



**2017/0288(COD)**

4.10.2018

# **AMENDMENTS**

## **37 - 219**

**Draft report**

**Roberts Zīle**

(PE623.746v01-00)

Common rules for access to the international market for coach and bus services

Proposal for a regulation

(COM(2017)0647 – C8-0396/2017 – 2017/0288(COD))



**Amendment 37**  
**João Pimenta Lopes**

**Proposal for a regulation**

—

*Proposal for rejection*

***The European Parliament rejects the Commission proposal.***

Or. pt

**Amendment 38**  
**Lucy Anderson, Marita Ulvskog**

**Proposal for a regulation**

**Recital 1**

*Text proposed by the Commission*

(1) The application of Regulation (EC) No 1073/2009 of the European Parliament and of the Council<sup>17</sup> has revealed that operators in national markets **are** facing obstacles to the development of inter-urban coach services. **Moreover, road passenger transport services have not kept pace with the evolving needs of citizens in terms of availability and quality and sustainable transport modes continue to have a low modal share. As a consequence, certain groups of citizens are placed at a disadvantage in terms of availability of passenger transport services, and there are more road accidents, emissions and congestion due to greater use of cars.**

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<sup>17</sup> Regulation (EC) No 1073/2009 of the European Parliament and of the Council of 21 October 2009 on common rules for access to the international market for coach and bus services, and amending Regulation (EC) No 561/2006 (OJ L 300, 14.11.2009, p. 88).

*Amendment*

(1) The application of Regulation (EC) No 1073/2009 of the European Parliament and of the Council<sup>17</sup> has revealed that **some** operators in national markets **may be** facing **unjustified** obstacles to the development of inter-urban coach services **of benefit to passengers.**

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<sup>17</sup> Regulation (EC) No 1073/2009 of the European Parliament and of the Council of 21 October 2009 on common rules for access to the international market for coach and bus services, and amending Regulation (EC) No 561/2006 (OJ L 300, 14.11.2009, p. 88).

**Amendment 39**  
**Michael Cramer**

**Proposal for a regulation**  
**Recital 1**

*Text proposed by the Commission*

(1) The application of Regulation (EC) No 1073/2009 of the European Parliament and of the Council<sup>17</sup> has revealed that operators in national markets are facing obstacles to the development of inter-urban coach services. Moreover, road passenger transport services have not kept pace with the evolving needs of citizens in terms of availability and quality and sustainable transport modes continue to have a low modal share. As a consequence, certain groups of citizens are placed at a disadvantage in terms of availability of passenger transport services, and there are more road accidents, emissions and congestion due to greater use of cars.

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<sup>17</sup> Regulation (EC) No 1073/2009 of the European Parliament and of the Council of 21 October 2009 on common rules for access to the international market for coach and bus services, and amending Regulation (EC) No 561/2006 (OJ L 300, 14.11.2009, p. 88).

*Amendment*

(1) The application of Regulation (EC) No 1073/2009 of the European Parliament and of the Council<sup>17</sup> has revealed that operators in national markets are facing obstacles to the development of inter-urban coach services. Moreover, road passenger transport services have not kept pace with the evolving needs of citizens in terms of availability and quality and sustainable transport modes continue to have a low modal share. As a consequence, certain groups of citizens are placed at a disadvantage in terms of availability of passenger transport services, and there are more road accidents, emissions and congestion, ***space use and infrastructure costs*** due to greater use of cars.

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<sup>17</sup> Regulation (EC) No 1073/2009 of the European Parliament and of the Council of 21 October 2009 on common rules for access to the international market for coach and bus services, and amending Regulation (EC) No 561/2006 (OJ L 300, 14.11.2009, p. 88).

**Amendment 40**  
**João Pimenta Lopes**

**Proposal for a regulation**  
**Recital 2**

*Text proposed by the Commission*

*Amendment*

**(2) To ensure a coherent framework for the inter-urban carriage of passengers by regular coach and bus services throughout the Union, Regulation (EC) No 1073/2009 should apply to all inter-urban carriage by regular services. The scope of that Regulation should therefore be extended.**

*deleted*

Or. pt

**Amendment 41  
Daniel Dalton**

**Proposal for a regulation  
Recital 2**

*Text proposed by the Commission*

*Amendment*

**(2) To ensure a coherent framework for the inter-urban carriage of passengers by regular coach and bus services throughout the Union, Regulation (EC) No 1073/2009 should apply to all inter-urban carriage by regular services. The scope of that Regulation should therefore be extended.**

*deleted*

Or. en

*Justification*

*There are no significant grounds for extending the scope of this Regulation, which is intended to address common rules for access to the international market for coach and bus services, and doing so infringes on national decision-making in an area of shared competence.*

**Amendment 42  
Dieter-Lebrecht Koch**

**Proposal for a regulation  
Recital 2**

*Text proposed by the Commission*

*Amendment*

(2) To ensure a coherent framework for the inter-urban carriage of passengers by regular coach and bus services throughout the Union, Regulation (EC) No 1073/2009 should apply to all inter-urban carriage by regular services. The scope of that Regulation should therefore be extended.

(2) To ensure a coherent framework for the inter-urban carriage of passengers by regular coach and bus services throughout the Union, Regulation (EC) No 1073/2009 should apply to all inter-urban carriage by regular services. The scope of that Regulation should therefore be extended, ***but, by virtue of the principle of subsidiarity, not applied to urban and suburban areas and agglomerations.***

Or. de

**Amendment 43**  
**Dominique Riquet**

**Proposal for a regulation**  
**Recital 2**

*Text proposed by the Commission*

(2) To ensure a coherent framework for the inter-urban carriage of passengers by regular coach and bus services throughout the Union, Regulation (EC) No 1073/2009 should apply to all inter-urban carriage by regular services. The scope of that Regulation should therefore be extended.

*Amendment*

(2) To ensure a coherent framework for the inter-urban carriage of passengers by regular coach and bus services throughout the Union, Regulation (EC) No 1073/2009 should apply to all inter-urban carriage by regular services. The scope of that Regulation should therefore be extended, ***although urban and suburban transport should continue to be excluded.***

Or. fr

**Amendment 44**  
**Peter Kouroumbashev, Andrey Novakov, Andrey Kovatchev, Emil Radev, Angel Dzhambazki, Eva Maydell, Nikolay Barekov, Filiz Hysmenova, Iskra Mihaylova, Claudia Tapardel, Maria Grapini, Bogusław Liberadzki, İlhan Kyuchyuk, Momchil Nekov, Karoline Graswander-Hainz, Sergei Stanishev, István Ujhelyi, Miltiadis Kyrkos, Asim Ademov, Georgi Pirinski, Vladimir Urutchev, Nedzhmi Ali**

**Proposal for a regulation**  
**Recital 2**

*Text proposed by the Commission*

*Amendment*

(2) To ensure a coherent framework *for the inter-urban carriage of passengers by regular coach and bus services throughout the Union, Regulation (EC) No 1073/2009 should apply to all inter-urban carriage by regular services*. The scope of that Regulation should therefore be *extended*.

(2) To ensure a coherent *legislation* framework *of the European Union is paramount in order to prevent legal ambiguity*. The scope of that Regulation should therefore be *consistent with the provisions of a Regulation (EC) No1370/2007*.

Or. en

#### **Amendment 45**

**Lucy Anderson, Marita Ulvskog, Theresa Griffin, Matt Carthy**

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

##### **Recital 2**

*Text proposed by the Commission*

(2) To ensure a coherent framework for the inter-urban carriage of passengers by regular coach and bus services throughout the Union, Regulation (EC) No 1073/2009 should apply to all inter-urban carriage by regular services. *The scope of that Regulation should therefore be extended.*

*Amendment*

(2) To ensure a coherent framework for the inter-urban carriage of passengers by regular coach and bus services throughout the Union, Regulation (EC) No 1073/2009 should apply to all inter-urban carriage by regular services, *subject to appropriate safeguards and limitations.*

Or. en

#### **Amendment 46**

**João Pimenta Lopes**

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

##### **Recital 2 a (new)**

*Text proposed by the Commission*

*Amendment*

*(2a) The transport sector, which must be considered to be of strategic importance regarding the development options of any Member State, encompasses the carriage of passengers by road. Each Member State must accordingly define its strategic vision for the development of the transport sector,*

*which may include regulation and public control with appropriate measures to meet the needs of the public and the country, ensuring territorial and social cohesion, offsetting the adverse effects of deregulation in terms of transport cuts and lower quality and more expensive public transport services and infrastructures.*

Or. pt

**Amendment 47**  
**João Pimenta Lopes**

**Proposal for a regulation**  
**Recital 3**

*Text proposed by the Commission*

(3) *An independent and impartial regulatory body should be designated in each Member State to ensure the proper functioning of the road passenger transport market. That body may also be responsible for other regulated sectors such as rail, energy or telecommunications.*

*Amendment*

(3) *Each Member State should have a public regulatory body ensuring the implementation of road passenger transport strategy in each Member State and monitoring public and private sector operators.*

Or. pt

**Amendment 48**  
**Dominique Riquet, Pavel Telička**

**Proposal for a regulation**  
**Recital 3**

*Text proposed by the Commission*

(3) An independent and impartial regulatory body should be designated in each Member State to ensure the proper functioning of the road passenger transport market. That body may also be responsible

*Amendment*

(3) An independent and impartial regulatory body, *issuing binding opinions*, should be designated in each Member State to ensure the proper functioning of the road passenger transport market. That body may also be responsible for other regulated



for other regulated sectors such as rail, energy or telecommunications.

sectors such as rail, energy or telecommunications.

Or. fr

#### Amendment 49

**Peter Kouroumbashev, Andrey Kovatchev, Andrey Novakov, Emil Radev, Angel Dzhambazki, Nikolay Barekov, Filiz Hyusmenova, Iskra Mihaylova, Claudia Tapardel, Maria Grapini, Bogusław Liberadzki, Eva Maydell, Ilhan Kyuchyuk, Momchil Nekov, Karoline Graswander-Hainz, Sergei Stanishev, István Ujhelyi, Miltiadis Kyrkos, Asim Ademov, Georgi Pirinski, Vladimir Urutchev, Nedzhmi Ali**

#### Proposal for a regulation

##### Recital 3

*Text proposed by the Commission*

(3) ***An independent and impartial regulatory body should be designated in*** each Member State to ensure the proper functioning of the road passenger transport market. That body may also be responsible for other regulated sectors such as rail, energy or telecommunications.

*Amendment*

(3) Each Member State ***shall designate a national competent authority*** to ensure the proper functioning of the road passenger transport market. That body may also be responsible for other regulated sectors such as rail, energy or telecommunications.

