp

Proposal for a directive Article 3 – paragraph 3

Text proposed by the Commission

3. The following self-service terminals: Automatic Teller Machines, ticketing machines and check-in machines shall comply with the requirements set out in Section II of Annex I.

Amendment

3. The following self-service terminals: ***payment terminals***, Automatic Teller Machines, ticketing machines and check-in machines shall comply with the requirements set out in Section II of Annex

Amendment 159**Dieter-Lebrecht Koch, Sabine Verheyen****Proposal for a directive****Article 3 – paragraph 6***Text proposed by the Commission*

(6) Air, bus, rail and waterborne passenger transport services, the websites, the mobile device-based services, smart ticketing and real-time information and Self-service terminals, ticketing machines and check-in machines used for provision of passenger transport services shall comply with the corresponding requirements set out in Section V of Annex I.

Amendment

(6) Air, bus, rail and waterborne passenger transport services ***and intermodal passenger transport services***, the websites, the mobile device-based services, smart ticketing and real-time information and self-service terminals, ticketing machines and check-in machines used for provision of passenger transport services shall ***be required to*** comply with the corresponding requirements set out in Section V of Annex I ***only when these requirements are not already included in the following relevant lex specialis:***

- ***for rail transport, Regulation (EC) No 1371/2007, Regulation (EU) No 1300/2014 and Regulation (EU) No 454/2011,***
- ***for bus and coach transport, Regulation (EU) No 181/2011,***
- ***for sea and inland waterway transport, Regulation (EU) No 1177/2010***
- ***for air transport, Regulation (EU) No 1107/2006.***

Justification

Regulations governing the accessibility of the transport sector are already in force, and these should not be circumvented or undermined. The directive under consideration here should be seen as complementing existing legislation, as there would otherwise be legal uncertainty.

Amendment 160

Izaskun Bilbao Barandica, Jozo Radoš, Dominique Riquet

Proposal for a directive

Article 3 – paragraph 6

Text proposed by the Commission

6. Air, bus, rail and waterborne passenger transport services, the websites, the mobile device-based services, smart ticketing and real-time information and *Self*-service terminals, ticketing machines and check-in machines used for provision of passenger transport services shall comply with the corresponding requirements set out in Section V of Annex I.

Amendment

6. Air, bus, rail and waterborne passenger transport services, the websites, the mobile device-based services, smart ticketing and real-time information and *self*-service terminals, ticketing machines and check-in machines used for provision of passenger transport ***and tourism-related*** services, ***including accommodation, catering and the provision of accessibility and beach-enjoyment systems***, shall comply with the corresponding requirements set out in Section V of Annex I.

Or. es

Amendment 161

Olga Sehnalová, Claudia Țapardel, Maria Grapini, Miltiadis Kyrkos, Jens Nilsson

Proposal for a directive

Article 3 – paragraph 6

Text proposed by the Commission

6. Air, bus, rail and waterborne passenger transport services, the websites, the mobile device-based services, smart ticketing and real-time information and *Self*-service terminals, ticketing machines and check-in machines used for provision of passenger transport services shall comply with the corresponding requirements set out in Section V of Annex I.

Amendment

6. Air, bus ***and coach***, rail and waterborne passenger transport services ***including urban transport, built environment***, the websites, the mobile device-based services, smart ticketing and real-time information ***including those that can use spatial data services*** and *Self*-service terminals, ticketing machines, ***payment terminals*** and check-in machines used for provision of passenger transport services shall comply with the corresponding requirements set out in Section V of Annex I.

Justification

Making built environment accessible can help Member States to comply with their obligations under the Article 9 on the UN CRPD.

Amendment 162

Markus Pieper, Markus Ferber

Proposal for a directive**Article 3 – paragraph 6***Text proposed by the Commission*

(6) Air, bus, rail and waterborne passenger transport services, the websites, the mobile device-based services, smart ticketing and real-time information and Self-service terminals, ticketing machines and check-in machines used for provision of passenger transport services shall comply with the corresponding requirements set out in Section V of Annex I.

Amendment

(6) Air, bus, rail and waterborne passenger transport services, the websites, the mobile device-based services, smart ticketing and real-time information and self-service terminals, ticketing machines and check-in machines used for provision of passenger transport services shall comply with the corresponding requirements set out in Section V of Annex I, ***unless a comparable functional alternative is available.***

Or. de

Amendment 163

Wim van de Camp

Proposal for a directive**Article 3 – paragraph 6***Text proposed by the Commission*

6. Air, bus, rail and waterborne passenger transport services, the websites, the mobile device-based services, smart ticketing and real-time information and Self-service terminals, ticketing machines and check-in machines used for provision of passenger transport services shall comply with the corresponding

Amendment

6. Air, bus, rail and waterborne passenger transport services, the websites, the mobile device-based services, smart ticketing and real-time information and Self-service terminals (***including payment terminals***), ticketing machines (***including its payment terminals***) and check-in machines used for provision of passenger

requirements set out in Section V of Annex I.

transport services shall comply with the corresponding requirements set out in Section V of Annex I.

Or. en

Amendment 164

Kosma Złotowski, Tomasz Piotr Poręba

Proposal for a directive

Article 3 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6a. With regard to rail passenger transport, the accessibility requirements of this Directive related to the provision of information shall be deemed to be complied with where services comply with the corresponding provisions of Regulation (EU) No 1371/2007.

Or. en

Amendment 165

Kosma Złotowski, Tomasz Piotr Poręba

Proposal for a directive

Article 3 – paragraph 6 b (new)

Text proposed by the Commission

Amendment

6b. With regard to rail passenger transport, the accessibility requirements of this Directive related to websites shall be deemed to be complied with where services comply with the corresponding provisions of Regulation (EU) No 454/2011.

Or. en

Amendment 166
Kosma Złotowski, Tomasz Piotr Poręba

Proposal for a directive
Article 3 – paragraph 6 c (new)

Text proposed by the Commission

Amendment

6c. With regard to bus passenger transport, the accessibility requirements of this Directive related to the provision of information about accessibility characteristics and facilities shall be deemed to be complied with where services comply with Article 11 of Regulation (EU) No 181/2011.

Or. en

Amendment 167
Kosma Złotowski, Tomasz Piotr Poręba

Proposal for a directive
Article 3 – paragraph 6 d (new)

Text proposed by the Commission

Amendment

6d. With regard to sea and inland waterway passenger transport, the accessibility requirements of this Directive related to the provision of information about the accessibility characteristics and facilities of services shall be deemed to be complied with where services comply with Article 9 of Regulation (EU) No 1177/2010.

Or. en

Amendment 168
Wim van de Camp

Proposal for a directive
Article 3 – paragraph 7

Text proposed by the Commission

7. Banking services, the **websites**, the mobile device-based banking services, self-service terminals, including Automatic Teller machines used for provision of banking services shall comply with the requirements set out in Section VI of Annex I.

Amendment

7. Banking **and payment** services, the **website**, the mobile device-based banking **and payment** services, self-service terminals, including **payment terminals** **and** Automatic Teller Machines used for provision of banking **and payment** services shall comply with the requirements set out in Section VI of Annex I.

Or. en

Amendment 169

Izaskun Bilbao Barandica, Jozo Radoš, Pavel Telička, Dominique Riquet

Proposal for a directive

Article 3 – paragraph 7

Text proposed by the Commission

7. Banking services, the websites, the mobile device-based banking services, self-service terminals, including *Automatic Teller* machines used for provision of banking services shall comply with the requirements set out in Section VI of Annex I.

Amendment

7. Banking **payment** services, the websites, the mobile device-based banking **payment** services, self-service terminals, including **payment terminals and automatic teller** machines used for provision of banking **payment** services and payment terminals shall comply with the requirements set out in Section VI of Annex I.

Or. es

Amendment 170

Kosma Złotowski, Tomasz Piotr Poręba

Proposal for a directive

Article 3 – paragraph 10

Text proposed by the Commission

10. Member States may decide, in the light of national conditions, that the built environment used by clients of passenger

Amendment

deleted

transport services including the environment that is managed by service providers and by infrastructure operators as well as the built environment used by clients of banking services, and customer services centres and shops under the scope of telephony operators shall comply with the accessibility requirements of Annex I, section X, in order to maximise their use by persons with functional limitations, including persons with disabilities.

Or. en

Amendment 171

Izaskun Bilbao Barandica, Jozo Radoš, Dominique Riquet

Proposal for a directive

Article 3 – paragraph 10

Text proposed by the Commission

10. Member States *may* decide, in the light of national conditions, that the built environment used by clients of passenger transport services including the environment that is managed by service providers and by infrastructure operators as well as the built environment used by clients of banking services, and customer services centres and shops under the scope of telephony operators shall comply with the accessibility requirements of Annex I, section X, in order to maximise their use by persons with functional limitations, including persons with disabilities.

Amendment

10. Member States *shall* decide and *shall ensure*, in the light of *this directive and* national conditions, that the built environment used by clients of passenger transport services *and tourism-related services, including accommodation, catering and the provision of accessibility and beach-enjoyment systems* including the environment that is managed by service providers and by infrastructure operators as well as the built environment used by clients of banking services, and customer services centres and shops under the scope of telephony operators shall comply with the accessibility requirements of Annex I, section X, in order to maximise their use by persons with functional limitations, including persons with disabilities.

Or. es

Amendment 172

Olga Sehnalová, Maria Grapini, Lucy Anderson, Miltiadis Kyrkos, Jens Nilsson

Proposal for a directive

Article 3 – paragraph 10

Text proposed by the Commission

10. Member States **may decide**, in the light of national conditions, that the built environment used by clients of passenger transport services including the environment that is managed by service providers and by infrastructure operators as well as the built environment used by clients of banking services, and customer services centres and shops under the scope of telephony operators shall comply with the accessibility requirements of Annex I, section X, in order to maximise their use by persons with functional limitations, **including** persons with disabilities.

Amendment

10. Member States **shall ensure**, in the light of national conditions, that the built environment used by clients of passenger transport services including the environment that is managed by service providers and by infrastructure operators as well as the built environment used by clients of banking services, and customer services centres and shops under the scope of telephony operators **as well as any other service or place for purchase of any of the products included in this Directive** shall comply with the accessibility requirements of Annex I, section X, in order to maximise their use by persons with functional limitations **and** persons with disabilities.

Or. en

Justification

Making built environment accessible can help Member States to comply with their obligations under the Article 9 on the UN CRPD.

Amendment 173

Rosa Estaràs Ferragut

Proposal for a directive

Article 3 – paragraph 10

Text proposed by the Commission

10. Member States **may decide, in the light of national conditions**, that the built environment used by clients of passenger transport services including the environment that is managed by service providers and by infrastructure operators as

Amendment

10. Member States **shall ensure** that the built environment used by clients of passenger transport services including the environment that is managed by service providers and by infrastructure operators as well as the built environment used by

well as the built environment used by clients of banking services, and customer services centres and shops under the scope of telephony operators shall comply with the accessibility requirements of Annex I, section X, in order to maximise their use by persons with functional limitations, including persons with disabilities.

clients of banking services, and customer services centres and shops under the scope of telephony operators shall comply with the accessibility requirements of Annex I, section X, in order to maximise their use by persons with functional limitations, including persons with disabilities.

Or. en

Amendment 174
Dieter-Lebrecht Koch

Proposal for a directive
Article 3 – paragraph 10

Text proposed by the Commission

(10) Member States *may* decide, in the light of national conditions, *that* the built environment used by clients of passenger transport services including the environment that is managed by service providers and by infrastructure operators as well as the built environment used by clients of banking services, and customer services centres and shops under the scope of telephony operators *shall* comply with the accessibility requirements of Annex I, section X, in order to *maximise* their use by persons with functional limitations, including persons with disabilities.

Amendment

(10) *It is for the* Member States *to* decide, in the light of national conditions, *whether* the built environment used by clients of passenger transport services including the environment that is managed by service providers and by infrastructure operators as well as the built environment used by clients of banking services, and customer services centres and shops under the scope of telephony operators *should* comply with the accessibility requirements of Annex I, section X, in order to *permit* their use by persons with functional limitations, including persons with disabilities.

Or. de

Amendment 175
Olga Sehnalová, Claudia Țapardel, Maria Grapini, Lucy Anderson, Miltiadis Kyrkos

Proposal for a directive
Article 3 – paragraph 10 a (new)

Text proposed by the Commission

Amendment

10a. Accommodation services shall comply with the requirements set out in Sections VIII and X of the Annex I.