Or. en

#### Amendment 50

**Inés Ayala Sender, Francisco Assis, Peter Kouroumbashev**

#### Proposal for a regulation

##### Recital 4

*Text proposed by the Commission*

(4) Commercial regular service operations should not compromise the ***economic*** equilibrium of existing public service contracts. For this reason, ***the regulatory body should be able to carry out*** an objective ***economic*** analysis ***to ensure that this is the case.***

*Amendment*

(4) Commercial regular service operations should not compromise the equilibrium of existing public service contracts. For this reason, an objective analysis ***should be made of the structural and geographical characteristics of the market and the networks concerned, and in particular their size, demand, characteristics, the complexity of the works network, technical and***

*geographical isolation, and the services covered by the contract, and account should also be taken of whether the new service brings better quality services and/or more value for money compared with the previous public contract.*

Or. es

**Amendment 51**  
**Luis de Grandes Pascual**

**Proposal for a regulation**  
**Recital 4**

*Text proposed by the Commission*

(4) Commercial regular service operations should not compromise the economic equilibrium of existing public service contracts. For this reason, the regulatory body should be able to carry out an objective economic analysis to ensure that this is the case.

*Amendment*

(4) Commercial regular service operations should not compromise the economic equilibrium of existing public service contracts, ***nor should they conflict with the exclusive rights granted in exchange for compliance with public service obligations in the context of a public service contract.*** For this reason, the regulatory body should be able to carry out an objective economic analysis to ensure that this is the case.

Or. es

**Amendment 52**  
**Lucy Anderson, Marita Ulvskog, Matt Carthy**

**Proposal for a regulation**  
**Recital 4**

*Text proposed by the Commission*

(4) Commercial regular service operations should not compromise the ***economic*** equilibrium of existing public service contracts. ***For this reason, the regulatory body should be able to carry***

*Amendment*

(4) Commercial regular service operations should not compromise the equilibrium of existing public service contracts.

*out an objective economic analysis to ensure that this is the case.*

Or. en

**Amendment 53**  
**João Pimenta Lopes**

**Proposal for a regulation**  
**Recital 4**

*Text proposed by the Commission*

(4) Commercial regular service operations *should* not compromise the *economic equilibrium of existing public service contracts. For this reason, the regulatory body should be able to carry out an objective economic analysis to ensure that this is the case.*

*Amendment*

(4) Commercial regular service operations *may* not compromise the *public transport service already in existence or decided by the Member States.*

Or. pt

**Amendment 54**  
**Dominique Riquet, Pavel Telička**

**Proposal for a regulation**  
**Recital 4**

*Text proposed by the Commission*

(4) Commercial regular service operations should not compromise the economic equilibrium of existing public service contracts. For this reason, the regulatory body should be able to carry out an objective economic analysis to ensure that this is the case.

*Amendment*

(4) Commercial regular service operations should not compromise the economic equilibrium of existing public service contracts. For this reason, the regulatory body should be able to carry out an objective economic analysis *and should have the authority, where appropriate, to propose the measures necessary* to ensure that this is the case.

Or. fr

**Amendment 55**  
**Isabella De Monte, David-Maria Sassoli**

**Proposal for a regulation**  
**Recital 4**

*Text proposed by the Commission*

(4) Commercial regular service operations should not compromise the economic equilibrium of existing public service contracts. For this reason, the regulatory body should be able to carry out an objective economic analysis to ensure that this is the case.

*Amendment*

(4) Commercial regular service operations should not compromise the economic equilibrium of existing public service contracts **according to Regulation 1370/2007 and Regulation 2016/2338**. For this reason, the regulatory body should be able to carry out an objective economic analysis to ensure that this is the case.

Or. en

**Amendment 56**  
**Daniel Dalton**

**Proposal for a regulation**  
**Recital 4**

*Text proposed by the Commission*

(4) Commercial regular service operations should not **compromise the economic equilibrium of** existing public service **contracts**. For this reason, the regulatory body should be able to carry out an objective economic analysis to ensure that this is the case.

*Amendment*

(4) Commercial regular service operations should not **conflict with the exclusive rights under an existing or planned future** public service **contract**. For this reason, the regulatory body should be able to carry out an objective economic analysis to ensure that this is the case.

Or. en

*Justification*

*Further aspects beyond purely economic ones should be taking into account when analysing a public service contract.*

**Amendment 57**  
**Peter Kouroumbashev, Andrey Novakov, Andrey Kovatchev, Emil Radev, Angel Dzhambazki, Eva Maydell, Filiz Hysmenova, Iskra Mihaylova, Claudia Țapardel, Maria Grapini, Bogusław Liberadzki, Nikolay Barekov, Ilhan Kyuchyuk, Momchil**

**Proposal for a regulation**  
**Recital 4**

*Text proposed by the Commission*

(4) Commercial regular service operations should not compromise the economic equilibrium of existing public service contracts. For this reason, the **regulatory body** should be able to carry out an objective economic analysis to ensure that this is the case.

*Amendment*

(4) Commercial regular service operations should not compromise the economic equilibrium of existing public service contracts. For this reason, the **national competent authority** should be able to carry out an objective economic analysis to ensure that this is the case.

Or. en

**Amendment 58**  
**Dieter-Lebrecht Koch**

**Proposal for a regulation**  
**Recital 5**

*Text proposed by the Commission*

(5) Regular services in the form of cabotage operations **should be** conditional on the possession of a Community licence. In order to facilitate effective controls of those services by enforcement authorities, the rules regarding the issuing of Community licences should be clarified.

*Amendment*

(5) The operation of regular services in the form of cabotage operations is conditional on the possession of a Community licence **and the use of a smart tachograph in accordance with Chapter II of Regulation (EU) No 165/2014 of the European Parliament and of the Council**. In order to facilitate effective controls of those services by enforcement authorities, the rules regarding the issuing of Community licences should be clarified **and the IMI module developed for the sending of posting declarations and electronic applications, enabling the inspectors carrying out the roadside checks to have direct real-time access to data and information contained in ERRU and IMI and so as to ensure that social contributions are actually paid for posted bus drivers**.

**Amendment 59**  
**Marita Ulvskog**

**Proposal for a regulation**  
**Recital 5**

*Text proposed by the Commission*

(5) Regular services in the form of cabotage operations should be conditional on the possession of a Community licence. In order to facilitate effective controls of those services by enforcement authorities, the rules regarding the issuing of Community licences should be clarified.

*Amendment*

(5) Regular services in the form of cabotage operations should be conditional on the possession of a Community licence, ***be of a temporary nature and be provided only in connection with international transport.*** In order to facilitate effective controls of those services by enforcement authorities, the rules regarding the issuing of Community licences should be clarified.

Or. sv

**Amendment 60**  
**Georg Mayer**

**Proposal for a regulation**  
**Recital 6**

*Text proposed by the Commission*

(6) In order to ensure fair competition in the market, operators of regular services should be provided with access rights to terminals in the Union on fair, equitable, non-discriminatory and transparent terms. Appeals against decisions rejecting or limiting access should be lodged with the ***regulatory body.***

*Amendment*

(6) In order to ensure fair competition in the market, operators of regular services should be provided with access rights to terminals in the Union on fair, equitable, non-discriminatory and transparent terms. ***The operation of a terminal requires the approval of a national authority, which has to verify which requirements are necessary and which must be fulfilled.*** Appeals against decisions rejecting or limiting access should be lodged with the ***competent authority.***

Or. de

**Amendment 61**  
**Michael Cramer**

**Proposal for a regulation**  
**Recital 6**

*Text proposed by the Commission*

(6) In order to ensure fair competition in the market, operators of regular services should be provided with access rights to terminals in the Union on fair, equitable, non-discriminatory and transparent terms. Appeals against decisions rejecting or limiting access should be lodged with the regulatory body.

*Amendment*

(6) In order to ensure fair competition in the market, operators of regular services should be provided with access rights to terminals in the Union on fair, equitable, non-discriminatory and transparent terms. Appeals against decisions rejecting or limiting access should be lodged with the regulatory body. ***Passengers with disabilities and with reduced mobility (PRMs) should also have barrier-free fair access to terminals and busses and coaches.***

Or. en

**Amendment 62**  
**Markus Ferber**

**Proposal for a regulation**  
**Recital 6**

*Text proposed by the Commission*

(6) In order to ensure fair competition in the market, operators of regular services should be provided with access rights to terminals in the Union on fair, equitable, non-discriminatory and transparent terms. Appeals against decisions rejecting or limiting access should be lodged with the regulatory body.

*Amendment*

(6) In order to ensure fair competition in the market, operators of regular services should be provided with access rights to terminals in the Union on fair, equitable, non-discriminatory and transparent terms. Appeals against decisions rejecting or limiting access should be lodged with the regulatory body. ***Member States may exempt terminals solely or partly serving public transport from the scope of this Regulation.***

Or. de

### Amendment 63

Inés Ayala Sender, Francisco Assis, Peter Kouroumbashev

#### Proposal for a regulation

##### Recital 6

*Text proposed by the Commission*

(6) In order to ensure fair competition in the market, operators of regular services should be provided with access rights to terminals in the Union on fair, equitable, non-discriminatory and transparent terms. Appeals against decisions rejecting or limiting access should be lodged with the regulatory body.

*Amendment*

(6) In order to ensure fair competition in the market, operators of regular services should be provided with access rights to terminals in the Union on fair, equitable, non-discriminatory and transparent terms. ***Where territorial balance and social cohesion are compromised, public service operators should have priority access.*** Appeals against decisions rejecting or limiting access should be lodged with the regulatory body.

Or. es

### Amendment 64

João Pimenta Lopes

#### Proposal for a regulation

##### Recital 6

*Text proposed by the Commission*

(6) ***In order to ensure fair competition in the market, operators of regular services should be provided with access rights to terminals in the Union on fair, equitable, non-discriminatory and transparent terms.*** Appeals against decisions rejecting or limiting access should be lodged with the regulatory body.

*Amendment*

(6) ***Member States shall determine, through their competent authorities, the conditions of access to road transport*** terminals. Appeals against decisions rejecting or limiting access should be lodged with the regulatory body.

Or. pt

### Amendment 65

Daniel Dalton



**Proposal for a regulation**  
**Recital 6**

*Text proposed by the Commission*

(6) In order to ensure fair competition in the market, operators of regular services should be provided with access rights to terminals in the Union on fair, equitable, non-discriminatory and transparent terms. ***Appeals against decisions rejecting or limiting access should be lodged with the regulatory body.***

*Amendment*

(6) In order to ensure fair competition in the market, operators of regular services should be provided with access rights to ***publicly owned*** terminals in the Union on fair, equitable, non-discriminatory and transparent terms.