Or. en

Amendment 176

Kosma Zlotowski, Tomasz Piotr Poręba

Proposal for a directive

Article 3 a (new)

Text proposed by the Commission

Amendment

Article 3 a

Built environment

1. Member States are encouraged to require that providers of electronic communication services referred to in Article 1(2)(a), providers of passenger transport services referred to in Article 1(2)(c) and related infrastructure operators, and providers of consumer banking services referred to in Article 1(2)(d) ensure that the built environment used by their consumers complies with the accessibility requirements of Annex I, Section V, in order for these services to be used by persons with disabilities.

2. Without prejudice to the requirements relating to the built environment set in other binding Union regulations, Member States are encouraged to require that built environment, including transport infrastructure used by passengers, in particular the transport infrastructure of the trans - European transport network complies with the accessibility requirements of Annex I.

Or. en

Amendment 177

Elżbieta Katarzyna Łukacijewska

Proposal for a directive

Article 3 a (new)

Text proposed by the Commission

Amendment

Article 3 a

Built environment

1. Member States are encouraged to require that providers of electronic communication services referred to in Article 1(2)(a), providers of passenger transport services referred to in Article 1(2)(c) and related infrastructure operators, and providers of consumer banking services referred to in Article 1(2)(d) ensure that the built environment used by their consumers complies with the accessibility requirements of Annex I, Section V, in order to the use of services by persons with disabilities.

2. Without prejudice to the requirements relating to built environment set in other binding Union regulations, Member States are encouraged to require that built environment, including transport infrastructure used by passengers, in particular the transport infrastructure of the trans - European transport network complies with the accessibility requirements of Annex I.

Or. en

Justification

The Commission proposal does not make a choice between including built environment or not. It is proposed to remove this enabling clause. Member States will still be able to apply this directive to built environment if they wish so. A new paragraph has been introduced in article 28 to require the Commission within two years to report on a possible inclusion.

Amendment 178
Marie-Christine Arnautu

Proposal for a directive
Article 4 – paragraph 1

Text proposed by the Commission

Member States shall not impede the making available on the market in their territory of products and services that comply with this Directive for reasons related to accessibility requirements.

Amendment

deleted

Or. fr

Amendment 179
Marie-Christine Arnautu

Proposal for a directive
Article 4 – paragraph 1

Text proposed by the Commission

Member States shall not impede the making available on the market in their territory of products and services that comply with this **Directive** for reasons related to accessibility requirements.

Amendment

Member States shall **ensure that they do** not impede the making available on the market in their territory of products and services that comply with this **Recommendation** for reasons related to accessibility requirements.

Or. fr

Amendment 180
Rosa Estaràs Ferragut

Proposal for a directive
Article 5 – paragraph 9

Text proposed by the Commission

9. Manufacturers shall, **further to a reasoned request from a** competent national **authority, provide it** with all the information and documentation necessary

Amendment

9. Manufacturers shall **provide** competent national **authorities** with all the information and documentation necessary to demonstrate the conformity of the

to demonstrate the conformity of the product, in a language which can be easily understood by *that* authority. They shall cooperate with that authority, at its request, on any action taken to eliminate the risks posed by products which they have placed on the market and to ensure compliance with the requirements referred to in Article 3.

product, in a language which can be easily understood by *the* authority *concerned*. They shall cooperate with that authority, at its request, on any action taken to eliminate the risks posed by products which they have placed on the market and to ensure compliance with the requirements referred to in Article 3.

Or. en

Amendment 181
Rosa Estaràs Ferragut

Proposal for a directive
Article 7 – paragraph 9

Text proposed by the Commission

9. Importers shall, *further to a reasoned request from a* competent national *authority, provide it* with all the information and documentation necessary to demonstrate the conformity of a product in a language which can be easily understood by *that* authority. They shall cooperate with that authority, at its request, on any action taken to eliminate the risks posed by products which they have placed on the market.

Amendment

9. Importers shall *provide* competent national *authorities* with all the information and documentation necessary to demonstrate the conformity of a product in a language which can be easily understood by *the* authority *concerned*. They shall cooperate with that authority, at its request, on any action taken to eliminate the risks posed by products which they have placed on the market.

Or. en

Amendment 182
Rosa Estaràs Ferragut

Proposal for a directive
Article 8 – paragraph 6

Text proposed by the Commission

6. Distributors shall, *further to a reasoned request from a* competent national *authority, provide it* with all the

Amendment

6. Distributors shall *provide* competent national *authorities* with all the information and documentation necessary

information and documentation necessary to demonstrate the conformity of a product. They shall cooperate with *that* authority, at its request, on any action taken to eliminate the risks posed by products which they have made available on the market.

to demonstrate the conformity of a product. They shall cooperate with *the* authority *concerned*, at its request, on any action taken to eliminate the risks posed by products which they have made available on the market.

Or. en

Amendment 183

Ismail Ertug

Proposal for a directive

Article 11 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

(1a) Services and products used for the provision of services shall be regarded as complying with Article 3 where they meet accessibility requirements laid down in other Union legislation.

Or. de

Amendment 184

Ismail Ertug

Proposal for a directive

Article 11 – paragraph 2

Text proposed by the Commission

Amendment

(2) Service providers shall prepare the necessary information in accordance with Annex III explaining how the services meet the accessibility requirements referred to in Article 3. The information shall be made available to the public in written and oral format, including in a manner which is accessible to persons with functional limitations and persons with disabilities. Service providers shall keep the information as long as the service is in operation.

(2) Service providers shall prepare the necessary information in accordance with Annex III explaining how the services meet the accessibility requirements referred to in Article 3. ***To this end they may refer to existing provisions setting out accessibility requirements.*** The information shall be made available to the public in written and oral format, including in a manner which is accessible to persons with functional limitations and persons with disabilities. Service providers shall

keep the information as long as the service is in operation.

Or. de

Amendment 185
Rosa Estaràs Ferragut

Proposal for a directive
Article 11 – paragraph 4

Text proposed by the Commission

4. Service providers shall, ***further to a reasoned request from a competent authority, provide it*** with all information necessary to demonstrate the conformity of the service with the accessibility requirements referred to in Article 3. They shall cooperate with those authorities, at their request, on any action taken to bring the service in conformity with those requirements.

Amendment

4. Service providers shall ***provide*** competent ***national authorities*** with all information necessary to demonstrate the conformity of the service with the accessibility requirements referred to in Article 3. They shall cooperate with those authorities, at their request, on any action taken to bring the service in conformity with those requirements.

Or. en

Amendment 186
Markus Pieper, Markus Ferber

Proposal for a directive
Article 12 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

(1a) The accessibility requirements referred to in Article 3 shall not apply if appropriate alternatives, such as accessible products or services, to which all consumers have access on identical or virtually identical terms, are available.

Or. de

Amendment 187

Izaskun Bilbao Barandica, Jozo Radoš, Pavel Telička, Dominique Riquet

Proposal for a directive

Article 12 – paragraph 2

Text proposed by the Commission

2. Accessibility requirements referred to in Article 3 apply ***to the extent that they*** do not impose a disproportionate burden on the economic operators concerned.

Amendment

2. Accessibility requirements referred to in Article 3 apply ***in a reasonable timeframe and*** do not impose a disproportionate burden on the economic operators concerned.

Or. es

Amendment 188

Dieter-Lebrecht Koch, Sabine Verheyen

Proposal for a directive

Article 12 – paragraph 3 – point b

Text proposed by the Commission

(b) the estimated costs and benefits for the economic operators in relation to the estimated benefit for persons with disabilities, taking into account the frequency and duration of use of the specific product or service.

Amendment

(b) the estimated costs and benefits for the economic operators in relation to the estimated benefit for persons with disabilities, taking into account the ***estimated number of users and the*** frequency and duration of use of the specific product or service.

Or. de

Amendment 189

Olga Sehnalová, Claudia Țapardel, Maria Grapini, Lucy Anderson, Miltiadis Kyrkos

Proposal for a directive

Article 12 – paragraph 3 – point b

Text proposed by the Commission

(b) the estimated costs and benefits for the economic operators in relation to the estimated benefit for persons with

Amendment

(b) the estimated costs and benefits for the economic operators in relation to the estimated benefit for persons with

disabilities, taking into account the frequency and duration of use of the specific product or service.

functional limitation and persons with disabilities.

Or. en

Justification

Reference to “persons with functional limitations” in addition to the term “persons with disabilities” should be retained in order to illustrate that much wider part of the population will benefit from this Directive. Also when making the estimated costs and benefits analysis, it is key to take into account the whole population that benefit from accessible products and services.

Amendment 190

Markus Pieper, Markus Ferber

Proposal for a directive

Article 12 – paragraph 3 – point b

Text proposed by the Commission

(b) the estimated costs and benefits for the economic operators in relation to the estimated benefit for persons with disabilities, taking into account the frequency and duration of use of the specific product or service.

Amendment

(b) the estimated **additional** costs and benefits for the economic operators in relation to the estimated benefit for persons with disabilities, taking into account the frequency and duration of use of the specific product or service.

Or. de

Amendment 191

Dieter-Lebrecht Koch, Sabine Verheyen

Proposal for a directive

Article 12 – paragraph 3 – point b a (new)

Text proposed by the Commission

Amendment

(ba) the lifetime of the machines that are necessary for the provision of a service.

Or. de

Justification

If, for example, a ticket machine with a lifetime of more than 10 years is in working order and represents a large investment by an economic operator, it is unreasonable to require the operator to replace it immediately after the date of application of the directive. The assessment of what constitutes a disproportionate burden should therefore take into account the lifetime of the machines, all the more so as the scope of the directive is limited to new products and services.

Amendment 192

Dieter-Lebrecht Koch, Sabine Verheyen

Proposal for a directive

Article 12 – paragraph 3 – point b b (new)

Text proposed by the Commission

Amendment

(bb) alternatives that are offered free of charge and made available by the passenger transport service providers.

Or. de

Justification

Service providers, particularly in the transport sector, often make staff available to assist persons with a disability in operating the machines. This assistance, which can address the individual needs of persons with a disability much more effectively, should also be taken into account in assessing proportionality.

Amendment 193

Markus Pieper, Markus Ferber

Proposal for a directive

Article 12 – paragraph 6

Text proposed by the Commission

Amendment

(6) Where the economic operators have used the exception provided for in paragraphs 1 to 5 for a specific product or service they shall ***notify*** the ***relevant market surveillance*** authority of the Member State in the market of which the product or service is placed or made

(6) Where the economic operators have used the exception provided for in paragraphs 1 to 5 for a specific product or service they shall, ***at the request of the competent*** authority of the Member State in the market of which the product or service is placed or made available, ***make***

available. *Notification shall include the assessment referred to in paragraph 3. Microenterprises are exempted from this notification requirement but must be able to supply the relevant documentation upon request from a relevant market surveillance authority.*

available their proportionality assessment referred to in paragraph 3.

Or. de

Amendment 194

Lucy Anderson, Olga Sehnalová, Miltiadis Kyrkos

Proposal for a directive

Article 12 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6a. Member States are encouraged to provide incentives and guidelines to facilitate the implementation of this Directive. Acknowledging the benefits of their contribution to promote all efforts and goals achieved in this regard, the procedures and guidelines shall be developed in consultation with relevant stakeholders, including persons with disabilities and their representative organisations.

Or. en

Amendment 195

Olga Sehnalová, Claudia Țapardel, Maria Grapini, Lucy Anderson, Miltiadis Kyrkos, Jens Nilsson

Proposal for a directive

Article 12 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6a. Member States are encouraged to provide incentives and guidelines to facilitate the implementation of this Directive. The procedures and guidelines

shall be developed in consultation with relevant stakeholders, including persons with disabilities and their representative organisations.

Or. en

Justification

Participation of persons with disabilities and their representative organisations on equal basis with other stakeholders should be promoted.

Amendment 196
Marie-Christine Arnautu

Proposal for a directive
Article 14 – paragraph 1

Text proposed by the Commission

1. Where no reference to harmonised standards has been published in the Official Journal of the European Union in accordance with Regulation (EU) No 1025/2012, and where further detail for the accessibility requirements of certain products and services would be needed for harmonisation of the market, the Commission may adopt implementing acts establishing common technical specifications ('CTS') for the accessibility requirements set out in Annex I to this Directive. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 24(2) of this *Directive*.

Amendment

1. Where no reference to harmonised standards has been published in the Official Journal of the European Union in accordance with Regulation (EU) No 1025/2012, and where further detail for the accessibility requirements of certain products and services would be needed for harmonisation of the market, the Commission may adopt implementing acts establishing common technical specifications ('CTS') for the accessibility requirements set out in Annex I to this Directive. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 24(2) of this *Recommendation*.

Or. fr

Amendment 197
Olga Sehnalová, Claudia Țapardel, Maria Grapini, Lucy Anderson, Miltiadis Kyrkos, Jens Nilsson

Proposal for a directive
Article 14 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Relevant stakeholders, including persons with disabilities and their representative organisations, should be consulted systematically as part of the procedure for the adoption of implementing acts.

Or. en

Justification

Participation of persons with disabilities and their representative organisations on equal basis with other stakeholders should be promoted.

Amendment 198
Rosa Estaràs Ferragut

Proposal for a directive
Article 17 – paragraph 3

Text proposed by the Commission

Amendment

3. Member States shall ensure that information held by market surveillance authorities concerning the compliance of economic operators with the applicable accessibility requirements set out in Article 3 and the assessment of the exceptions provided for in Article 12, is made available to consumers ***upon request and*** in an accessible format, except where that information cannot be provided for reasons of confidentiality as provided for in Article 19(5) of Regulation (EC) No 765/2008.

3. Member States shall ensure that information held by market surveillance authorities concerning the compliance of economic operators with the applicable accessibility requirements set out in Article 3 and the assessment of the exceptions provided for in Article 12, is made available to consumers in an accessible format, except where that information cannot be provided for reasons of confidentiality as provided for in Article 19(5) of Regulation (EC) No 765/2008.

Or. en

Amendment 199
Olga Sehnalová, Maria Grapini, Lucy Anderson, Miltiadis Kyrkos

Proposal for a directive
Article 18 – paragraph 1 – introductory part

Text proposed by the Commission

1. Member States shall establish, implement and periodically update **adequate** procedures in order to:

Amendment

1. Member States shall establish, implement and periodically update **detailed** procedures in order to:

Or. en

Justification

To ensure a better quality of service, a detailed approach in implementing the EU requirements is needed.

Amendment 200
Marie-Christine Arnautu

Proposal for a directive
Article 18 – paragraph 1 – point a

Text proposed by the Commission

(a) check the compliance of services listed in Article 1(2) with the requirements set out in this **Directive** and the assessment of the exceptions provided for in Article 12;

Amendment

(a) check the compliance of services listed in Article 1(2) with the requirements set out in this **Recommendation** and the assessment of the exceptions provided for in Article 12;

Or. fr

Amendment 201
Rosa Estaràs Ferragut

Proposal for a directive
Article 18 a (new)

Text proposed by the Commission

Amendment

Article 18 a
National databases

Member States shall create and regularly update a national database, accessible to all citizens and stakeholders, containing all relevant information on the degree of accessibility of the products and services listed in Article 1 (1) and (2).

Or. en

Amendment 202
Marie-Christine Arnautu

Proposal for a directive
Article 19 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Where the market surveillance authorities of one Member State have taken action pursuant to Article 20 of Regulation (EC) No 765/2008, or where they have sufficient reason to believe that a product covered by this **Directive** presents a risk related to accessibility aspects covered by this **Directive**, they shall carry out an evaluation in relation to the product concerned covering all the requirements laid down in this **Directive**. The relevant economic operators shall fully cooperate with the market surveillance authorities.

Amendment

Where the market surveillance authorities of one Member State have taken action pursuant to Article 20 of Regulation (EC) No 765/2008, or where they have sufficient reason to believe that a product covered by this **Recommendation** presents a risk related to accessibility aspects covered by this **Recommendation**, they shall carry out an evaluation in relation to the product concerned covering all the requirements laid down in this **Recommendation**. The relevant economic operators shall fully cooperate with the market surveillance authorities.

Or. fr

Amendment 203
Marie-Christine Arnautu

Proposal for a directive
Article 19 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Where the market surveillance authorities of one Member State have taken action pursuant to Article 20 of Regulation (EC)

Amendment

Where the market surveillance authorities of one Member State have taken action pursuant to Article 20 of Regulation (EC)

No 765/2008, or where they have sufficient reason to believe that a product covered by this **Directive** presents a risk related to accessibility aspects covered by this **Directive**, they shall carry out an evaluation in relation to the product concerned covering all the requirements laid down in this **Directive**. The relevant economic operators shall fully cooperate with the market surveillance authorities.

No 765/2008, or where they have sufficient reason to believe that a product covered by this **Recommendation** presents a risk related to accessibility aspects covered by this **Recommendation**, they shall carry out an evaluation in relation to the product concerned covering all the requirements laid down in this **Recommendation**. The relevant economic operators shall fully cooperate with the market surveillance authorities.

Or. fr

Amendment 204
Marie-Christine Arnautu

Proposal for a directive
Article 19 – paragraph 1 – subparagraph 2

Text proposed by the Commission

Where, in the course of that evaluation, the market surveillance authorities find that the product does not comply with the requirements laid down in this **Directive**, they shall without delay require the relevant economic operator to take all appropriate corrective action to bring the product into compliance with those requirements, to withdraw the product from the market, or to recall it within a reasonable period, commensurate with the nature of the risk, as they may prescribe.

Amendment

Where, in the course of that evaluation, the market surveillance authorities find that the product does not comply with the requirements laid down in this **Recommendation**, they shall without delay require the relevant economic operator to take all appropriate corrective action to bring the product into compliance with those requirements, to withdraw the product from the market, or to recall it within a reasonable period, commensurate with the nature of the risk, as they may prescribe.

Or. fr

Amendment 205
Kosma Złotowski, Tomasz Piotr Poręba

Proposal for a directive
Article 21 – paragraph 1 – point c

Text proposed by the Commission

Amendment

(c) *When establishing the accessibility requirements related to social and quality criteria established by competent authorities in tender procedures for public passenger transport services by rail and by road under Regulation (EC) No 1370/2007;* **deleted**

Or. en

Amendment 206
Gesine Meissner

Proposal for a directive
Article 21 – paragraph 1 – point c

Text proposed by the Commission

Amendment

(c) *When establishing the accessibility requirements related to social and quality criteria established by competent authorities in tender procedures for public passenger transport services by rail and by road under Regulation (EC) No 1370/2007;* **deleted**

Or. en

Justification

Public passenger transport services will have to comply with additional provisions ranging from accessible vehicles, facilities and build environment. It would result in unequal treatment between private and public transport services, the latter having to fulfil provisions of article 21 and Annex IV. It would moreover result in enormous additional costs.

Amendment 207
Dieter-Lebrecht Koch, Sabine Verheyen

Proposal for a directive
Article 21 – paragraph 1 – point c

Text proposed by the Commission

Amendment

(c) ***When establishing the accessibility requirements related to social and quality criteria established by competent authorities in*** tender procedures for public passenger transport services by rail and by road under Regulation (EC) No 1370/2007;

(c) ***In*** tender procedures for public passenger transport services by rail and by road under Regulation (EC) No 1370/2007 ***where the competent authorities lay down accessibility requirements;***

Or. de

Justification

Competent authorities are free to choose whether compliance with accessibility requirements should be an award criterion or not. If they do make them a condition, however, the criteria must be consistent with the accessibility requirements laid down in the directive.

Amendment 208

Izaskun Bilbao Barandica, Jozo Radoš, Pavel Telička, Dominique Riquet

Proposal for a directive

Article 21 – paragraph 1 – point c

Text proposed by the Commission

Amendment

(c) When establishing the accessibility requirements related to social and quality criteria established by competent authorities in tender procedures for public passenger transport services by rail and by road under Regulation (EC) No 1370/2007;

(c) When establishing the ***barrier-free*** accessibility requirements related to social, ***equality*** and quality criteria established by competent authorities in tender procedures for public passenger transport services by rail and by road under Regulation (EC) No 1370/2007;

Or. es

Amendment 209

Kosma Złotowski, Tomasz Piotr Poręba

Proposal for a directive

Article 21 – paragraph 1 – point d

Text proposed by the Commission

Amendment

(d) To transport infrastructure in accordance with Article 37 of Regulation (EU) No 1315/2013.

deleted

Or. en

Amendment 210
Inés Ayala Sender

Proposal for a directive
Article 21 – paragraph 1 – point d a (new)

Text proposed by the Commission

Amendment

(da) To all infrastructure projects for which an application is made for EU funding under the Connecting Europe Facility (Regulation 1513/2006). The bonus payment provided for in this regulation shall automatically apply for the purposes of adapting the infrastructure and vehicles covered by these applications.

Or. es

Amendment 211
Keith Taylor

Proposal for a directive
Article 21 – paragraph 1 – point d a (new)

Text proposed by the Commission

Amendment

(da) When EU co-financing barrier-free accessible transport and telecommunication infrastructure projects, CEF, cohesion and regional structural funds as well as EFSI should put stronger focus on financial support for these projects.

Amendment 212

Ismail Ertug

Proposal for a directive

Article 22 – paragraph 1

Text proposed by the Commission

(1) Accessibility requirements referred to in Article 21 apply to the extent that they do not impose a disproportionate burden on the competent authorities for the purposes of that Article.

Amendment

(1) Accessibility requirements referred to in Article 21 apply to the extent that they do not impose a disproportionate burden on the competent authorities ***or the operators contracted by them*** for the purposes of that Article.

Or. de

Amendment 213

Gesine Meissner, Pavel Telička

Proposal for a directive

Article 22 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. A disproportionate burden exists if a product or service is supposed to be replaced or modified, despite being still in use and fully functioning.

Or. en

Justification

It is vital to ensure that existing products and services can be used in the future since there would not be sufficient means for the costs of modifying and replacing existing infrastructure and products.

Amendment 214

Olga Sehnalová, Claudia Țapardel, Maria Grapini, Lucy Anderson, Miltiadis Kyrkos

Proposal for a directive
Article 22 – paragraph 2 – point b

Text proposed by the Commission

(b) the estimated costs and benefits for the competent authorities concerned in relation to the estimated benefit for persons with disabilities, taking into account the frequency and duration of use of the specific product or service;

Amendment

(b) the estimated costs and benefits for the competent authorities concerned in relation to the estimated benefit for persons with ***functional limitations and persons with*** disabilities, taking into account the frequency and duration of use of the specific product or service;

Or. en

Justification

Reference to “persons with functional limitations” in addition to the term “persons with disabilities” should be retained in order to illustrate that much wider part of the population will benefit from this Directive. Also when making the estimated costs and benefits analysis, it is key to take into account the whole population that benefit from accessible products and services.

Amendment 215
Gesine Meissner, Pavel Telička

Proposal for a directive
Article 22 – paragraph 2 – point b

Text proposed by the Commission

(b) the estimated costs ***and benefits*** for the competent authorities concerned in relation to the estimated benefit for persons with disabilities, taking into account the frequency and duration of use of the specific product or service;

Amendment

(b) the estimated costs for the competent authorities ***or undertakings*** concerned in relation to the estimated benefit for persons with disabilities, taking into account the frequency and duration of use of the specific product or service;

Or. en

Amendment 216
Ismail Ertug

Proposal for a directive
Article 22 – paragraph 2 – point b a (new)

Text proposed by the Commission

Amendment

(ba) the built environment, topography and existing ownership and property rights;

Or. de

Amendment 217
Olga Sehnalová, Claudia Țapardel, Maria Grapini, Lucy Anderson

Proposal for a directive
Article 22 – paragraph 4

Text proposed by the Commission

Amendment

4. Where a competent authority has used the exception provided for in paragraphs 1, 2 and 3 for a specific product or service it shall notify the Commission thereof. The notification shall include the assessment referred to in paragraph 2.