Or. en

*Justification*

*This regulation on opening up market access should solely refer to publicly-owned terminals, not to those terminals which are privately owned and managed and have developed through private investment, which risks being undermined by including them in the scope.*

**Amendment 66**

**Peter Kouroumbashev, Andrey Novakov, Andrey Kovatchev, Emil Radev, Angel Dzhambazki, Eva Maydell, Nikolay Barekov, Iskra Mihaylova, Claudia Țapardel, Maria Grapini, Bogusław Liberadzki, Filiz Hyusmenova, Ilhan Kyuchyuk, Momchil Nekov, Karoline Graswander-Hainz, Sergei Stanishev, István Ujhelyi, Miltiadis Kyrkos, Asim Ademov, Georgi Pirinski, Vladimir Urutchev, Nedzhmi Ali**

**Proposal for a regulation**  
**Recital 6**

*Text proposed by the Commission*

(6) In order to ensure fair competition in the market, operators of regular services should be provided with access rights to terminals in the Union on fair, equitable, non-discriminatory and transparent terms. Appeals against decisions rejecting or limiting access should be lodged with the ***regulatory body.***

*Amendment*

(6) In order to ensure fair competition in the market, operators of regular services should be provided with access rights to terminals in the Union on fair, equitable, non-discriminatory and transparent terms. Appeals against decisions rejecting or limiting access should be lodged with the ***national competent authority***

Or. en

**Amendment 67**  
**Lucy Anderson, Marita Ulvskog, Theresa Griffin**

**Proposal for a regulation**  
**Recital 6**

*Text proposed by the Commission*

(6) In order to ensure fair competition in the market, operators of regular services should be provided with access rights to terminals in the Union on fair, equitable, non-discriminatory and transparent terms. ***Appeals against decisions rejecting or limiting access should be lodged with the regulatory body.***

*Amendment*

(6) In order to ensure fair competition in the market ***when necessary***, operators of regular services should be provided with access rights to terminals in the Union on fair, equitable, non-discriminatory and transparent terms ***if it is in the public interest to do so.***

Or. en

**Amendment 68**  
**Michael Cramer**

**Proposal for a regulation**  
**Recital 6 a (new)**

*Text proposed by the Commission*

*Amendment*

***(6a) The Commission should soon propose a review of Regulation 181/2011/EC on bus and coach passenger rights, in order to improve quality of services and not further lead to intermodal distortion of competition.***

Or. en

**Amendment 69**  
**Michael Cramer**

**Proposal for a regulation**  
**Recital 6 b (new)**

*Text proposed by the Commission*

*Amendment*

***(6b) The Commission should propose measures to include bus and coach prices***

*into fair and efficient pricing criteria, on the basis of the internalisation of external costs, in order to achieve more sustainability and fair competition between the different transport modes.*

Or. en

#### **Amendment 70**

**Lucy Anderson, Marita Ulvskog, Matt Carthy**

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

##### **Recital 8**

*Text proposed by the Commission*

(8) Authorisation for both national and international regular services should be subject to an authorisation procedure. *Authorisation should be granted, unless there are specific grounds for refusal attributable to the applicant, or the service would compromise the economic equilibrium of a public service contract. A distance threshold should be introduced to ensure that commercial regular service operations do not compromise the economic equilibrium of existing public service contracts. In the case of routes already served by more than one public service contract, it should be possible to increase that threshold.*

*Amendment*

(8) Authorisation for both national and international regular services should be subject to an authorisation procedure.

Or. en

#### **Amendment 71**

**João Pimenta Lopes**

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

##### **Recital 8**

*Text proposed by the Commission*

(8) Authorisation for both national and international regular services should be

*Amendment*

(8) Authorisation for both national and international regular services should be

subject to an authorisation procedure.  
*Authorisation should be granted, unless there are specific grounds for refusal attributable to the applicant, or the service would compromise the economic equilibrium of a public service contract. A distance threshold should be introduced to ensure that commercial regular service operations do not compromise the economic equilibrium of existing public service contracts. In the case of routes already served by more than one public service contract, it should be possible to increase that threshold.*

subject to an authorisation procedure  
*determined by the Member States and their competent authorities.*

Or. pt

#### Amendment 72

**Peter Kouroumbashev, Andrey Novakov, Andrey Kovatchev, Emil Radev, Angel Dzhambazki, Eva Maydell, Nikolay Barekov, Filiz Hyusmenova, Claudia Tapardel, Maria Grapini, Bogusław Liberadzki, Iskra Mihaylova, Ilhan Kyuchyuk, Momchil Nekov, Karoline Graswander-Hainz, Sergei Stanishev, István Ujhelyi, Asim Ademov, Georgi Pirinski, Vladimir Urutchev, Nedzhmi Ali**

#### Proposal for a regulation Recital 8

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

(8) Authorisation for both national and international regular services should be subject to an authorisation procedure. Authorisation should be granted, unless there are specific grounds for refusal attributable to the applicant, or the service would compromise the economic equilibrium of a public service contract. *A distance threshold should be introduced to ensure that commercial regular service operations do not compromise the economic equilibrium of existing public service contracts. In the case of routes already served by more than one public service contract, it should be possible to increase that threshold.*

##### *Amendment*

(8) Authorisation for both national and international regular services should be subject to an authorisation procedure. Authorisation should be granted, unless there are specific grounds for refusal attributable to the applicant, or the service would compromise the economic equilibrium of a public service contract.

Or. en

**Amendment 73**  
**Daniel Dalton**

**Proposal for a regulation**  
**Recital 8**

*Text proposed by the Commission*

(8) Authorisation for both national and international regular services should be subject to an authorisation procedure. Authorisation should be granted, unless there are specific grounds for refusal attributable to the applicant, or the service would *compromise the economic equilibrium of a public service contract. A distance threshold should be introduced to ensure that commercial regular service operations do not compromise the economic equilibrium of existing public service contracts. In the case of routes already served by more than one public service contract, it should be possible to increase that threshold.*

*Amendment*

(8) Authorisation for both national and international regular services should be subject to an authorisation procedure. Authorisation should be granted, unless there are specific grounds for refusal attributable to the applicant, or the service would *conflict with the exclusive rights under an existing or planned* public service contract.

Or. en

*Justification*

*When analysing a public service contract further aspects beyond economic factors should be taken into account.*

**Amendment 74**  
**Inés Ayala Sender, Francisco Assis, Peter Kouroumbashev**

**Proposal for a regulation**  
**Recital 8**

*Text proposed by the Commission*

(8) Authorisation for both national and international regular services should be subject to an authorisation procedure. Authorisation should be granted, unless there are specific grounds for refusal attributable to the applicant, or the service

*Amendment*

(8) Authorisation for both national and international regular services should be subject to an authorisation procedure. Authorisation should be granted, unless there are specific grounds for refusal attributable to the applicant, or the service

would compromise the *economic equilibrium* of a public service contract. A distance threshold should be introduced to ensure that commercial regular service operations do not compromise the *economic* equilibrium of existing public service contracts. ***In the case of routes already served by more than one public service contract, it should be possible to increase that threshold.***

would compromise the *equilibrium and rights* of a public service contract. A distance threshold should be introduced to ensure that commercial regular service operations do not compromise the equilibrium of existing public service contracts.

Or. es

**Amendment 75**  
**João Pimenta Lopes**

**Proposal for a regulation**  
**Recital 9**

*Text proposed by the Commission*

**(9) Non-resident carriers should be able to operate national regular services under the same conditions as resident carriers.**

*Amendment*

***deleted***

Or. pt

**Amendment 76**  
**Michael Cramer**

**Proposal for a regulation**  
**Recital 9**

*Text proposed by the Commission*

**(9) Non-resident carriers should be able to operate national regular services under the same conditions as resident carriers.**

*Amendment*

**(9) Non-resident carriers should be able to operate national regular services under the same conditions as resident carriers. *This should also include social standards for the drivers, such as equal treatment in salaries and professional qualification. Working, driving and rest times rules should be in coherence of road safety and fair intermodal competition***

*and the enforcement of the according legislation should be guaranteed by the Commission and the Member States.*

Or. en

#### **Amendment 77**

**Peter Kouroumbashev, Andrey Novakov, Andrey Kovatchev, Emil Radev, Angel Dzhambazki, Eva Maydell, Nikolay Barekov, Filiz Hyusmenova, Iskra Mihaylova, Maria Grapini, Bogusław Liberadzki, Claudia Tapardel, Ilhan Kyuchyuk, Momchil Nekov, Karoline Graswander-Hainz, Sergei Stanishev, István Ujhelyi, Miltiadis Kyrkos, Asim Ademov, Georgi Pirinski, Vladimir Urutchev, Nedzhmi Ali**

#### **Proposal for a regulation Recital 9**

*Text proposed by the Commission*

(9) Non-resident carriers should be able to operate national regular services under the same conditions as resident carriers.

*Amendment*

(9) Non-resident carriers should be able to operate national regular services under the same conditions as resident carriers *by attending a competitive tendering procedure, in accordance with the provisions of 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) Nos 1191/69 and 1107/70.*

Or. en

#### **Amendment 78**

**Dieter-Lebrecht Koch**

#### **Proposal for a regulation Recital 9**

*Text proposed by the Commission*

(9) Non-resident carriers should be able to operate national regular services under the same conditions as resident carriers.

*Amendment*

(9) Non-resident carriers should be able to operate national regular services under the same conditions as resident carriers. *Directive 96/71/EC as amended*

*by Directive (EU) 2018/957 on the posting of workers applies to the drivers of non-resident carriers.*

Or. de

#### **Amendment 79**

**Lucy Anderson, Marita Ulvskog, Theresa Griffin, Matt Carthy**

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

##### **Recital 9**

*Text proposed by the Commission*

(9) Non-resident carriers should be able to operate national regular services under the same conditions as resident carriers.

*Amendment*

(9) Non-resident carriers should be able to operate national regular services under the same conditions as resident carriers, *as long as they can demonstrate compliance with all relevant provisions of national, Union and international law.*

Or. en

#### **Amendment 80**

**Peter Kouroumbashev, Andrey Novakov, Andrey Kovatchev, Emil Radev, Angel Dzhambazki, Eva Maydell, Nikolay Barekov, Filiz Hyusmenova, Iskra Mihaylova, Claudia Tapardel, Bogusław Liberadzki, Ilhan Kyuchyuk, Momchil Nekov, Karoline Graswander-Hainz, Sergei Stanishev, István Ujhelyi, Miltiadis Kyrkos, Asim Ademov, Georgi Pirinski, Vladimir Urutchev, Nedzhmi Ali**

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

##### **Recital 10**

*Text proposed by the Commission*

(10) Administrative formalities should be reduced as much as possible without abandoning the controls and penalties that guarantee the correct application and effective enforcement of Regulation (EC) No 1073/2009. *The journey form constitutes an unnecessary administrative burden and should therefore be abolished.*

*Amendment*

(10) Administrative formalities should be reduced as much as possible without abandoning the controls and penalties that guarantee the correct application and effective enforcement of Regulation (EC) No 1073/2009.