4. Where a competent authority has used the exception provided for in paragraphs 1, 2 and 3 for a specific product or service it shall notify the Commission thereof. The notification shall include the assessment referred to in paragraph 2 **and it shall be made available to the public in accessible format.**

Or. en

Amendment 218
Marie-Christine Arnautu

Proposal for a directive
Article 25 – paragraph 2 – point a

Text proposed by the Commission

Amendment

(a) provisions whereby a consumer may take action under national law before the courts or before the competent administrative bodies to ensure that the national provisions transposing this **Directive** are complied with;

(a) provisions whereby a consumer may take action under national law before the courts or before the competent administrative bodies to ensure that the national provisions transposing this **Recommendation** are complied with;

Amendment 219

Marie-Christine Arnautu

Proposal for a directive

Article 25 – paragraph 2 – point b

Text proposed by the Commission

(b) provisions whereby public bodies or private associations, organisations or other legal entities which have a legitimate interest, in ensuring that the provisions of this **Directive** are complied with, may take action under national law before the courts or before the competent administrative bodies on behalf of consumers to ensure that the national provisions transposing this **Directive** are complied with.

Amendment

(b) provisions whereby public bodies or private associations, organisations or other legal entities which have a legitimate interest, in ensuring that the provisions of this **Recommendation** are complied with, may take action under national law before the courts or before the competent administrative bodies on behalf of consumers to ensure that the national provisions transposing this **Recommendation** are complied with.

Amendment 220

Rosa Estaràs Ferragut

Proposal for a directive

Article 25 – paragraph 2 – point b a (new)

Text proposed by the Commission

Amendment

(ba) provisions whereby a comprehensive, adequately resourced, consumer complaints mechanism is established to complement a system of implementation and monitoring.

Amendment 221

Marie-Christine Arnautu

Proposal for a directive
Article 26 – paragraph 1

Text proposed by the Commission

1. Member States shall lay down the rules on penalties applicable to infringements of the national provisions adopted pursuant to this **Directive** and shall take all measures necessary to ensure that they are implemented.

Amendment

1. Member States shall lay down the rules on penalties applicable to infringements of the national provisions adopted pursuant to this **Recommendation** and shall take all measures necessary to ensure that they are implemented.

Or. fr

Amendment 222
Rosa Estaràs Ferragut

Proposal for a directive
Article 26 – paragraph 2

Text proposed by the Commission

2. The penalties provided for shall be effective, proportionate and dissuasive.

Amendment

2. The penalties provided for shall be effective, proportionate and dissuasive, **but not serve as an alternative to the fulfilment by economic operators of their obligation to make their products or services accessible.**

Or. en

Amendment 223
Marie-Christine Arnautu

Proposal for a directive
Article 26 – paragraph 3

Text proposed by the Commission

3. **Member States shall, without delay, notify the Commission of those rules and of those measures and shall notify it, without delay, of any subsequent amendment affecting them.**

Amendment

deleted

Amendment 224

Rosa Estaràs Ferragut

Proposal for a directive

Article 26 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. The proceeds collected from the imposition of penalties shall be re-invested in accessibility-related measures.

Or. en

Amendment 225

Marie-Christine Arnautu

Proposal for a directive

Article 27

Text proposed by the Commission

Amendment

Article 27

deleted

Transposition

- 1. Member States shall adopt and publish, by [... insert date - two years after the entry into force of this Directive] at the latest, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions.**
- 2. They shall apply those provisions from [... insert date - six years after the entry into force of this Directive].**
- 3. When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be**

made.

4. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.

5. Member States using the possibility provided for in Article 3(10) shall communicate to the Commission the text of the main provisions of national law which they adopt to that end and shall report to the Commission on the progress made in their implementation.

Or. fr

Amendment 226
Jana Žitňanská

Proposal for a directive
Article 27 – paragraph 2

Text proposed by the Commission

2. They shall apply those provisions from [... insert date - ~~six~~ years after the entry into force of this Directive].

Amendment

2. They shall apply those provisions from [... insert date -

- 3 years after the entry into force of this Directive ***for products under Article 1(a) – general purpose computer hardware and operating systems***

- 5 years after entry into force of this Directive ***for products under Article 1(b) – self-service terminals***

- 4 years after the entry into force of this Directive ***for products under Article 1(c) - Consumer terminal equipment with advanced computing capability related to telephony services***

- 4 years after the entry into force of this Directive ***for products under Article 1(d) - Consumer terminal equipment with advanced computing capabilities related to audiovisual media services***

- *4 years after the entry into force of this Directive for products under Article 1(e) - Household appliances operated by a user interface*
- *4 years after the entry into force of this Directive for services under Article 1.2(a) – Telephony services*
- *6 years after the entry into force of this Directive for services under Article 1.2(b) – Audiovisual Media services*
- *3 years after the entry into force of this Directive for services under Article 1.2(c)1 – air, bus, rail and waterborne passenger transport services (websites and mobile applications)*
- *5 years after the entry into force of this Directive for services under Article 1.2(c)1 – air, bus, rail and waterborne passenger transport services (self-service terminals and ticketing machines)*
- *10 years after the entry into force of this Directive for services under Article 1.2(c)2 – air, bus, rail and waterborne passenger transport services (vehicles and infrastructure)*
- *5 years after the entry into force of this Directive for services under Article 1.2(d) – banking services and payment terminals (self-service terminals and payment terminals)*
- *3 years after the entry into force of this Directive for services under Article 1.2(d) – banking services and payment terminals (banking service)*
- *3 years after the entry into force of this Directive for services under Article 1.2(e) – e-books*
- *3 years after the entry into force of this Directive for services under Article 1.2(f) – e-commerce, websites of providers of products and services, social media and news websites, and online platforms*
- *3 years after the entry into force of this Directive for services under Article*

**1.2(g) – accommodation services
(websites)**

**- 3 years after the entry into force of
this Directive for services under Article
1.2(g) – accommodation services (built
environment)**

Or. en

Amendment 227

Izaskun Bilbao Barandica, Jozo Radoš, Pavel Telička, Dominique Riquet

Proposal for a directive

Article 27 – paragraph 2

Text proposed by the Commission

2. They shall apply those provisions from [... insert date - six years after the entry into force of this Directive].

Amendment

2. They shall apply those provisions from [... insert date - **four years after the entry into force of this Directive**], **except the provisions relating to the built environment and to transport vehicles, which they shall be applied, where financially possible, from [... insert date - six years after the entry into force of this Directive]**.

Or. es

Amendment 228

Olga Sehnalová, Maria Grapini, Lucy Anderson

Proposal for a directive

Article 27 – paragraph 2

Text proposed by the Commission

2. They shall apply those provisions from [... insert date - ~~six~~ years after the entry into force of this Directive].

Amendment

2. They shall apply those provisions from [... insert date - **three** years after the entry into force of this Directive];

For the built environment shall be applied from [... insert date ten years after the entry into force of this Directive].

Justification

Implementation of the Directive should be shortened to ensure persons with functional limitations and persons with disabilities will benefit from accessibility in a reasonable period of time. Additional time to comply with the requirements of the Directive for the built environment is suggested.

Amendment 229**Rosa Estaràs Ferragut****Proposal for a directive****Article 27 – paragraph 2***Text proposed by the Commission*

2. They shall apply those provisions from [... insert date - ~~six~~ years after the entry into force of this Directive].

Amendment

2. They shall apply those provisions from [... insert date - **five** years after the entry into force of this Directive].

Or. en

Amendment 230**Dieter-Lebrecht Koch****Proposal for a directive****Article 27 – paragraph 2***Text proposed by the Commission*

(2) They shall apply those provisions from [... insert date - ~~six~~ years after the entry into force of this Directive].

Amendment

(2) They shall apply those provisions from [... insert date - **eight** years after the entry into force of this Directive].

Or. de

Amendment 231**Kosma Złotowski, Tomasz Piotr Poręba****Proposal for a directive****Article 27 a (new)**

Text proposed by the Commission

Amendment

Article 27 a

Transitional measures

Member States shall provide that self-service terminals lawfully used by service providers in the provision of services before the date referred to in Article 27(2) of this Directive may continue to be used in the provision of similar services until the end of their economically or physically useful life or until they are fully depreciated.

Or. en

Amendment 232

Marie-Christine Arnautu

Proposal for a directive

Article 28 – paragraph 1

Text proposed by the Commission

By [...insert date - five years after the application of this Directive], and every five years thereafter, the Commission shall submit to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions a report on the application of this ***Directive***.

Amendment

By [...insert date - five years after the application of this Directive], and every five years thereafter, the Commission shall submit to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions a report on the application of this ***Recommendation***.

Or. fr

Amendment 233

Rosa Estaràs Ferragut

Proposal for a directive

Article 28 – paragraph 1

Text proposed by the Commission

By [...insert date - **five** years after the application of this Directive], and every **five** years thereafter, the Commission shall submit to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions a report on the application of this Directive.

Amendment

By [...insert date - **three** years after the application of this Directive], and every **three** years thereafter, the Commission shall submit to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions a report on the application of this Directive.

Or. en

Amendment 234
Marie-Christine Arnautu

Proposal for a directive
Article 28 – paragraph 1

Text proposed by the Commission

1. The report shall, inter alia, address in the light of social, economic and technological developments the evolution of the accessibility of products and services and the impact on economic operators and persons with disabilities, identifying where possible, areas for burden reduction, with a view to assessing the need to review this **Directive**.

Amendment

1. The report shall, inter alia, address in the light of social, economic and technological developments the evolution of the accessibility of products and services and the impact on economic operators and persons with disabilities, identifying where possible, areas for burden reduction, with a view to assessing the need to review this **Recommendation**.

Or. fr

Amendment 235
Marie-Christine Arnautu

Proposal for a directive
Article 29 – paragraph 1

Text proposed by the Commission

This **Directive** shall enter into force on the twentieth day following that of its publication in the Official Journal of the

Amendment

This **Recommendation** shall enter into force on the twentieth day following that of its publication in the Official Journal of the

Amendment 236
Marie-Christine Arnautu

Proposal for a directive
Article 30 – paragraph 1

Text proposed by the Commission

This **Directive** is addressed to the Member States.

Amendment

This **Recommendation** is addressed to the Member States.

Amendment 237
Olga Sehnalová

Proposal for a directive
Annex I – section I – paragraph 2

Text proposed by the Commission

2. User interface and functionality design:

In order to make accessible the design of the products and their user interface as referred to in points (d) and (e) of point 1 they **must** be designed, where applicable, as follows:

Amendment

2. Functionality requirements for user interface and design of the product:

In order to make accessible the design of the products and their user interface as referred to in points (d) and (e) of point 1 they **shall** be designed, where applicable, as follows:

Justification

Section I: Functionality requirements for user interface and design of the product provide more clarity to the accessibility requirements provided by the Commission by adding functional performance criteria.

Amendment 238
Olga Sehnalová

Proposal for a directive
Annex I – section I – paragraph 2 – point a

Text proposed by the Commission

(a) provide for communication and orientation via more than one sensory channel:

Amendment

(a) provide for communication and orientation via more than one sensory channel ***including:***

Or. en

Amendment 239
Olga Sehnalová

Proposal for a directive
Annex I – section I – paragraph 2 – point a – point i a (new)

Text proposed by the Commission

Amendment

(ia) where the product provides visual modes of communication and operation, the product shall provide at least one mode of information and operation that does not require vision,

Or. en

Amendment 240
Olga Sehnalová

Proposal for a directive
Annex I – section I – paragraph 2 – point a – point i b (new)

Text proposed by the Commission

Amendment

(ib) where the product provides auditory modes of information and operation, the product shall provide at least one mode of information and

operation that does not require hearing;

Or. en

Amendment 241

Olga Sehnalová

Proposal for a directive

Annex I – section I – paragraph 2 – point b

Text proposed by the Commission

(b) provide for alternatives to speech for communication and orientation;

Amendment

(b) provide for alternatives to speech for communication and orientation. ***Where the product requires vocal input from users, the product shall provide at least one mode of operation that does not require the users to generate orally-generated sounds like speech, whistles or clicks;***

Or. en

Amendment 242

Olga Sehnalová

Proposal for a directive

Annex I – section I – paragraph 2 – point c

Text proposed by the Commission

(c) provide for flexible magnification and contrast;

Amendment

(c) ***where the product provides visual modes of communication and operation, provide for features that enable users to make better use of their limited vision, including by providing flexible magnification without loss of content or functionality, flexible contrast and brightness, and where possible, it should include flexible ways to separate and control foreground from background visual elements and flexible control over the field of vision required;***

Amendment 243
Olga Sehnalová

Proposal for a directive
Annex I – section I – paragraph 2 – point d

Text proposed by the Commission

(d) provide for an alternative colour to convey information;