Or. en



**Amendment 81**  
**Dominique Riquet, Pavel Telička**

**Proposal for a regulation**  
**Recital 10**

*Text proposed by the Commission*

(10) Administrative formalities should be reduced as much as possible without abandoning the controls and penalties that guarantee the correct application and effective enforcement of Regulation (EC) No 1073/2009. ***The journey form constitutes an unnecessary administrative burden and should therefore be abolished.***

*Amendment*

(10) Administrative formalities should be reduced as much as possible without abandoning the controls and penalties that guarantee the correct application and effective enforcement of Regulation (EC) No 1073/2009.

Or. fr

*Justification*

*The journey form is the only document that makes it possible to check that transport is still occasional. The smart tachograph will make checks simpler and more efficient.*

**Amendment 82**  
**Maria Grapini**

**Proposal for a regulation**  
**Recital 10**

*Text proposed by the Commission*

(10) Administrative formalities should be reduced as much as possible without abandoning the controls and penalties that guarantee the correct application and effective enforcement of Regulation (EC) No 1073/2009. The journey form constitutes an ***unnecessary*** administrative burden ***and should therefore be abolished.***

*Amendment*

(10) Administrative formalities should be reduced as much as possible without abandoning the controls and penalties that guarantee the correct application and effective enforcement of Regulation (EC) No 1073/2009. The journey form constitutes an administrative burden ***but contributes to transport safety;***

Or. ro

**Amendment 83**

Lucy Anderson, Marita Ulvskog, Theresa Griffin

**Proposal for a regulation**

**Recital 10**

*Text proposed by the Commission*

(10) Administrative formalities should be reduced *as much as* possible without abandoning the controls and penalties that guarantee the correct application and effective enforcement of Regulation (EC) No 1073/2009. The journey form constitutes an unnecessary administrative burden and should therefore be abolished.

*Amendment*

(10) Administrative formalities should be reduced *where* possible without abandoning the controls and penalties that guarantee the correct application and effective enforcement of Regulation (EC) No 1073/2009. The journey form constitutes an unnecessary administrative burden and should therefore be abolished.

Or. en

**Amendment 84**

**Mark Demesmaeker**

**Proposal for a regulation**

**Recital 10 a (new)**

*Text proposed by the Commission*

*Amendment*

***(10a) Calls on Member States to consider creating a system similar to PNR for coach and bus services;***

Or. en

**Amendment 85**

**Luis de Grandes Pascual**

**Proposal for a regulation**

**Recital 11**

*Text proposed by the Commission*

*Amendment*

***(11) Local excursions are an authorised cabotage operation and are covered by the general rules on cabotage. The article on local excursions should therefore be deleted.***

***deleted***

**Amendment 86**  
**João Pimenta Lopes**

**Proposal for a regulation**  
**Recital 11**

*Text proposed by the Commission*

*Amendment*

**(11) Local excursions are an authorised cabotage operation and are covered by the general rules on cabotage. The article on local excursions should therefore be deleted.** *deleted*

**Amendment 87**  
**Daniel Dalton**

**Proposal for a regulation**  
**Recital 13**

*Text proposed by the Commission*

*Amendment*

**(13) Insofar as this Regulation harmonises the rules in national markets for regular coach and bus services and access to terminals, its objectives, namely the promotion of inter-urban mobility and the increase of the modal share of sustainable passenger transport modes, cannot be sufficiently achieved by the Member States. Therefore, the Union may adopt measures, in line 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 Regulation does not go beyond what is necessary to achieve the objectives pursued.** *deleted*

## *Justification*

*There are no significant grounds for extending the scope of this Regulation, which is intended to address common rules for access to the international market for coach and bus services, and doing so infringes on national decision-making in an area of shared competence.*

### **Amendment 88** **Michael Cramer**

#### **Proposal for a regulation** **Recital 13**

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

(13) Insofar as this Regulation harmonises the rules in national markets for regular coach and bus services and access to terminals, its objectives, namely the promotion of inter-urban mobility and the increase of the modal share of sustainable passenger transport modes, cannot be sufficiently achieved by the Member States. Therefore, the Union may adopt measures, in line 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 Regulation does not go beyond what is necessary to achieve the objectives pursued.***

##### *Amendment*

(13) Insofar as this Regulation harmonises the rules in national markets for regular coach and bus services and access to terminals, its objectives, namely the promotion of inter-urban mobility and the increase of the modal share of sustainable passenger transport modes, cannot be sufficiently achieved by the Member States. Therefore, the Union may adopt measures, ***on a balanced way*** in line with ***Article 91 as well as*** the principle of subsidiarity as set out in Article 5 of the Treaty on European Union.

Or. en

### **Amendment 89** **Lucy Anderson, Marita Ulvskog**

#### **Proposal for a regulation** **Recital 14**

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

(14) In order to take into account market developments and technical progress the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should

##### *Amendment*

(14) In order to take into account market developments and technical progress the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should

be delegated to the Commission to amend Annexes I and II to Regulation (EC) No 1073/2009, and to supplement that Regulation with rules concerning the format of certificates for own-account transport operations, the format of applications for authorisations and authorisations themselves, the procedure and criteria to be followed to determine if a proposed service would compromise the *economic* equilibrium of a public service contract, and the reporting obligations of Member States. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in line with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making<sup>18</sup>. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council should receive all documents at the same time as the Member States' experts, and the European Parliament and the Council experts should systematically have access to the Commission's expert group meetings dealing with the preparation of delegated acts.

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<sup>18</sup> OJ L 123, 12.5.2016, p. 1.

be delegated to the Commission to amend Annexes I and II to Regulation (EC) No 1073/2009, and to supplement that Regulation with rules concerning the format of certificates for own-account transport operations, the format of applications for authorisations and authorisations themselves, the procedure and criteria to be followed to determine if a proposed service would compromise the equilibrium of a public service contract, and the reporting obligations of Member States. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in line with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making<sup>18</sup>. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council should receive all documents at the same time as the Member States' experts, and the European Parliament and the Council experts should systematically have access to the Commission's expert group meetings dealing with the preparation of delegated acts.

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<sup>18</sup> OJ L 123, 12.5.2016, p. 1.

Or. en

**Amendment 90**  
**Christine Revault d'Allonnes Bonnefoy**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point -1 (new)**  
Regulation (EC) No 1073/2009  
Article 1 – paragraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

**(-1) in Article 1, the following paragraph 1a is inserted:  
'This Regulation shall be without prejudice to the provisions of Regulation (EC) No 1370/2007 on public passenger transport services by rail and by road.';**

Or. fr

*Justification*

*The purpose of this amendment is to guarantee the principle of exclusive rights as defined in the regulation on public service obligations.*

**Amendment 91**

**Michael Cramer, Karima Delli**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point -1 (new)**

Regulation (EC) No 1073/2009

Article 1 – paragraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

**-1 The following paragraph 1 a is inserted in Article 1:**

**"This Regulation shall also apply to national interurban services without prejudices to the provisions of Regulation (EC) No 1370/2007."**

Or. en

**Amendment 92**

**João Pimenta Lopes**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 1**

Regulation (EC) No 1073/2009

Article 1 – paragraph 4

*Text proposed by the Commission*

*Amendment*

**4. This Regulation shall apply to national road passenger services for hire**

**deleted**

*or reward operated by a non-resident carrier as provided for in Chapter V.”;*

Or. pt

**Amendment 93**  
**Dieter-Lebrecht Koch**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 1**  
Regulation (EC) No 1073/2009  
Article 1 – paragraph 4

*Text proposed by the Commission*

4. This Regulation shall apply to national road passenger services for hire or reward operated by a non-resident carrier as provided for in Chapter V.”;

*Amendment*

4. This Regulation shall apply to national road passenger services for hire or reward operated by a non-resident carrier as provided for in Chapter V, **while commercial road passenger services in urban or suburban areas or agglomerations shall be excluded from the scope thereof.”;**

Or. de

**Amendment 94**  
**Christine Revault d'Allonnes Bonnefoy**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 1**  
Regulation (EC) No 1073/2009  
Article 1 – paragraph 4

*Text proposed by the Commission*

4. This Regulation shall apply to national road passenger services for hire or reward operated by a non-resident carrier as provided for in Chapter V.

*Amendment*

4. This Regulation shall apply to national road passenger services for hire or reward operated by a non-resident carrier, **on a temporary basis**, as provided for in Chapter V.

Or. fr

## *Justification*

*It needs to be made clear in the scope that 'non-resident' carriers may operate services on a temporary basis only, as they are not established in the host Member State.*

*The purpose of this amendment is therefore to restore the temporary nature of transport operations performed by non-resident carriers in a host Member State.*

### **Amendment 95**

**Dominique Riquet, Pavel Telička**

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

##### **Article 1 – paragraph 1 – point 1**

Regulation (EC) No 1073/2009

Article 1 – paragraph 4

#### *Text proposed by the Commission*

4. This Regulation shall apply to national road passenger services for hire or reward operated by a non-resident carrier as provided for in Chapter V.

#### *Amendment*

4. This Regulation shall apply to national road passenger services for hire or reward operated ***on a temporary basis*** by a non-resident carrier as provided for in Chapter V.

Or. fr

### **Amendment 96**

**Georg Mayer**

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

##### **Article 1 – paragraph 1 – point 1**

Regulation (EC) No 1073/2009

Article 1 – paragraph 4

#### *Text proposed by the Commission*

4. This Regulation shall apply to national road passenger services for hire or reward operated by a non-resident carrier as provided for in Chapter V.”;

#### *Amendment*

4. This Regulation shall apply to national road passenger services for hire or reward ***temporarily*** operated by a non-resident carrier as provided for in Chapter V.”;

Or. de



## *Justification*

*The liberalisation of national markets is at odds with the principle of subsidiarity. Extending the scope to all passenger transport services would be going too far.*

### **Amendment 97**

**Marita Ulvskog**

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

##### **Article 1 – paragraph 1 – point 1**

Regulation (EC) No 1073/2009

Article 1 – paragraph 4

#### *Text proposed by the Commission*

4. This Regulation shall apply to national road passenger services for hire or reward operated by a non-resident carrier as provided for in Chapter V.

#### *Amendment*

4. This Regulation shall apply to **temporary** national road passenger services for hire or reward operated by a non-resident carrier as provided for in Chapter V.

Or. sv

### **Amendment 98**

**Isabella De Monte, David-Maria Sassoli**

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

##### **Article 1 – paragraph 1 – point 1**

Regulation (EC) No 1073/2009

Article 1 – paragraph 4

#### *Text proposed by the Commission*

4. This Regulation shall apply to national road passenger services for hire or reward **operated by a non-resident carrier** as provided for in Chapter V.;

#### *Amendment*

4. This Regulation shall apply to national road passenger services for hire or reward as provided for in Chapter V.;

Or. en

### **Amendment 99**

**Dominique Riquet**

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

**Article 1 – paragraph 1 – point 2 – point b**  
Regulation (EC) No 1073/2009  
Article 2 – paragraph 7

*Text proposed by the Commission*

7. ‘cabotage operation’ means a national road passenger transport service operated for hire or reward in a host Member State;

*Amendment*

7. ‘cabotage operation’ means:

- *either* a national road passenger transport service operated *on a temporary basis* for hire or reward in a host Member State;
- *or the picking up and setting down of passengers within the same Member State, in the course of a regular international service, in compliance with the provisions of this Regulation, provided that it is not the principal purpose of the service;*

Or. fr

**Amendment 100**  
**João Pimenta Lopes**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 2 – point b**  
Regulation (EC) No 1073/2009  
Article 2 – paragraph 7

*Text proposed by the Commission*

7. ‘cabotage operation’ means a national road *passenger* transport service operated for hire or reward in a host Member State;”;

*Amendment*

7. ‘cabotage operation’ means a national road transport service *temporarily* operated for hire or reward *by a transporter* in a host Member State; *the picking up and setting down of passengers within the same Member State, in the course of a regular international service, in compliance with the provisions of this Regulation, provided that it is not the principal purpose of the service;*”;

*(This amendment applies throughout the text; adopting it will necessitate corresponding changes throughout.)*

Or. pt

## **Amendment 101**

**Georg Mayer**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 2 – point b**

Regulation (EC) No 1073/2009

Article 2 – paragraph 7

#### *Text proposed by the Commission*

7. ‘cabotage operation’ means a national road passenger transport service operated for hire or reward in a host Member State;”;

#### *Amendment*

7. ‘cabotage operation’ means a national road passenger transport service **temporarily** operated for hire or reward in a host Member State **or the carriage of passengers in the same Member State on international regular services in accordance with the provisions of the Regulation, except where this is the primary purpose of the service;**”;

Or. de

#### *Justification*

*Liberalisation of national markets is at odds with the principle of subsidiarity.*

## **Amendment 102**

**Christine Revault d'Allonnes Bonnefoy**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 2 – point b**

Regulation (EC) No 1073/2009

Article 2 – paragraph 7

#### *Text proposed by the Commission*

7. ‘cabotage operation’ means a national road passenger transport service

#### *Amendment*

7. ‘cabotage operation’ means a national road passenger transport service operated **on a temporary basis** for hire or

operated for hire or reward in a host Member State;

reward in a host Member State *in the course of a regular international service*;

Or. fr

*Justification*

*This amendment aims to restore the temporary nature of cabotage operations in order to distinguish them from regular services, otherwise cabotage will be completely liberalised.*

**Amendment 103**  
**Dieter-Lebrecht Koch**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 2 – point b**  
Regulation (EC) No 1073/2009  
Article 2 – paragraph 7

*Text proposed by the Commission*

7. ‘cabotage operation’ means a national road passenger transport service operated for hire or reward in a host Member State;”;

*Amendment*

7. ‘cabotage operation’ means a national road passenger transport service operated for hire or reward *commencing in the country of establishment and carried out by a non-resident carrier* in a host Member State;”;

Or. de

**Amendment 104**  
**Peter Kouroumbashev, Andrey Novakov, Emil Radev, Angel Dzhambazki, Eva Maydell, Nikolay Barekov, Filiz Hyusmenova, Iskra Mihaylova, Claudia Țapardel, Maria Grapini, Bogusław Liberadzki, Andrey Kovatchev, Ilhan Kyuchyuk, Momchil Nekov, Karoline Graswander-Hainz, Inés Ayala Sender, Sergei Stanishev, István Ujhelyi, Miltiadis Kyrkos, Asim Ademov, Georgi Pirinski, Vladimir Urutchev, Nedzhmi Ali**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 2 – point b**  
Regulation (EC) No 1073/2009  
Article 2 – paragraph 7

*Text proposed by the Commission*

7. ‘cabotage operation’ means a national road passenger transport service

*Amendment*

7. ‘cabotage operation’ means a national road passenger transport service

operated for hire or reward in a host Member State;;

operated for hire or reward **on a temporary basis** in a host Member State;

Or. en

*Justification*

*Maintaining the coherence of European Union legislation is paramount in order to prevent legal ambiguity. For this reason, the reference to Regulation (EC) No 1072/2009 on common rules for access to the international road haulage market is recommended.*

**Amendment 105**

**Marita Ulvskog**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 2 – point b**

Regulation (EC) No 1073/2009

Article 2 – paragraph 7

*Text proposed by the Commission*

7. ‘cabotage operation’ means a national road passenger transport service operated for hire or reward in a host Member State;

*Amendment*

7. ‘cabotage operation’ means a **temporary** national road passenger transport service operated for hire or reward in a host Member State;

Or. sv

**Amendment 106**

**Rolandas Paksas**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 2 – point b**

Regulation (EC) No 1073/2009

Article 2 – paragraph 7

*Text proposed by the Commission*

7. ‘cabotage operation’ means a national road passenger transport service operated for hire or reward in a host Member State;”;

*Amendment*

7. ‘cabotage operation’ means a national road passenger transport service operated for hire or reward **by a non-resident** in a host Member State;

Or. lt

### Amendment 107

Peter Kouroumbashev, Andrey Novakov, Andrey Kovatchev, Angel Dzhambazki, Eva Maydell, Nikolay Barekov, Filiz Hyusmenova, Iskra Mihaylova, Claudia Țapardel, Maria Grapini, Bogusław Liberadzki, Emil Radev, Ilhan Kyuchyuk, Momchil Nekov, Karoline Graswander-Hainz, Sergei Stanishev, István Ujhelyi, Asim Ademov, Georgi Pirinski, Vladimir Urutchev, Nedzhmi Ali

#### Proposal for a regulation

Article 1 – paragraph 1 – point 2 – point c – introductory part

*Text proposed by the Commission*

(c) the following points 9 to 11 are added:

*Amendment*

(c) the following points 9 to **11 a are added:**

Or. en

### Amendment 108

Georg Mayer

#### Proposal for a regulation

Article 1 – paragraph 1 – point 2 – point c

Regulation (EC) No 1073/2009

Article 2 – paragraph 9

*Text proposed by the Commission*

9. ‘terminal’ means any facility **with a minimum area of 600m<sup>2</sup>**, which **provides a parking place that is used by coaches and buses for the setting down or picking up of passengers;**

*Amendment*

9. ‘terminal’ means any **nationally-licensed, staffed** facility **where according to the specified route coaches and buses are scheduled to stop and** which serves as a transfer point for passengers. **Among other things, a terminal has accessible facilities such as sanitary facilities, a check-in counter, waiting room or ticket office;**  
**Terminals serving local public transport do not fall within the scope of the said Regulation;**

Or. de

## *Justification*

*The term 'terminal' is too broad. An exception for local public transport is necessary to maintain the quality and functioning of the local public transport system.*

### **Amendment 109**

**Karoline Graswander-Hainz**

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

**Article 1 – paragraph 1 – point 2 – point c**

Regulation (EC) No 1073/2009

Article 2 – paragraph 9

*Text proposed by the Commission*

9. 'terminal' means ***any facility with a minimum area of 600m<sup>2</sup>, which provides a parking place that is used by coaches and buses for the setting down or picking up of passengers;***

*Amendment*

9. 'terminal' means ***a nationally authorized, staffed terminal where according to the specified route coaches and buses stop on schedule for passengers to board or alight, equipped with barrier-free facilities such as sanitary installations, check-in counters, waiting rooms or ticket offices. Bus stations used exclusively or partially by the public transport operators are not covered by this Regulation;***

Or. en

### **Amendment 110**

**Luis de Grandes Pascual**

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

**Article 1 – paragraph 1 – point 2 – point c**

Regulation (EC) No 1073/2009

Article 2 – paragraph 9

*Text proposed by the Commission*

9. 'terminal' means ***any facility with a minimum area of 600m<sup>2</sup>, which provides a parking place that is used by coaches and buses for the setting down or picking up of passengers;***

*Amendment*

9. 'terminal' means ***an authorised facility which provides a parking place that is used by coaches and buses for the setting down or picking up of passengers, and which has the following facilities: a***

*check-in desk, a waiting room and a ticket office;*

Or. es

**Amendment 111**  
**Michael Cramer**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 2 – point c**

Regulation (EC) No 1073/2009

Article 2 – paragraph 9

*Text proposed by the Commission*

9. ‘terminal’ means **any** facility with a minimum area of 600m<sup>2</sup>, which provides a parking place that is used by coaches and buses for the **setting down or picking up** of passengers;

*Amendment*

9. ‘terminal’ means **an authorised** facility with a minimum area of 600m<sup>2</sup>, which provides a parking place that is used by coaches and buses for the **alighting or boarding** of passengers **and that is equipped with facilities such as a well accessible check-in counter, ticket office, waiting room;**

Or. en

*Justification*

*This legislation must be in coherence with Regulation 1370/2007/EC.*

**Amendment 112**  
**Markus Ferber**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 2 – point c**

Regulation (EC) No 1073/2009

Article 2 – paragraph 9

*Text proposed by the Commission*

9. ‘terminal’ means **any facility with a minimum area of 600m<sup>2</sup>, which provides a parking place that is used by coaches and buses for the setting down or picking up of passengers;**

*Amendment*

9. ‘terminal’ means **a staffed terminal where according to the specified route coaches and buses are scheduled to stop for passengers to board or alight,**



*equipped with facilities such as a check-in counter, waiting room or ticket office;*

Or. de

*Justification*

*In order to standardise the language of the legislation, the definition of 'terminal' already contained in EC Regulation No. 181/2011 on passenger rights in bus and coach transport should be used.*

**Amendment 113**

**Lucy Anderson, Theresa Griffin**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 2 – point c**

Regulation (EC) No 1073/2009

Article 2 – paragraph 9

*Text proposed by the Commission*

9. 'terminal' means any facility with a minimum area of 600m<sup>2</sup>, ***which provides a parking place that is used by coaches and buses for the setting down or picking up of passengers;***

*Amendment*

9. 'terminal' means any ***staffed*** facility with a minimum area of 600m<sup>2</sup>, ***where according to the specified route a regular service is scheduled to stop for passengers to board or alight, equipped with facilities such as a check-in counter, waiting room or ticket office;***

Or. en

**Amendment 114**

**Daniel Dalton**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 2 – point c**

Regulation (EC) No 1073/2009

Article 2 – paragraph 9

*Text proposed by the Commission*

9. 'terminal' means any facility ***with a minimum area of 600m<sup>2</sup>***, which provides a parking place that is used by coaches and

*Amendment*

9. ***Subject to the definitions and requirements laid down in national legislation***, 'terminal' means any ***publicly-owned*** facility which provides a parking place that is used by coaches and buses for

buses for the setting down or picking up of passengers;

the setting down or picking up of passengers;