Amendment

(d) *provide for a visual mode of operation that does not require user perception of colour;*

Or. en

Amendment 244
Olga Sehnalová

Proposal for a directive
Annex I – section I – paragraph 2 – point e

Text proposed by the Commission

(e) *provide for flexible ways to separate and control foreground from background including for reducing background noise and improve clarity;*

Amendment

(e) *provide for user control of volume and enhanced audio features to improve audio clarity, including flexible ways to separate and control foreground from background sound where voice and background are available as separate audio streams;*

Or. en

Amendment 245
Olga Sehnalová

Proposal for a directive
Annex I – section I – paragraph 2 – point f

Text proposed by the Commission

(f) provide for user control of volume;

Amendment

(f) provide for *sequential* control *and*

alternatives to fine motor control, including where the product requires manual actions, the product shall provide features that enable users to make use of the product through alternative modes of operation not requiring fine motor control like manipulation or hand strength, nor operation of more than one control at the same time;

Or. en

Amendment 246
Olga Sehnalová

Proposal for a directive
Annex I – section I – paragraph 2 – point g

Text proposed by the Commission

(g) provide for sequential control and alternatives to fine motor control;

Amendment

(g) provide *for modes of operation with limited reach and strength including where product is free-standing or installed, the informational and operational elements shall be located within standard accessible reach ranges or it shall be possible for a user to place it within reach;*

Or. en

Amendment 247
Olga Sehnalová

Proposal for a directive
Annex I – section I – paragraph 2 – point h

Text proposed by the Commission

(h) *provide for modes of operation with limited reach and strength;*

Amendment

(h) *where the product provides visual modes of information, the product shall provide at least one mode of information that minimizes the potential for provide avoidance of triggering photosensitive seizures;*

Amendment 248
Olga Sehnalová

Proposal for a directive
Annex I – section I – paragraph 2 – point i

Text proposed by the Commission

(i) provide *avoidance of triggering photosensitive seizures*.

Amendment

(i) provide *for features that make its communication and user operation simpler and easier to use*;

Or. en

Amendment 249
Olga Sehnalová

Proposal for a directive
Annex I – section I – paragraph 2 – point i a (new)

Text proposed by the Commission

Amendment

(ia) *where the product provides features that are provided for accessibility, the users' privacy shall be maintained when using those features*.

Or. en

Amendment 250
Olga Sehnalová

Proposal for a directive
Annex I – section I – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Support services
Where available, support services (help desks, call centres, technical support, relay services and training services) shall

provide information on the accessibility of the product and its compatibility with assistive technologies, in accessible modes of communication for users with functional limitations, including persons with disabilities.

Or. en

Amendment 251

Olga Sehnalová

Proposal for a directive

Annex I – section V – title

Text proposed by the Commission

Air, bus, rail and waterborne passenger transport services; websites used for provision of passenger transport services; mobile device-based services, smart ticketing and real time information; Self-service terminals, ticketing machines and check-in machines used for provision of passenger transport services

Amendment

Air, bus **and coach**, rail and waterborne passenger transport services; websites used for provision of passenger transport services **built environment**; mobile device-based services, smart ticketing and real time information; Self-service terminals, ticketing machines, **payment terminals** and check-in machines used for provision of passenger transport services

Or. en

Justification

Section V: Functionality requirements for user interface and design of the product provide more clarity to the accessibility requirements provided by the Commission by adding functional performance criteria. The inclusion of mobile-based services, including mobile apps, is needed for the provision of the transport services. Also an obligation to make built environment of these services accessible, is suggested.

Amendment 252

Olga Sehnalová

Proposal for a directive

Annex I – section V – part A – paragraph 1

Text proposed by the Commission

1. The provision of services in order to maximise their foreseeable use by persons with functional limitations, ***including*** persons with disabilities, shall be achieved by:

Amendment

1. The provision of services in order to maximise their foreseeable use by persons with functional limitations ***and*** persons with disabilities, shall be achieved by:

Or. en

Amendment 253

Izaskun Bilbao Barandica, Jozo Radoš

Proposal for a directive

Annex I – section V – part A – paragraph 1 – point a

Text proposed by the Commission

(a) providing information about the functioning of the service and about its accessibility characteristics and facilities as follows:

Amendment

(a) Providing information ***in accessible formats*** about the functioning of the service and about its ***barrier-free*** accessibility characteristics and facilities as follows:

Or. es

Amendment 254

Olga Sehnalová

Proposal for a directive

Annex I – section V – part A – paragraph 1 – point a – point i

Text proposed by the Commission

(i) ***the information content shall be available in text formats that can be used to generate alternative assistive formats to be presented in different ways by the users and via more than one sensory channel,***

Amendment

(i) ***shall be made available in accessible web format and electronic non-web document by making them perceivable, operable, understandable and robust in accordance with point (b),***

Or. en

Amendment 255

Olga Sehnalová

Proposal for a directive

Annex I – section V – part A – paragraph 1 – point a – point ii

Text proposed by the Commission

(ii) *alternatives to non-text content shall be provided;*

Amendment

(ii) *shall list and explain how to use the accessibility features of the service including accessibility of vehicles and surrounding infrastructure and built environment as well as information about assistance provided according to Regulation 1107/2006, Regulation 1177/2010, Regulation 1371/2007, and Regulation 181/2011,*

Or. en

Amendment 256

Izaskun Bilbao Barandica, Jozo Radoš

Proposal for a directive

Annex I – section V – part A – paragraph 1 – point a – point ii

Text proposed by the Commission

(ii) *alternatives to non-text content shall be provided;*

Amendment

(ii) *alternatives to non-text content shall be provided, as well as touch-screen and voice-control options;*

Or. es

Amendment 257

Olga Sehnalová

Proposal for a directive

Annex I – section V – part A – paragraph 1 – point a – point iii

Text proposed by the Commission

(iii) *the electronic information, including the related online applications*

Amendment

(iii) *shall be provided on alternative non-electronic formats upon request. The*

needed in the provision of the service shall be provided in accordance with point (b).

alternative non-electronic formats may include large print, Braille, or easy-to-read.

Or. en

Amendment 258
Deirdre Clune

Proposal for a directive
Annex I – section V – part A – paragraph 1 – point a – point iii a (new)

Text proposed by the Commission

Amendment

(iiia) the available accessibility features of the service should be listed and explained

Or. en

Amendment 259
Olga Sehnalová

Proposal for a directive
Annex I – section V – part A – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) making websites accessible in a consistent and adequate way for users' perception, operation and understanding, including the adaptability of content presentation and interaction, when necessary providing an accessible electronic alternative; and in a way which facilitates interoperability with a variety of user agents and assistive technologies available at Union and international level;

(b) making websites *including online applications needed for the provision of the service* accessible in a consistent and adequate way for users' perception, operation and understanding, including the adaptability of content presentation and interaction, when necessary providing an accessible electronic alternative; and in a way which facilitates interoperability with a variety of user agents and assistive technologies available at Union and international level;

Or. en

Amendment 260
Deirdre Clune

Proposal for a directive
Annex I – section V – part A – paragraph 1 – point b

Text proposed by the Commission

(b) making websites accessible in a consistent and adequate way for users' perception, operation and understanding, including the adaptability of content presentation and interaction, when necessary providing an accessible electronic alternative; and in a way which facilitates interoperability with a variety of user agents and assistive technologies available at Union and international level;

Amendment

(b) making websites, ***online applications and mobile based services including mobile applications*** accessible in a consistent and adequate way for users' perception, operation and understanding. ***This includes*** the adaptability of ***the contents*** presentation and interaction, ***with an*** accessible electronic alternative ***provided when necessary***; in a way ***that*** facilitates interoperability with a variety of user agents and ***the*** assistive technologies available at Union and international level;

Or. en

Amendment 261
Olga Sehnalová

Proposal for a directive
Annex I – section V – part A – paragraph 1 – point c

Text proposed by the Commission

(c) ***including functions, practices, policies and procedures and alterations in the operation of the service targeted to address the needs of persons with functional limitations.***

Amendment

(c) ***making mobile-based services including mobile applications needed in the provision of the service accessible in a consistent and adequate way for users' perception, operation and understanding, including the adaptability of content presentation and interaction, when necessary providing an accessible electronic alternative; and in a robust way which facilitates interoperability with a variety of user agents and assistive technologies available at Union and international level;***

Or. en

Amendment 262
Olga Sehnalová

Proposal for a directive
Annex I – section V – part A – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(ca) including functions, practices, policies and procedures and alterations in the operation of the service targeted to address the needs of persons with functional limitations and persons with disabilities:

(i) smart ticketing (electronic reservation, booking of tickets, etc.);

(ii) real-time passenger information (timetables; information about traffic disruptions, connecting services, onwards travel with other transport modes, etc.);

(iii) additional service information (e.g. staffing of stations; lifts that are out of order or services that are temporarily unavailable).

Or. en

Amendment 263
Olga Sehnalová

Proposal for a directive
Annex I – section V – part A – paragraph 1 – point c b (new)

Text proposed by the Commission

Amendment

(cb) the built environment needed for the provision of the service shall comply with Section IX of this Annex

Or. en

Amendment 264
Olga Sehnalová

Proposal for a directive
Annex I – section V – part A – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Support services

Where available, support services (help desks, call centres, technical support, relay services and training services) shall provide information on the accessibility of the service and its compatibility with assistive technologies and services, in accessible modes of communication for users with functional limitations, including persons with disabilities.

Or. en

Amendment 265
Olga Sehnalová

Proposal for a directive
Annex I – section V – part B

Text proposed by the Commission

Amendment

B. Websites used for the provision of passenger transport services:

deleted

Or. en

Amendment 266
Izaskun Bilbao Barandica, Jozo Radoš

Proposal for a directive
Annex I – section V – part B – title

Text proposed by the Commission

Amendment

B. Websites used for provision of passenger transport services:

B. Websites used for provision of passenger transport services *and tourism-related services, including accommodation, catering and the provision of accessibility and beach-*

enjoyment systems:

Or. es

Amendment 267

Olga Sehnalová

Proposal for a directive

Annex I – section V – part B – point a

Text proposed by the Commission

Amendment

(a) *Making websites accessible in a consistent and adequate way for users' perception, operation and understanding, including the adaptability of content presentation and interaction, where necessary providing an accessible electronic alternative; and in a way which facilitates interoperability with a variety of user agents and assistive technologies available at Union and international level.* *deleted*

Or. en

Amendment 268

Jana Žitňanská

Proposal for a directive

Annex I – section V – part B – point a

Text proposed by the Commission

Amendment

(a) *Making websites accessible in a consistent and adequate way for users' perception, operation and understanding, including the adaptability of content presentation and interaction, where necessary providing an accessible electronic alternative; and in a way which facilitates interoperability with a variety of user agents and assistive technologies available at Union and international level.* *deleted*

Or. en

Amendment 269
Dieter-Lebrecht Koch, Sabine Verheyen

Proposal for a directive
Annex I – section V – part B – point a a (new)

Text proposed by the Commission

Amendment

- (aa) As a minimum, the content of websites relating to the following operations must comply with the requirements under (a):*
- (i) accessing timetables, special reduced fares and all-network tickets, as well as details of reservation costs and ticket prices;*
 - (ii) booking or changing a booking or reservation including all transport amenities;*
 - (iii) checking in;*
 - (iv) accessing a personal travel itinerary;*
 - (v) accessing the status of a flight;*
 - (vi) accessing a personal customer account;*
 - (vii) accessing carrier contact information;*
 - (viii) accessing information on transport assistance available.*

Or. de

Justification

This amendment draws on a list of ‘seven core elements’ of websites drawn up by the Department of Transportation for the USA (‘Nondiscrimination on the Basis of Disability in Air Travel: Accessibility of Web Sites and Automated Kiosks at U.S. Airports (DOT–OST–2011–0177).

Amendment 270
Dieter-Lebrecht Koch, Sabine Verheyen

Proposal for a directive
Annex I – section V – part B – point a b (new)

Text proposed by the Commission

Amendment

(ab) Third-party content that is neither funded nor developed by, nor under the control of, the provider concerned shall be exempt from the requirements laid down in (a).

Or. de

Justification

In line with Directive (EU) 2016/2102 on the accessibility of the websites and mobile applications of public sector bodies, third-party content that is not under the control of the website provider need not comply with the accessibility requirements.