Or. en

*Justification*

*There are substantial differences amongst Member States and the way they have regulated terminal conditions, so the reference to a particular size of terminal risks undermining in particular terminals in towns and rural areas that are essential to connections to larger urban centres.*

**Amendment 115**

**Peter Kouroumbashev, Andrey Novakov, Andrey Kovatchev, Emil Radev, Angel Dzhambazki, Nikolay Barekov, Filiz Hyusmenova, Iskra Mihaylova, Claudia Țapardel, Maria Grapini, Bogusław Liberadzki, Eva Maydell, Ilhan Kyuchyuk, Momchil Nekov, Sergei Stanishev, István Ujhelyi, Asim Ademov, Georgi Pirinski, Vladimir Urutchev, Nedzhmi Ali**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 2 – point c**

Regulation (EC) No 1073/2009

Article 2 – paragraph 9

*Text proposed by the Commission*

*Amendment*

9. ‘terminal’ means ***any*** facility ***with a minimum area of 600m<sup>2</sup>, which provides a parking place that is used by coaches and buses for the setting down or picking up of passengers;***

9. ‘terminal’ means ***a staffed*** facility ***where according to the specified route a regular service is scheduled to stop for passengers to board or alight, equipped with facilities such as a check-in counter, waiting room or ticket office;***

Or. en

*Justification*

*Unification of the definition of „terminal“ as it is in a Regulation (EU) No 181/2011 concerning the rights of passengers in bus and coach transport and amending Regulation (EC) No 2006/2004.*

**Amendment 116**

**Karoline Graswander-Hainz**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 2 – point c**

PE628.473v01-00

42/94

AM1164394EN.docx

*Text proposed by the Commission*

10. ‘terminal operator’ means any entity responsible for **granting access to** a terminal;

*Amendment*

10. ‘terminal operator’ means any entity responsible for ***the management of a designated terminal as referred to in Article 2 (9). The operation of*** a terminal ***requires the authorisation of the national competent authority, which must meet requirements such as reliability, professional qualifications and financial performance;***

Or. en

**Amendment 117**

**Georg Mayer**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 2 – point c**

Regulation (EC) No 1073/2009

Article 2 – paragraph 10

*Text proposed by the Commission*

10. ‘terminal operator’ means any entity responsible for **granting access to** a terminal;

*Amendment*

10. ‘terminal operator’ means any entity responsible for ***the operation of a specific terminal, in accordance with Article 2 (9). National authorities are responsible for the approval of a terminal and for verifying professional competence and financial capacity;***

Or. de

*Justification*

*National authorities should be responsible for licences, as they are better placed to take into account and assess local and regional requirements.*

**Amendment 118**

**João Pimenta Lopes**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 2 – point c**  
Regulation (EC) No 1073/2009  
Article 2 – paragraph 10

*Text proposed by the Commission*

10. ‘terminal operator’ means any entity responsible for **granting access** to a terminal;

*Amendment*

10. ‘terminal operator’ means any entity responsible for **the management of** a terminal **designated as indicated in Article 2(9)**. **The operation of a terminal shall require permission from the national competent authority.**

*(This amendment applies throughout the text; adopting it will necessitate corresponding changes throughout.)*

Or. pt

**Amendment 119**  
Markus Ferber

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 2 – point c**  
Regulation (EC) No 1073/2009  
Article 2 – paragraph 10

*Text proposed by the Commission*

10. ‘terminal operator’ means any entity responsible for **granting access to** a terminal;

*Amendment*

10. ‘terminal operator’ means any entity **in a Member State** responsible for **the management of a designated** terminal;

Or. de

*Justification*

*In order to standardise the language of the legislation, the definition of ‘terminal operator’ contained in EC Regulation No. 181/2011 on passenger rights in bus and coach transport should be used.*

**Amendment 120**  
Markus Ferber

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 2 – point c**

*Text proposed by the Commission*

*Amendment*

**11. ‘viable alternative’ means another terminal which is economically acceptable to the carrier, and allows it to operate the passenger service concerned.”;** **deleted**

Or. de

*Justification*

*It places a considerable additional burden on terminal operators if, in addition to their other tasks, they must also propose ‘viable alternatives’ for road transport operators.*

**Amendment 121**  
**João Pimenta Lopes**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 2 – point c**  
Regulation (EC) No 1073/2009  
Article 2 – paragraph 11

*Text proposed by the Commission*

*Amendment*

**11. ‘viable alternative’ means another terminal which is economically acceptable to the carrier, and allows it to operate the passenger service concerned.”;** **deleted**

*(This amendment applies throughout the text; adopting it will necessitate corresponding changes throughout.)*

Or. pt

*Justification*

*It is excessive to delegate the task of finding a 'viable alternative' to the terminal operator. Terminal operators already perform a wide range of tasks and should not be responsible for designating a transport company for other terminals.*

**Amendment 122**  
**Lucy Anderson**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 2 – point c**

Regulation (EC) No 1073/2009

Article 2 – paragraph 11

*Text proposed by the Commission*

*Amendment*

**11. ‘viable alternative’ means another terminal which is economically acceptable to the carrier, and allows it to operate the passenger service concerned.;** **deleted**

Or. en

**Amendment 123**

**Karoline Graswander-Hainz**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 2 – point c**

Regulation (EC) No 1073/2009

Article 2 – paragraph 11

*Text proposed by the Commission*

*Amendment*

**11. ‘viable alternative’ means another terminal which is economically acceptable to the carrier, and allows it to operate the passenger service concerned.;** **deleted**

Or. en

**Amendment 124**

**Christine Revault d'Allonnes Bonnefoy**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 2 – point c**

Regulation (EC) No 1073/2009

Article 2 – paragraph 11

*Text proposed by the Commission*

*Amendment*

**11. ‘viable alternative’ means another terminal which is economically acceptable**

**11. ‘viable alternative’ means another terminal *with facilities enabling it to provide a comparable service, which is easy for users to access via public***

to the carrier, and allows it to operate the passenger service concerned.

*transport, and* which is economically acceptable to the carrier, and allows it to operate the passenger service concerned.

Or. fr

**Amendment 125**  
**Dieter-Lebrecht Koch**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 2 – point c**  
Regulation (EC) No 1073/2009  
Article 2 – paragraph 11

*Text proposed by the Commission*

11. ‘viable alternative’ means another terminal which is economically acceptable to the carrier, and allows it to operate the passenger service concerned.”;

*Amendment*

11. ‘viable alternative’ means another terminal which is economically acceptable to the carrier, and allows it to operate the passenger service concerned *in terms of transport links and infrastructure in exactly the same way as or in a similar manner to the terminal originally applied for.*”;

Or. de

**Amendment 126**  
**Isabella De Monte**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 2 – point c**  
Regulation (EC) No 1073/2009  
Article 2 – paragraph 11

*Text proposed by the Commission*

11. ‘viable alternative’ means another terminal which is economically acceptable to the carrier, and allows it to operate the passenger service concerned.;

*Amendment*

11. ‘viable alternative’ means another terminal which is economically acceptable to the carrier *and provides comparable infrastructure, allows passengers access to other forms of public transport* and allows it to operate the passenger service concerned.;

**Amendment 127**

**Gesine Meissner**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 2 – point c**

Regulation (EC) No 1073/2009

Article 2 – paragraph 11

*Text proposed by the Commission*

11. ‘viable alternative’ means another terminal which is economically acceptable to the carrier, and allows *it* to operate the passenger service concerned.;

*Amendment*

11. ‘viable alternative’ means another terminal which is economically acceptable to the carrier, ***provides comparable infrastructure, allows access to other forms of public transport*** and allows ***the carrier*** to operate the passenger service concerned.;

Or. en

**Amendment 128**

**Claudia Schmidt**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 2 – point c**

Regulation (EC) No 1073/2009

Article 2 – paragraph 11

*Text proposed by the Commission*

11. ‘viable alternative’ means another terminal which is economically acceptable to the carrier, and allows *it* to operate the passenger service concerned.;

*Amendment*

11. ‘viable alternative’ means another terminal which is economically acceptable to the carrier ***and provides passengers with comparable connections and infrastructure*** and allows ***the carrier*** to operate the passenger service concerned.

Or. en

**Amendment 129**

**Markus Pieper**



**Proposal for a regulation**

**Article 1 – paragraph 1 – point 2 – point c**

Regulation (EC) No 1073/2009

Article 2 – paragraph 11

*Text proposed by the Commission*

11. ‘viable alternative’ means another terminal which is economically acceptable to the carrier, and allows it to operate the passenger service concerned.”;

*Amendment*

11. ‘viable alternative’ means another terminal which is economically acceptable to the carrier, ***has a similar infrastructure and connectivity*** and allows it to operate the passenger service concerned.”;

Or. de

**Amendment 130**

**Peter Kouroumbashev, Andrey Novakov, Andrey Kovatchev, Emil Radev, Angel Dzhambazki, Eva Maydell, Filiz Hyusmenova, Iskra Mihaylova, Claudia Țapardel, Maria Grapini, Bogusław Liberadzki, Nikolay Barekov, Ilhan Kyuchyuk, Momchil Nekov, Karoline Graswander-Hainz, Inés Ayala Sender, Sergei Stanishev, István Ujhelyi, Asim Ademov, Georgi Pirinski, Vladimir Urutchev, Nedzhmi Ali**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 2 – point c**

Regulation (EC) No 1073/2009

Article 2 – paragraph 11 a (new)

*Text proposed by the Commission*

*Amendment*

***11a. ‘public service contract’ means one or more legally binding acts confirming the agreement between a competent authority and a public service operator to entrust to that public service operator the management and operation of public passenger transport services subject to public service obligations; depending on the law of the Member State, the contract may also consist of a decision adopted by the competent authority: – taking the form of an individual legislative or regulatory act, or – containing conditions under which the competent authority itself provides the services or entrusts the provision of such services to an internal operator;***

*Justification*

*The definition of public service contract should be defined pursuant to Regulation (EC) 1370/2007.*

**Amendment 131**

**Inés Ayala Sender, Francisco Assis**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 2 – point c**

Regulation (EC) No 1073/2009

Article 2 – paragraph 11 a (new)

*Text proposed by the Commission*

*Amendment*

***11a. ‘alternative route’ means a route between the same starting point and destination taken by another existing regular service that can be used instead.***

Or. es

**Amendment 132**

**Luis de Grandes Pascual, Izaskun Bilbao Barandica**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 2 – point c**

Regulation (EC) No 1073/2009

Article 2 – paragraph 12 (new)

*Text proposed by the Commission*

*Amendment*

***11a. ‘alternative route’ means a route between the same starting point and destination taken by another existing regular service that can be used instead.***

Or. es

**Amendment 133**

**Isabella De Monte, David-Maria Sassoli**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 2 – point c**

Regulation (EC) No 1073/2009

Article 2 – paragraph 11 a (new)

*Text proposed by the Commission*

*Amendment*

**11a. ‘traffic route’ means a connection between two stopping points, where passengers could be picked up and set down at predetermined stopping points.**

Or. en

**Amendment 134**

**Christine Revault d'Allonnes Bonnefoy**

**Proposal for a regulation**

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

Regulation (EC) No 1073/2009

*Text proposed by the Commission*

*Amendment*

**(2a) In Article 3, paragraph 3 is amended as follows:**

**3. ‘The freedom to provide services shall be without prejudice to the provisions of Regulation (EC) No 1370/2007 on public passenger transport services by rail and by road, in particular the exclusive rights granted to a public service operator in return for the discharge of public service obligations.’**

Or. fr

**Amendment 135**

**Marita Ulvskog**

**Proposal for a regulation**

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

Regulation (EC) No 1073/2009

Article 3

Article 3

Freedom to provide services

1. Any carrier for hire or reward referred to in Article 1 shall be permitted in accordance with this Regulation to carry out regular services, including special regular services and occasional services by coach and bus, without discrimination on grounds of nationality or place of establishment if he:

- (a) is authorised in the Member State of establishment to undertake carriage by means of regular services, including special regular services, or occasional services by coach and bus, in accordance with the market access conditions laid down by national legislation;
- (b) satisfies the conditions laid down in accordance with Community rules on admission to the occupation of road passenger transport operator in national and international transport operations; *and*
- (c) meets legal requirements regarding the standards for drivers and vehicles as laid down, in particular, in Council Directive 92/6/EEC of 10 February 1992 on the installation and use of speed limitation devices for certain categories of motor vehicles in the Community, Council Directive 96/53/EC of 25 July 1996 laying down for certain road vehicles circulating within the Community the maximum authorised dimensions in national and international traffic and the maximum authorised weights in international traffic and Directive 2003/59/EC of the European Parliament and of the Council of 15 July 2003 on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers.

2. Any own-account carrier referred to in Article 1 shall be permitted to carry out

**2a. Article 3 is amended as follows:**

‘Article 3

Freedom to provide services

1. Any carrier for hire or reward referred to in Article 1 shall be permitted in accordance with this Regulation to carry out regular services, including special regular services and occasional services by coach and bus, without discrimination on grounds of nationality or place of establishment if he:

- (a) is authorised in the Member State of establishment to undertake carriage by means of regular services, including special regular services, or occasional services by coach and bus, in accordance with the market access conditions laid down by national legislation;
- (b) satisfies the conditions laid down in accordance with Community rules on admission to the occupation of road passenger transport operator in national and international transport operations;
- (ba) has a legal person with a name, address and telephone number in the host Member State as a contact person for the authorities; and**

(c) meets legal requirements regarding the standards for drivers and vehicles as

the transport services pursuant to Article 5(5) without discrimination on grounds of nationality or place of establishment if he:

- (a) is authorised in the Member State of establishment to undertake carriage by coach and bus in accordance with the market-access conditions laid down in national legislation; and
- (b) meets legal requirements regarding the standards for drivers and vehicles as laid down, in particular, in Directives 92/6/EEC, 96/53/EC and 2003/59/EC.

laid down, in particular, in Council Directive 92/6/EEC of 10 February 1992 on the installation and use of speed limitation devices for certain categories of motor vehicles in the Community, Council Directive 96/53/EC of 25 July 1996 laying down for certain road vehicles circulating within the Community the maximum authorised dimensions in national and international traffic and the maximum authorised weights in international traffic and Directive 2003/59/EC of the European Parliament and of the Council of 15 July 2003 on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers.

2. Any own-account carrier referred to in Article 1 shall be permitted to carry out the transport services pursuant to Article 5(5) without discrimination on grounds of nationality or place of establishment if he:

- (a) is authorised in the Member State of establishment to undertake carriage by coach and bus in accordance with the market-access conditions laid down in national legislation; and
- (b) meets legal requirements regarding the standards for drivers and vehicles as laid down, in particular, in Directives 92/6/EEC, 96/53/EC and 2003/59/EC.'

Or. sv

<https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32009R1073&from=EN>

#### **Amendment 136**

**Peter Kouroumbashev, Andrey Novakov, Andrey Kovatchev, Emil Radev, Angel Dzhambazki, Eva Maydell, Nikolay Barekov, Iskra Mihaylova, Claudia Tapardel, Maria Grapini, Bogusław Liberadzki, Filiz Hyusmenova, Ilhan Kyuchyuk, Momchil Nekov, Karoline Graswander-Hainz, Sergei Stanishev, István Ujhelyi, Miltiadis Kyrkos, Asim Ademov, Georgi Pirinski, Vladimir Urutchev, Nedzhmi Ali**

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

#### **Article 1 – paragraph 1 – point 3**

Regulation (EC) No 1073/2009

Article 3 a – title

*Text proposed by the Commission*

*Amendment*

**Regulatory body**

**National competent authority**

Or. en

### **Amendment 137**

**Marie-Christine Arnautu**

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

#### **Article 1 – paragraph 1 – point 3**

Regulation (EC) No 1073/2009

Article 3 a – paragraph 1

*Text proposed by the Commission*

*Amendment*

Each Member State shall designate a single national regulatory body for the road passenger transport sector. That body shall be an impartial authority which is, in organisational, functional, hierarchical and decision making terms, legally distinct and independent from any other public or private entity. It shall be independent from any competent authority involved in the award of a public service contract.

Each Member State shall designate a single national regulatory body for the road passenger transport sector. That body shall be an impartial authority which is, in organisational, functional, hierarchical and decision making terms, legally distinct and independent from any other public or private entity. It shall be independent from any competent authority involved in the award of a public service contract. ***The remit of the single national regulatory body shall cover any carrier operating on the territory of the Member State, including carriers from other Member States at the time of inspection, whether they are operating in the area of cabotage providing regular services or providing services on a temporary basis.***

Or. fr

#### *Justification*

*So as to prevent any unfair competition from carriers from other Member States, the single national regulatory body may carry out checks on carriers whose country of origin is not the Member State in which the check is being carried out.*

### **Amendment 138**

PE628.473v01-00

54/94

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Lucy Anderson, Theresa Griffin, Matt Carthy

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 3**

Regulation (EC) No 1073/2009

Article 3 a – paragraph 1

*Text proposed by the Commission*

Each Member State shall designate a **single** national regulatory body for the road passenger transport sector. ***That body shall be an impartial authority which is, in organisational, functional, hierarchical and decision making terms, legally distinct and independent from any other public or private entity. It shall be independent from any competent authority involved in the award of a public service contract.***

*Amendment*

Each Member State shall designate a national regulatory body for the road passenger transport sector.

Or. en

**Amendment 139**

**João Pimenta Lopes**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 3**

Regulation (EC) No 1073/2009

Article 3 a – paragraph 1

*Text proposed by the Commission*

Each Member State shall designate a **single** national regulatory body for the road passenger transport sector. ***That body shall be an impartial authority which is, in organisational, functional, hierarchical and decision making terms, legally distinct and independent from any other public or private entity. It shall be independent from any competent authority involved in the award of a public service contract.***

*Amendment*

Each Member State shall designate a national **public** regulatory body in the road passenger transport sector ***and shall be responsible for defining its structure and remit.***

Or. pt

#### **Amendment 140**

**Peter Kouroumbashev, Andrey Novakov, Andrey Kovatchev, Emil Radev, Angel Dzhambazki, Eva Maydell, Nikolay Barekov, Filiz Hyusmenova, Claudia Țapardel, Bogusław Liberadzki, Iskra Mihaylova, Ilhan Kyuchyuk, Karoline Graswander-Hainz, Sergei Stanishev, István Ujhelyi, Miltiadis Kyrkos, Asim Ademov, Georgi Pirinski, Vladimir Urutchev, Nedzhmi Ali**

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

##### **Article 1 – paragraph 1 – point 3**

Regulation (EC) No 1073/2009

Article 3 a – paragraph 1

#### *Text proposed by the Commission*

Each Member State shall designate a **single** national **regulatory body** for the road passenger transport sector. **That body shall be an impartial authority which is, in organisational, functional, hierarchical and decision making terms, legally distinct and independent from any other public or private entity. It shall be independent from any competent authority involved in the award of a public service contract.**

#### *Amendment*

Each Member State shall designate a national **competent authority** for the road passenger transport sector. **The national competent authority may be responsible for other regulated sectors.**

Or. en

#### *Justification*

*Setting up of new regulatory body would cause high additional costs and would mean additional bureaucratic expenses.*

*In the most of the Member States, functioning of the passenger transport market is already ensured by the competent authorities, which is why it is not necessary to set up this costly regulatory body.*

#### **Amendment 141**

**Dominique Riquet, Pavel Telička**

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

##### **Article 1 – paragraph 1 – point 3**

Regulation (EC) No 1073/2009

Article 3 a – paragraph 1



*Text proposed by the Commission*

Each Member State shall designate a single national regulatory body for the road passenger transport sector. That body shall be an impartial authority which is, in organisational, functional, hierarchical and decision making terms, legally distinct and independent from any other public or private entity. It shall be independent from any competent authority involved in the award of a public service contract.

*Amendment*

Each Member State shall designate a single national regulatory body for the road passenger transport sector. That body shall be an impartial authority which is, in organisational, functional, hierarchical and decision making terms, legally distinct and independent from any other public or private entity. It shall be independent from any competent authority involved in the award of a public service contract. ***Its opinions shall be binding.***

Or. fr

**Amendment 142**  
**Mark Demesmaeker**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 3**  
Regulation (EC) No 1073/2009  
Article 3 a – paragraph 1

*Text proposed by the Commission*

Each Member State shall designate a single ***national*** regulatory body for the road passenger transport sector. That body shall be an impartial authority which is, in organisational, functional, hierarchical and decision making terms, legally distinct and independent from any other public or private entity. It shall be independent from any competent authority involved in the award of a public service contract.

*Amendment*

***The competent authorities in*** each Member State shall designate a single regulatory body for the road passenger transport sector. That body shall be an impartial authority which is, in organisational, functional, hierarchical and decision making terms, legally distinct and independent from any other public or private entity. It shall be independent from any competent authority involved in the award of a public service contract.

Or. en

**Amendment 143**  
**Michael Cramer**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 3**

Regulation (EC) No 1073/2009

Article 3 a – paragraph 1

*Text proposed by the Commission*

Each Member State shall designate a single national regulatory body for the road passenger transport sector. That body shall be an impartial authority which is, in organisational, functional, hierarchical and decision making terms, legally distinct and independent from any other public or private entity. It shall be independent from any competent authority involved in the award of a public service contract.

*Amendment*

Each Member State shall designate a single national regulatory body for the road passenger transport sector. That body shall be an impartial authority which is, in organisational, functional, hierarchical and decision making terms, legally distinct, **transparent** and independent from any other public or private entity. It shall be independent from any competent authority involved in the award of a public service contract.