Amendment 271
Olga Sehnalová

Proposal for a directive
Annex I – section V – part C

Text proposed by the Commission

Amendment

C. Mobile device-based services, smart ticketing and real time information: **deleted**

Or. en

Amendment 272

Proposal for a directive
Annex I – section V – part C

Text proposed by the Commission

Amendment

C. Mobile device-based services, smart ticketing and real time information: **A. Services**

Amendment 273

Olga Sehnalová

Proposal for a directive

Annex I – section V – part C – paragraph 1

Text proposed by the Commission

Amendment

1. The provision of services in order to maximise their foreseeable use by persons with functional limitations, including persons with disabilities, shall be achieved by:

Or. en

Amendment 274

Olga Sehnalová

Proposal for a directive

Annex I – section V – part C – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) *providing information about the functioning of the service and about its accessibility characteristics and facilities as follows:* *deleted*

Or. en

Amendment 275

Izaskun Bilbao Barandica, Jozo Radoš

Proposal for a directive

Annex I – section V – part C – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) providing information about the functioning of the service and about its accessibility characteristics and facilities as follows:

(a) Providing information ***in accessible formats*** about the functioning of the service and about its ***barrier-free*** accessibility characteristics and facilities as follows:

Or. es

Amendment 276

Olga Sehnalová

Proposal for a directive

Annex I – section V – part C – paragraph 1 – point a – point i

Text proposed by the Commission

Amendment

(i) ***the information content shall be available in text formats that can be used to generate alternative assistive formats to be presented in different ways by the users and via more than one sensory channel,***

deleted

Or. en

Amendment 277

Jana Žitňanská

Proposal for a directive

Annex I – section V – part C – paragraph 1 – point a – point i

Text proposed by the Commission

Amendment

(i) ***the information content shall be available in text formats that can be used to generate alternative assistive formats to be presented in different ways by the users and via more than one sensory channel,***

(i) ***shall be made available in accessible web format and electronic non-web document by making them perceivable, operable, understandable and robust in accordance with point (b)***

Or. en

Amendment 278

Olga Sehnalová

Proposal for a directive

Annex I – section V – part C – paragraph 1 – point a – point ii

Text proposed by the Commission

Amendment

(ii) alternatives to non-text content shall be provided;

deleted

Or. en

Amendment 279

Jana Žitňanská

Proposal for a directive

Annex I – section V – part C – paragraph 1 – point a – point ii

Text proposed by the Commission

Amendment

(ii) alternatives to non-text content shall be provided;

(ii) shall list and explain how to use the accessibility features of the service including accessibility of vehicles and surrounding infrastructure and built environment as well as information about assistance provided according to Regulation 1107/2006, Regulation 1177/2010, Regulation 1371/2007, and Regulation 181/2011.

Or. en

Amendment 280

Izaskun Bilbao Barandica, Jozo Radoš

Proposal for a directive

Annex I – section V – part C – paragraph 1 – point a – point ii

Text proposed by the Commission

Amendment

(ii) alternatives to non-text content shall be provided;

(ii) touch-screen and voice-control alternatives to non-text content shall be provided;

Amendment 281

Jana Žitňanská

Proposal for a directive

Annex I – section V – part C – paragraph 1 – point a – point iii

Text proposed by the Commission

(iii) *the electronic information, including the related online applications needed in the provision of the service shall be provided in accordance with point (b).*

Amendment

(iii) *shall be provided on alternative non-electronic formats upon request. The alternative non-electronic formats may include large print, Braille, or easy-to-read.*

Or. en

Amendment 282

Ayala Sender

Proposal for a directive

Annex I – section V – part C – paragraph 1 – point a – point iii a (new)

Text proposed by the Commission

Amendment

(iiia) *Information on the accessibility features of the service, accessibility of vehicles, the related infrastructure and the assistance provided for in Regulations 1107/2006, 1177/2006, 1371/2007 and 181/2011.*

Or. es

Amendment 283

Olga Sehnalová

Proposal for a directive

Annex I – section V – part C – paragraph 1 – point a – point iii

Text proposed by the Commission

Amendment

(iii) the electronic information, including the related online applications needed in the provision of the service shall be provided in accordance with point (b).

deleted

Or. en

Amendment 284
Olga Sehnalová

Proposal for a directive
Annex I – section V – part C – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) making websites accessible in a consistent and adequate way for users' perception, operation and understanding, including the adaptability of content presentation and interaction, when necessary providing an accessible electronic alternative; and in a way which facilitates interoperability with a variety of user agents and assistive technologies available at Union and international level;

deleted

Or. en

Amendment 285
Jana Žitňanská

Proposal for a directive
Annex I – section V – part C – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) making websites accessible in a consistent and adequate way for users' perception, operation and understanding, including the adaptability of content

(b) making websites *including online applications needed for the provision of the service* accessible in a consistent and adequate way for users' perception,

presentation and interaction, when necessary providing an accessible electronic alternative; and in a way which facilitates interoperability with a variety of user agents and assistive technologies available at Union and international level;

operation and understanding, including the adaptability of content presentation and interaction, when necessary providing an accessible electronic alternative; and in a way which facilitates interoperability with a variety of user agents and assistive technologies available at Union and international level;

Or. en

Amendment 286
Jana Žitňanská

Proposal for a directive
Annex I – section V – part C – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(ba) making mobile-based services including mobile applications needed in the provision of the service accessible in a consistent and adequate way for users' perception, operation and understanding, including the adaptability of content presentation and interaction, when necessary providing an accessible electronic alternative; and in a way which facilitates interoperability with a variety of user agents and assistive technologies available at Union and international level;

Or. en

Amendment 287
Jana Žitňanská

Proposal for a directive
Annex I – section V – part C – paragraph 1 – point b b (new)

Text proposed by the Commission

Amendment

(bb) including functions, practices, policies and procedures and alterations in

the operation of the service targeted to address the needs of persons with functional limitations and persons with disabilities:

- (i) smart ticketing (electronic reservation, booking of tickets, etc.)*
- (ii) real-time passenger information (timetables; information about traffic disruptions, connecting services, onwards travel with other transport modes, etc.)*
- (iii) additional service information (e.g. staffing of stations; lifts that are out of order or services that are temporarily unavailable)*

Or. en

Amendment 288

Jana Žitňanská

Proposal for a directive

Annex I – section V – part C – paragraph 1 – point b c (new)

Text proposed by the Commission

Amendment

(bc) the built environment needed for the provision of the service shall comply with Section X of this Annex

Or. en

Amendment 289

Jana Žitňanská

Proposal for a directive

Annex I – section V – part C – paragraph 1 a (new)

Text proposed by the Commission

Amendment

Support services

Where available, support services (help desks, call centres, technical support, relay services and training services) shall

provide information on the accessibility of the service and its compatibility with assistive technologies and services, in accessible modes of communication for users with functional limitations, including persons with disabilities.

Or. en

Amendment 290
Olga Sehnalová

Proposal for a directive
Annex I – section V – part D – title

Text proposed by the Commission

D. Self-service terminals, ticketing machines and check-in machines used for provision of passenger transport services:

Amendment

D. Self-service terminals, ticketing machines, ***payment terminals*** and check-in machines used for provision of passenger transport services:

Or. en

Amendment 291
Olga Sehnalová

Proposal for a directive
Annex I – section V – part D – paragraph 1

Text proposed by the Commission

The design and production of products in order to maximise their foreseeable use by persons with functional limitations, including persons with disabilities and those with age related impairments, shall be achieved ***by making accessible*** the following:

Amendment

The design and production of products in order to maximise their foreseeable use by persons with functional limitations, including persons with disabilities and those with age related impairments, shall be achieved by ***complying with*** making accessible the following ***accessibility requirements***:

Or. en

Amendment 292
Jana Žitňanská

Proposal for a directive
Annex I – section V – part D – paragraph 1

Text proposed by the Commission

The design and production of products in order to maximise their foreseeable use by persons with functional limitations, including persons with disabilities and those with age *related* impairments, shall be achieved by *making accessible the following*:

Amendment

The design and production of products in order to maximise their foreseeable use by persons with functional limitations, including persons with disabilities and those with age *and health-related* impairments, shall be achieved by *complying with the following accessibility requirements*:

Or. en

Amendment 293
Olga Sehnalová

Proposal for a directive
Annex I – section V – part D – paragraph 1 – point a – point i

Text proposed by the Commission

(i) *must* be available by more than one sensory channel;

Amendment

(i) *shall* be available by more than one sensory channel;

Or. en

Amendment 294
Jana Žitňanská

Proposal for a directive
Annex I – section V – part D – paragraph 1 – point a – point i

Text proposed by the Commission

(i) *must* be available by more than one sensory channel;

Amendment

(i) *shall* be available by more than one sensory channel;

Or. en

Amendment 295
Olga Sehnalová

Proposal for a directive
Annex I – section V – part D – paragraph 1 – point a – point ii

Text proposed by the Commission

Amendment

(ii) ***must*** be understandable;

(ii) ***shall*** be understandable;

Or. en

Amendment 296
Jana Žitňanská

Proposal for a directive
Annex I – section V – part D – paragraph 1 – point a – point ii

Text proposed by the Commission

Amendment

(ii) ***must*** be understandable;

(ii) ***shall*** be understandable;

Or. en

Amendment 297
Olga Sehnalová

Proposal for a directive
Annex I – section V – part D – paragraph 1 – point a – point iii

Text proposed by the Commission

Amendment

(iii) ***must*** be perceivable;

(iii) ***shall*** be perceivable;

Or. en

Amendment 298
Jana Žitňanská

Proposal for a directive
Annex I – section V – part D – paragraph 1 – point a – point iii

Text proposed by the Commission

Amendment

(iii) ***must*** be perceivable;

(iii) ***shall*** be perceivable;

Or. en

Amendment 299

Olga Sehnalová

Proposal for a directive

Annex I – section V – part D – paragraph 1 – point a – point iii a (new)

Text proposed by the Commission

Amendment

(iiia) shall list and explain how to activate and use the accessibility features of the product and its compatibility with assistive technologies;

Or. en

Amendment 300

Jana Žitňanská

Proposal for a directive

Annex I – section V – part D – paragraph 1 – point a – point iii a (new)

Text proposed by the Commission

Amendment

(iiia) shall list and explain how to activate and use the accessibility features of the product and its compatibility with assistive technologies;

Or. en

Amendment 301

Olga Sehnalová

Proposal for a directive

Annex I – section V – part D – paragraph 1 – point a – point iv

Text proposed by the Commission

Amendment

(iv) shall have an adequate size of fonts in foreseeable use conditions;

(iv) shall have an adequate size ***and type*** of fonts ***with sufficient contrast between the characters and their background in order to maximise its readability*** in foreseeable use conditions;

Or. en

Amendment 302

Jana Žitňanská

Proposal for a directive

Annex I – section V – part D – paragraph 1 – point a – point iv

Text proposed by the Commission

Amendment

(iv) shall have an adequate size of fonts in foreseeable use conditions;

(iv) shall have an adequate size ***and type*** of fonts ***with sufficient contrast between the characters and their background in order to maximise its readability*** in foreseeable ***conditions of use***;

Or. en

Amendment 303

Olga Sehnalová

Proposal for a directive

Annex I – section V – part D – paragraph 1 – point d

Text proposed by the Commission

Amendment

(d) the interfacing of the product with assistive devices

(d) ***the product shall provide compatibility*** with assistive devices ***and technologies, including hearing technologies, such as hearing aids, telecoils, cochlear implants, and assistive listening devices. The product shall also allow for the use of personal headsets.***

Or. en

Amendment 304
Olga Sehnalová

Proposal for a directive
Annex I – section V – part D – paragraph 1 – point d

Text proposed by the Commission

(d) the interfacing of the product with assistive devices

Amendment

(d) ***the product shall provide compatibility with assistive devices and technologies, including hearing technologies, such as hearing aids, telecoils, cochlear implants, and assistive listening devices. The product shall also allow for the use of personal headsets.***

Or. en

Amendment 305
Jana Žitňanská

Proposal for a directive
Annex I – section V – part D – paragraph 1 – point d

Text proposed by the Commission

(d) the interfacing of the product with assistive devices

Amendment

(d) ***the product shall provide compatibility with assistive devices and technologies, including hearing technologies, such as hearing aids, telecoils, cochlear implants, and assistive listening devices. The product shall also allow for the use of personal headsets.***

Or. en

Amendment 306
Olga Sehnalová

Proposal for a directive
Annex I – section V – part D – paragraph 2 – title

Text proposed by the Commission

Amendment

2. User interface and functionality design

2. Functionality requirements for user interface and design of the product

Or. en

Amendment 307

Jana Žitňanská

Proposal for a directive

Annex I – section V – part D – paragraph 2 – title

Text proposed by the Commission

Amendment

2. User interface and functionality design

2. Functionality requirements for user interface and design of the product

Or. en

Amendment 308

Olga Sehnalová

Proposal for a directive

Annex I – section V – part D – paragraph 2 – paragraph 1

Text proposed by the Commission

Amendment

In order to make accessible the design of the products and their user interface as referred to in points (b) and (c) of point 1 they must be designed, where applicable, as follows:

In order to make accessible the design of the products and their user interface as referred to in points (b) and (c) of point 1 they must be designed, where applicable, ***in accordance with Section I Point 2 as well as:***

Or. en

Amendment 309

Jana Žitňanská

Proposal for a directive

Annex I – section V – part D – paragraph 2 – paragraph 1

Text proposed by the Commission

In order to make accessible the design of the products and their user interface as referred to in points (b) and (c) of point 1 they must be designed, where applicable, as follows:

Amendment

In order to make accessible the design of the products and their user interface as referred to in points (b) and (c) of point 1 they must be designed, where applicable, ***in accordance with Section I Point 2 as well as:***

Or. en

Amendment 310
Olga Sehnalová

Proposal for a directive
Annex I – section V – part D – paragraph 2 – point a

Text proposed by the Commission

(a) *provide for communication and orientation via more than one sensory channel;*

Amendment

(a) ***It shall not require that an accessibility feature be on in order for a user who needs the feature to turn it on;***

Or. en

Amendment 311
Jana Žitňanská

Proposal for a directive
Annex I – section V – part D – paragraph 2 – point a

Text proposed by the Commission

(a) *provide for communication and orientation via more than one sensory channel;*

Amendment

(a) ***It shall not require that an accessibility feature be on in order for a user who needs the feature to turn it on;***

Or. en

Amendment 312
Olga Sehnalová

Proposal for a directive

Annex I – section V – part D – paragraph 2 – point b

Text proposed by the Commission

Amendment

(b) *provide for communication and orientation via more than one sensory channel;*

(b) *where a timed response is required, the user shall be alerted visually, as well as by touch or sound, and shall be given the possibility to extend the time permitted;*

Or. en

Amendment 313

Jana Žitňanská

Proposal for a directive

Annex I – section V – part D – paragraph 2 – point b

Text proposed by the Commission

Amendment

(b) *provide for communication and orientation via more than one sensory channel;*

(b) *where a timed response is required, the user shall be alerted visually, as well as by touch or sound, and shall be given the possibility to extend the time permitted;*

Or. en

Amendment 314

Olga Sehnalová

Proposal for a directive

Annex I – section V – part D – paragraph 2 – point c

Text proposed by the Commission

Amendment

(c) *provide for flexible magnification and contrast;*

(c) *the product shall be operable, including the operable parts of the product, such as keys and controls, shall have an adequate contrast between the keys and controls and their background, and shall be tactilely discernible;*

Or. en

Amendment 315
Jana Žitňanská

Proposal for a directive
Annex I – section V – part D – paragraph 2 – point c

Text proposed by the Commission

(c) *provide for flexible magnification and contrast;*

Amendment

(c) *the product shall be operable, including the operable parts of the product, such as keys and controls, shall have an adequate contrast between the keys and controls and their background, and shall be tactilely discernible;*

Or. en

Amendment 316
Olga Sehnalová

Proposal for a directive
Annex I – section V – part D – paragraph 2 – point d

Text proposed by the Commission

(d) *provide for an alternative colour to convey information;*

Amendment

(d) *where keys, tickets, or cards are provided, these shall have an orientation that is tactilely discernible if orientation is important to further use of the key, ticket or card;*

Or. en

Amendment 317
Jana Žitňanská

Proposal for a directive
Annex I – section V – part D – paragraph 2 – point d

Text proposed by the Commission

(d) *provide for an alternative colour to convey information;*

Amendment

(d) *where keys, tickets, or cards are provided, these shall have an orientation that is tactilely discernible if orientation is*

important to further use of the key, ticket or card;

Or. en

Amendment 318
Olga Sehnalová

Proposal for a directive
Annex I – section V – part D – paragraph 2 – point e

Text proposed by the Commission

(e) *provide for flexible ways to separate and control foreground from background including for reducing background noise and improve clarity;*

Amendment

(e) *where the product uses biological characteristics of the user, it shall not rely on the use of a particular biological characteristic as the only means of user identification or for control of the product.*

Or. en

Amendment 319
Jana Žitňanská

Proposal for a directive
Annex I – section V – part D – paragraph 2 – point e

Text proposed by the Commission

(e) *provide for flexible ways to separate and control foreground from background including for reducing background noise and improve clarity;*

Amendment

(e) *where the product uses biological characteristics of the user, it shall not rely on the use of a particular biological characteristic as the only means of user identification or for control of the product.*

Or. en

Amendment 320
Olga Sehnalová

Proposal for a directive

Annex I – section V – part D – paragraph 2 – point f

Text proposed by the Commission

Amendment

(f) provide for user control of volume; deleted

Or. en

Amendment 321

Olga Sehnalová

Proposal for a directive

Annex I – section V – part D – paragraph 2 – point g

Text proposed by the Commission

Amendment

(g) provide for sequential control and alternatives to fine motor control; deleted

Or. en

Amendment 322

Olga Sehnalová

Proposal for a directive

Annex I – section V – part D – paragraph 2 – point h

Text proposed by the Commission

Amendment

(h) provide for modes of operation with limited reach and strength; deleted

Or. en

Amendment 323

Olga Sehnalová

Proposal for a directive

Annex I – section V – part D – paragraph 2 – point i

Text proposed by the Commission

Amendment

(i) *provide avoidance of triggering photosensitive seizures.*

deleted

Or. en

Amendment 324
Olga Sehnalová

Proposal for a directive

Annex I – section VIII – part A – paragraph 1 – point a– point i

Text proposed by the Commission

Amendment

(i) *the information content shall be available in text formats that can be used to generate alternative assistive formats to be presented in different ways by the users and via more than one sensory channel,*

(i) *shall be made available in accessible web format by making them perceivable, operable, understandable and robust in accordance with point (b)*

Or. en

Amendment 325
Olga Sehnalová

Proposal for a directive

Annex I – section VIII – part A – paragraph 1 – point a– point ii

Text proposed by the Commission

Amendment

(ii) *alternatives to non-text content shall be provided;*

(ii) *shall list and explain how to use the accessibility features of the service and its complementarity with a variety of assistive technologies.*

Or. en

Amendment 326
Olga Sehnalová

Proposal for a directive

Annex I – section VIII – part A – paragraph 1 – point a– point iii

Text proposed by the Commission

Amendment

(iii) the electronic information, including the related online applications needed in the provision of the service shall be provided in accordance with point (b).

deleted

Or. en

Amendment 327

Olga Sehnalová

Proposal for a directive

Annex I – section VIII – part A – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) making websites accessible in a consistent and adequate way for users' perception, operation and understanding, including the adaptability of content presentation and interaction, when necessary providing an accessible electronic alternative; and in a way which facilitates interoperability with a variety of user agents and assistive technologies available at Union and international level;

(b) making websites *and online applications needed for the provision of the service* accessible in a consistent and adequate way for users' perception, operation and understanding, including the adaptability of content presentation and interaction, when necessary providing an accessible electronic alternative; and in a *robust* way which facilitates interoperability with a variety of user agents and assistive technologies available at Union and international level;

Or. en

Amendment 328

Olga Sehnalová

Proposal for a directive

Annex I – section VIII – part A – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(ba) making mobile-based services

including mobile applications needed for the provision of ecommerce services accessible in a consistent and adequate way for users' perception, operation and understanding, including the adaptability of content presentation and interaction, when necessary providing an accessible electronic alternative; and in a robust way which facilitates interoperability with a variety of user agents and assistive technologies available at Union and international level;

Or. en

Amendment 329
Olga Sehnalová

Proposal for a directive
Annex I – section VIII – part A – paragraph 1 – point b b (new)

Text proposed by the Commission

Amendment

(bb) Electronic identification, security and payment methods needed for the provision of the service shall be understandable, perceivable, operable and robust without undermining the security and privacy of the user.

Or. en

Amendment 330
Olga Sehnalová

Proposal for a directive
Annex I – section VIII – part A – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Support services
Where available, support services (help desks, call centres, technical support, relay services and training services) shall provide information on the accessibility of

the service and its compatibility with assistive technologies and services, in accessible modes of communication for users with functional limitations and persons with disabilities.

Or. en

Amendment 331
Izaskun Bilbao Barandica

Proposal for a directive
Annex I – section V – part C – paragraph 1 – point a – point ii

Text proposed by the Commission

(ii) alternatives to non-text content shall be provided;

Amendment

(ii) ***touch-screen and voice-control*** alternatives to non-text content shall be provided;

Or. es

Amendment 332
Olga Sehnalová

Proposal for a directive
Annex I – section VIII a (new)

Text proposed by the Commission

Amendment

SECTION VIIIa Accommodation services

Accommodation services

Services

1. The provision of services in order to maximise their foreseeable use by persons with functional limitations, including persons with disabilities, shall be achieved by:

(a) providing information about the functioning of the service and about its accessibility characteristics and facilities as follows:

(i) shall be made available in accessible web format by making them

perceivable, operable, understandable and robust in accordance with point (b)

(ii) shall list and explain how to use the accessibility features of the service and its complementarity with a variety of assistive technologies.

(b) making websites and online applications needed for the provision of the service accessible in a consistent and adequate way for users' perception, operation and understanding, including the adaptability of content presentation and interaction, when necessary providing an accessible electronic alternative; and in a robust way which facilitates interoperability with a variety of user agents and assistive technologies available at Union and international level;

(c) making mobile-based services including mobile applications needed for the provision of e-commerce services accessible in a consistent and adequate way for users' perception, operation and understanding, including the adaptability of content presentation and interaction, when necessary providing an accessible electronic alternative; and in a robust way which facilitates interoperability with a variety of user agents and assistive technologies available at Union and international level;

(d) Electronic identification, security and payment methods needed for the provision of the service shall be understandable, perceivable, operable and robust without undermining the security and privacy of the user.

(e) Making the built environment accessible to persons with disabilities according to requirements in Section X.

(i) All common areas (reception, entrance, leisure facilities, conference rooms, etc.)

(ii) Rooms according to requirements in Section X whereas the minimum

number of accessible rooms per establishment shall be:

- *1 accessible room for establishments with less than 20 room overall*
- *2 accessible rooms for establishments with more than 20 but less than 50 rooms*
- *1 supplementary accessible room for every additional 50 rooms*

2. Support services

Where available, support services (help desks, call centres, technical support, relay services and training services) shall provide information on the accessibility of the service and its compatibility with assistive technologies and services, in accessible modes of communication for users with functional limitations, including persons with disabilities.

Or. en

Amendment 333
Olga Sehnalová

Proposal for a directive
Annex I – section IX – part A – paragraph 1 – introductory part

Text proposed by the Commission

The design and production of products in order to maximise their foreseeable use by persons with functional limitations, ***including*** persons with disabilities and those with age related impairments, shall be achieved by making accessible the following:

Amendment

The design and production of products in order to maximise their foreseeable use by persons with functional limitations ***and*** persons with disabilities and those with age related impairments, shall be achieved by ***complying with*** making accessible the following ***accessibility requirements***:

Or. en

Amendment 334
Olga Sehnalová

Proposal for a directive

Annex I – section IX – part A – paragraph 1 – point a – point i

Text proposed by the Commission

Amendment

(i) ***must*** be available by more than one sensory channel;

(i) ***shall*** be available by more than one sensory channel;

Or. en

Amendment 335

Olga Sehnalová

Proposal for a directive

Annex I – section IX– part A – paragraph 1 – point a – point ii

Text proposed by the Commission

Amendment

(ii) ***must*** be understandable;

(ii) ***shall*** be understandable;

Or. en

Amendment 336

Olga Sehnalová

Proposal for a directive

Annex I – section IX– part A – paragraph 1 – point a – point iii

Text proposed by the Commission

Amendment

(iii) ***must*** be perceivable;

(iii) ***shall*** be perceivable;

Or. en

Amendment 337

Olga Sehnalová

Proposal for a directive

Annex I – section IX– part A – paragraph 1 – point a – point iv

Text proposed by the Commission

Amendment

(iv) shall have an adequate size of fonts in foreseeable use conditions;

(iv) shall have an adequate size ***and type*** of fonts ***with sufficient contrast between the characters and their background in order to maximise its readability*** in foreseeable use conditions;

Or. en

Amendment 338

Olga Sehnalová

Proposal for a directive

Annex I – section IX– part A – paragraph 1 – point a – point iv a (new)

Text proposed by the Commission

Amendment

(iva) ***shall be made available in accessible web format and electronic non-web documents by making them perceivable, operable, understandable and robust***

Or. en

Amendment 339

Olga Sehnalová

Proposal for a directive

Annex I – section IX– part A – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) the packaging of the product including the information provided in it (opening, closing, use, disposal);

(b) the packaging of the product including the information provided in it (opening, closing, use, disposal) ***which:***

Or. en

Amendment 340

Olga Sehnalová

Proposal for a directive

Annex I – section IX– part A – paragraph 1 – point b – point i (new)

Text proposed by the Commission

Amendment

(i) shall meet the requirements laid down in Point 1(a)

Or. en

Amendment 341

Olga Sehnalová

Proposal for a directive

Annex I – section IX– part A – paragraph 1 – point b – point i a (new)

Text proposed by the Commission

Amendment

(ia) shall in a simple and precise way inform the users that the product incorporates accessibility features and its compatibility with assistive technologies;

Or. en

Amendment 342

Olga Sehnalová

Proposal for a directive

Annex I – section IX– part A – paragraph 1 – point c – introductory part

Text proposed by the Commission

Amendment

(c) the product instructions for use, installation and maintenance, storage and disposal of the product which shall comply with the following:

(c) the product instructions for use, installation and maintenance, storage and disposal of the product , *whether provided separately or integrated within the product*, which shall comply with the following:

Or. en

Amendment 343

Olga Sehnalová

Proposal for a directive

Annex I – section IX– part A – paragraph 1 – point c – point i

Text proposed by the Commission

Amendment

(i) *content of instruction shall be deleted
available in text formats that can be used
for generating alternative assistive
formats to be presented in different ways
and via more than one sensory channel,
and*

Or. en

Amendment 344

Olga Sehnalová

Proposal for a directive

Annex I – section IX– part A – paragraph 1 – point c – point ii

Text proposed by the Commission

Amendment

(ii) *instructions shall provide deleted
alternatives to non-text content;*

Or. en

Amendment 345

Olga Sehnalová

Proposal for a directive

Annex I – section IX– part A – paragraph 1 – point c – point ii a (new)

Text proposed by the Commission

Amendment

(iia) *shall be made available in
accessible web format and electronic non-
web document by making them
perceivable, operable, understandable and
robust*

Or. en

Amendment 346
Olga Sehnalová

Proposal for a directive

Annex I – section IX– part A – paragraph 1 – point c – point ii b (new)

Text proposed by the Commission

Amendment

(iib) shall list and explain how to use the accessibility features of the product and its compatibility with a variety of assistive technologies available at Union and international level

Or. en

Amendment 347
Olga Sehnalová

Proposal for a directive

Annex I – section IX– part A – paragraph 1 – point c – point ii c (new)

Text proposed by the Commission

Amendment

(iic) shall be provided on alternative non-electronic formats upon request. The alternative non-electronic formats may include large print, Braille, or easy-to-read text.

Or. en

Amendment 348
Olga Sehnalová

Proposal for a directive

Annex I – section IX– part A – paragraph 1 – point f

Text proposed by the Commission

Amendment

(f) the *interfacing of the product with* assistive devices.

(f) the *product shall provide compatibility with a variety of assistive devices and technologies available at Union and international level, including hearing technologies, such as hearing*

aids, telecoils, cochlear implants, and
assistive *listening* devices.

Or. en

Amendment 349

Olga Sehnalová

Proposal for a directive

Annex I – section IX– part A – paragraph 2 – title

Text proposed by the Commission

Amendment

User interface and *functionality design*:

Functionality requirements for user
interface and *design of the product*:

Or. en

Amendment 350

Olga Sehnalová

Proposal for a directive

Annex I – section IX– part A – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Support services

Where available, support services (help desks, call centres, technical support, relay services and training services) shall provide information on the accessibility of the product and its compatibility with assistive technologies, in accessible modes of communication for users with functional limitations, including persons with disabilities.

Or. en

Amendment 351

Olga Sehnalová

Proposal for a directive

Annex I – section IX– part A – paragraph 2 – point a

Text proposed by the Commission

(a) provide for communication and orientation via more than one sensory channel;

Amendment

(a) provide for communication and orientation via more than one sensory channel ***including***;

Or. en

Amendment 352

Olga Sehnalová

Proposal for a directive

Annex I – section IX– part A – paragraph 2 – point a – point i (new)

Text proposed by the Commission

Amendment

(i) where the product provides visual modes of communication and operation, the product shall provide at least one mode of information and operation that does not require vision,

Or. en

Amendment 353

Olga Sehnalová

Proposal for a directive

Annex I – section IX– part A – paragraph 2 – point a – point ii (new)

Text proposed by the Commission

Amendment

(ii) where the product provides auditory modes of information and operation, the product shall provide at least one mode of information and operation that does not require hearing;

Or. en

Amendment 354
Olga Sehnalová

Proposal for a directive
Annex I – section IX– part A – paragraph 2 – point b

Text proposed by the Commission

Amendment

(b) provide for alternatives to speech for communication and orientation;

(b) provide for alternatives to speech for communication and orientation. ***Where the product requires vocal input from users, the product shall provide at least one mode of operation that does not require the users to generate orally-generated sounds like speech, whistles or clicks;***

Or. en

Amendment 355
Olga Sehnalová

Proposal for a directive
Annex I – section IX– part A – paragraph 2 – point c

Text proposed by the Commission

Amendment

(c) provide for flexible magnification ***and contrast;***

(c) ***where the product provides visual modes of communication and operation, provide for features that enable users to make better use of their limited vision, including by providing flexible magnification without loss of content or functionality, flexible contrast and brightness, and where possible, it should include flexible ways to separate and control foreground from background visual elements and flexible control over the field of vision required;***

Or. en

Amendment 356
Olga Sehnalová

Proposal for a directive
Annex I – section IX– part A – paragraph 2 – point d

Text proposed by the Commission

Amendment

(d) provide for *an alternative colour to convey information*;

(d) provide for *a visual mode of operation that does not require user perception of colour*;

Or. en

Amendment 357
Olga Sehnalová

Proposal for a directive
Annex I – section IX– part A – paragraph 2 – point e

Text proposed by the Commission

Amendment

(e) provide for flexible ways to separate and control foreground from background *including for reducing background noise and improve clarity*;

(e) provide for *user control of volume and enhanced audio features to improve audio clarity, including* flexible ways to separate and control foreground from background *sound where voice and background are available as separate audio streams*;

Or. en

Amendment 358
Olga Sehnalová

Proposal for a directive
Annex I – section IX– part A – paragraph 2 – point f

Text proposed by the Commission

Amendment

(f) provide for *user control of volume*;

(f) provide for *sequential control and alternatives to fine motor control, including where the product requires manual actions, the product shall provide features that enable users to make use of the product through alternative modes of operation not requiring fine motor control like manipulation or hand strength, nor*

operation of more than one control at the same time;

Or. en

Amendment 359

Olga Sehnalová

Proposal for a directive

Annex I – section IX– part A – paragraph 2 – point g

Text proposed by the Commission

(g) provide for *sequential control and alternatives to fine motor control*;

Amendment

(g) provide for *modes of operation with limited reach and strength, including where product is free-standing or installed, the informational and operational elements shall be located within standard accessible reach ranges or it shall be possible for a user to place it within reach*;

Or. en

Amendment 360

Olga Sehnalová

Proposal for a directive

Annex I – section IX– part A – paragraph 2 – point h

Text proposed by the Commission

(h) provide *for modes of operation with limited reach and strength*;

Amendment

(h) *where the product provides visual modes of information, the product shall provide at least one mode of information that minimizes the potential for triggering photosensitive seizures*;

Or. en

Amendment 361

Olga Sehnalová

Proposal for a directive
Annex I – section IX– part A – paragraph 2 – point i

Text proposed by the Commission

Amendment

(i) provide *avoidance of triggering photosensitive seizures.*

(i) provide *for features that make its communication and user operation simpler and easier to use;*

Or. en

Amendment 362
Olga Sehnalová

Proposal for a directive
Annex I – section IX– part A – paragraph 2 – point i a (new)

Text proposed by the Commission

Amendment

(ia) *where the product provides features that are provided for accessibility, the users' privacy shall be maintained when using those features;*

Or. en

Amendment 363
Gesine Meissner

Proposal for a directive
Annex I – section IX – part B – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) *making accessible the built environment where the service is provided, including transport infrastructure, in accordance with Part C, without prejudice to national and Union legislation for the protection of national treasures possessing artistic, historic or archaeological value;*

deleted

Or. en

Justification

Changing built environment on this basis would result in high costs with the risk to obstruct other investment needs for transport infrastructure.

Amendment 364

Gesine Meissner

Proposal for a directive

Annex I – section IX – part B – paragraph 1 – point b – point i

Text proposed by the Commission

Amendment

(i) *the design of its built space shall follow the requirements under Part C in relation to boarding, disembarking, circulation and use;* *deleted*

Or. en

Justification

Changing built space on this basis would result in high costs with the risk to obstruct other investment needs in the transport sector.

Amendment 365

Olga Sehnalová

Proposal for a directive

Annex I – section IX – part B – paragraph 1 – point e

Text proposed by the Commission

Amendment

(e) making websites accessible in a consistent and adequate way for users' perception, operation and understanding, including the adaptability of content presentation and interaction, when necessary providing an accessible electronic alternative; and in a way which facilitates interoperability with a variety of user agents and assistive technologies available at Union and international level;

(e) making websites *and online applications needed for the provision of the service* accessible in a consistent and adequate way for users' perception, operation and understanding, including the adaptability of content presentation and interaction, when necessary providing an accessible electronic alternative; and in a way which facilitates interoperability with a variety of user agents and assistive technologies available at Union and

international level;

Or. en

Amendment 366
Olga Sehnalová

Proposal for a directive
Annex I – section IX – part B – paragraph 1 – point e a (new)

Text proposed by the Commission

Amendment

(ea) making mobile-based services including mobile applications needed for the provision of the services accessible in a consistent and adequate way for users' perception, operation and understanding, including the adaptability of content presentation and interaction, when necessary providing an accessible electronic alternative; and in a robust way which facilitates interoperability with a variety of user agents and assistive technologies available at Union and international level.

Or. en

Amendment 367
Olga Sehnalová

Proposal for a directive
Annex I – section IX – part B – paragraph 1 – point f

Text proposed by the Commission

Amendment

(f) providing accessible information to facilitate complementarities with assistive services;

(f) providing accessible information to facilitate complementarities with assistive services *and technologies, including hearing technologies, such as hearing aids, telecoils, cochlear implants, and assistive listening devices.*

Or. en

Amendment 368

Olga Sehnalová

Proposal for a directive

Annex I – section X – paragraph 1 – point a

Text proposed by the Commission

(a) use of related outdoor areas and facilities ***under the responsibility of the service provider***;

Amendment

(a) use of related outdoor areas and facilities;

Or. en

Amendment 369

Olga Sehnalová

Proposal for a directive

Annex I – section X – paragraph 1 – point b

Text proposed by the Commission

(b) approaches to buildings ***under the responsibility of the service provider***;

Amendment

(b) approaches to buildings;

Or. en

Amendment 370

Olga Sehnalová

Proposal for a directive

Annex I – section X – paragraph 1 – point g

Text proposed by the Commission

(g) use of equipment and facilities used in the provision of the service;

Amendment

(g) use of equipment and facilities used in the provision ***product*** of the service;

Or. en