Or. en

*Justification*

*The addition in the text makes the functioning of the regulatory body more efficient and democratic.*

#### **Amendment 144**

**Peter Kouroumbashev, Andrey Novakov, Andrey Kovatchev, Emil Radev, Angel Dzhambazki, Eva Maydell, Nikolay Barekov, Filiz Hysmenova, Iskra Mihaylova, Maria Grapini, Bogusław Liberadzki, Claudia Tapardel, Ilhan Kyuchyuk, Momchil Nekov, Karoline Graswander-Hainz, Sergei Stanishev, István Ujhelyi, Miltiadis Kyrkos, Asim Ademov, Georgi Pirinski, Vladimir Urutchev, Nedzhmi Ali**

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

**Article 1 – paragraph 1 – point 3**

Regulation (EC) No 1073/2009

Article 3 a – paragraph 1 – subparagraph 2

*Text proposed by the Commission*

*The regulatory body may be responsible for other regulated sectors.*

*Amendment*

*deleted*

Or. en

#### **Amendment 145**

**Dieter-Lebrecht Koch**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 3**

Regulation (EC) No 1073/2009

Article 3 a – paragraph 1 – subparagraph 2

*Text proposed by the Commission*

The regulatory body may be responsible for other regulated sectors.

*Amendment*

The regulatory body may *also* be *an existing body which is* responsible for other regulated sectors.

Or. de

**Amendment 146**

**Peter Kouroumbashev, Andrey Novakov, Andrey Kovatchev, Emil Radev, Angel Dzhambazki, Eva Maydell, Nikolay Barekov, Filiz Hyusmenova, Iskra Mihaylova, Claudia Țapardel, Bogusław Liberadzki, Maria Grapini, Ilhan Kyuchyuk, Momchil Nekov, Karoline Graswander-Hainz, Sergei Stanishev, István Ujhelyi, Miltiadis Kyrkos, Asim Ademov, Georgi Pirinski, Vladimir Urutchev, Nedzhmi Ali**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 3**

Regulation (EC) No 1073/2009

Article 3 a – paragraph 2

*Text proposed by the Commission*

**2. *The regulatory body for the road passenger transport sector shall have the necessary organisational capacity in terms of human and other resources, which shall be proportionate to the importance of that sector in the Member State concerned.***

*Amendment*

*deleted*

Or. en

**Amendment 147**

**Lucy Anderson, Marita Ulvskog**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 3**

Regulation (EC) No 1073/2009

Article 3 a – paragraph 2

*Text proposed by the Commission*

2. The regulatory body for the road passenger transport sector shall have the necessary organisational capacity in terms of human and other resources, ***which shall be proportionate to the importance of that sector in the Member State concerned.***

*Amendment*

2. The regulatory body for the road passenger transport sector shall have the necessary organisational capacity in terms of human and other resources.

Or. en

**Amendment 148**  
**João Pimenta Lopes**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 3**  
Regulation (EC) No 1073/2009  
Article 3 a – paragraph 2

*Text proposed by the Commission*

2. The regulatory body for the road passenger transport sector shall have the ***necessary organisational capacity in terms of human and other resources, which shall be proportionate to the importance of that sector in the Member State concerned.***

*Amendment*

2. The regulatory body for the road passenger transport sector shall have the human, ***financial, regional and structural resources to fulfil its mission.***

Or. pt

**Amendment 149**  
**Rolandas Paksas**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 3**  
Regulation (EC) No 1073/2009  
Article 3 a – paragraph 2

*Text proposed by the Commission*

2. The regulatory body for the road passenger transport sector shall have the necessary organisational capacity ***in terms of human and other resources***, which

*Amendment*

2. The regulatory body for the road passenger transport sector shall have the necessary organisational capacity, which

shall be proportionate to the importance of that sector in the Member State concerned.

shall be proportionate to the importance of that sector in the Member State concerned.

Or. It

**Amendment 150**  
**Isabella De Monte**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 3**  
Regulation (EC) No 1073/2009  
Article 3 a – paragraph 2 a (new)

*Text proposed by the Commission*

*Amendment*

**2a. without prejudice to the powers of the national competition authorities, the regulatory body shall have the power to monitor the competitive situation in the domestic market for regular passenger transport services by road, by noting the costs and taxation of the applicant in order to check that they are comparable to those in the host state, with a view to preventing discrimination or the abuse of a dominant position in the market, including through sub-contracting;**

Or. it

**Amendment 151**  
**João Pimenta Lopes**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 3**  
Regulation (EC) No 1073/2009  
Article 3 a – paragraph 3

*Text proposed by the Commission*

*Amendment*

**3. The regulatory body shall perform the following tasks:**

**deleted**

**(a) carry out economic analyses of whether a proposed new service would compromise the economic equilibrium of a public service contract;**

*(b) collect and provide information on access to terminals; and*

*(c) decide on appeals against decisions of terminal operators.*

Or. pt

#### **Amendment 152**

**Peter Kouroumbashev, Andrey Novakov, Andrey Kovatchev, Emil Radev, Angel Dzhambazki, Eva Maydell, Nikolay Barekov, Filiz Hyusmenova, Iskra Mihaylova, Claudia Tapardel, Maria Grapini, Bogusław Liberadzki, Ilhan Kyuchyuk, Momchil Nekov, Karoline Graswander-Hainz, Sergei Stanishev, István Ujhelyi, Miltiadis Kyrkos, Asim Ademov, Georgi Pirinski, Vladimir Urutchev, Nedzhmi Ali**

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

##### **Article 1 – paragraph 1 – point 3**

Regulation (EC) No 1073/2009

Article 3 a – paragraph 3

*Text proposed by the Commission*

*Amendment*

3. The **regulatory body** shall perform the following tasks:

3. The **national competent authority** shall perform the following tasks::

Or. en

#### **Amendment 153**

**João Pimenta Lopes**

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

##### **Article 1 – paragraph 1 – point 3**

Regulation (EC) No 1073/2009

Article 3 a – paragraph 3 – point a

*Text proposed by the Commission*

*Amendment*

*(a) carry out economic analyses of whether a proposed new service would compromise the economic equilibrium of a public service contract;*

*deleted*

Or. pt

## Amendment 154

Lucy Anderson, Marita Ulvskog, Theresa Griffin, Matt Carthy

### Proposal for a regulation

#### Article 1 – paragraph 1 – point 3

Regulation (EC) No 1073/2009

Article 3 a – paragraph 3 – point a

*Text proposed by the Commission*

(a) carry out *economic* analyses of whether a proposed new service would compromise the *economic* equilibrium of a public service contract;

*Amendment*

(a) carry out analyses of whether a proposed new service would compromise the equilibrium of a public service contract.

Or. en

## Amendment 155

João Pimenta Lopes

### Proposal for a regulation

#### Article 1 – paragraph 1 – point 3

Regulation (EC) No 1073/2009

Article 3 a – paragraph 3 – point a

*Text proposed by the Commission*

(b) *collect and provide information on access to terminals; and*

*Amendment*

*deleted*

Or. pt

## Amendment 156

Michael Cramer

### Proposal for a regulation

#### Article 1 – paragraph 1 – point 3

Regulation (EC) No 1073/2009

Article 3 a – paragraph 3 – point b

*Text proposed by the Commission*

(b) collect and provide information on access to terminals; and

*Amendment*

(b) collect and provide information on access to terminals *for both operators and all passengers*; and

*Justification*

*This concrete formulation contributes to the purpose of the legislation in terms of quality of bus and coach services*

**Amendment 157**

**Massimiliano Salini, Innocenzo Leontini**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 3**

Regulation (EC) No 1073/2009

Article 3 a – paragraph 2 – point (b a) new

*Text proposed by the Commission*

*Amendment*

***(ba) Without prejudice to the powers of the national competition authorities, the regulatory body shall have the power to monitor the competitive situation in the domestic market for regular passenger transport services by road, by recognising the costs and the taxation elements of the applicant with respect to those in the host Member State, in order to prevent discrimination, social dumping or the abuse of a dominant position in the market, including through sub-contracting;***

Or. en

**Amendment 158**

**João Pimenta Lopes**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 3**

Regulation (EC) No 1073/2009

Article 3 a – paragraph 2 – point c

*Text proposed by the Commission*

*Amendment*

***(c) decide on appeals against decisions of terminal operators.***

***deleted***



**Amendment 159**  
**Luis de Grandes Pascual**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 3**  
Regulation (EC) No 1073/2009  
Article 3 a – paragraph 3 – point c a (new)

*Text proposed by the Commission*

*Amendment*

***(ca) a publicly accessible electronic register shall be set up, listing all authorised national and international services.***

Or. es

**Amendment 160**  
**Wim van de Camp**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 3**  
Regulation (EC) No 1073/2009  
Article 3 a – paragraph 3 – point c a (new)

*Text proposed by the Commission*

*Amendment*

***(ca) create a record in electronic format for public access in which all the authorized national and international regular services will appear***

Or. en

**Amendment 161**  
**Isabella De Monte, David-Maria Sassoli**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 3**  
Regulation (EC) No 1073/2009  
Article 3 a – paragraph 3 a (new)

*Text proposed by the Commission*

*Amendment*

**3a. Coaches and buses engaged in national road passenger transport service shall have an effective and stable establishment in the Member State.**

Or. en

**Amendment 162**  
**João Pimenta Lopes**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 3**  
Regulation (EC) No 1073/2009  
Article 4

*Text proposed by the Commission*

*Amendment*

**4. The regulatory body may, in exercising its tasks, request relevant information from the competent authorities, terminal operators, applicants for authorisation and any third party involved within the territory of the Member State concerned.**

**deleted**

**Information requested shall be supplied within a reasonable period set by the regulatory body and not exceeding one month. In justified cases, the regulatory body may extend the time limit for submission of information by a maximum of two weeks. The regulatory body shall be able to enforce requests for information by means of penalties which are effective, proportionate and dissuasive.**

Or. pt

**Amendment 163**  
**Peter Kouroumbashev, Andrey Novakov, Emil Radev, Angel Dzhambazki, Eva Maydell, Nikolay Barekov, Filiz Hyusmenova, Iskra Mihaylova, Claudia Țapardel, Maria Grapini, Bogusław Liberadzki, Andrey Kovatchev, Ilhan Kyuchyuk, Momchil Nekov,**

**Karoline Graswander-Hainz, Sergei Stanishev, István Ujhelyi, Miltiadis Kyrkos, Asim Ademov, Georgi Pirinski, Vladimir Urutchev, Nedzhmi Ali**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 3**

Regulation (EC) No 1073/2009

Article 3 a – paragraph 4

*Text proposed by the Commission*

The **regulatory body** may, in exercising its tasks, request relevant information from the competent authorities, terminal operators, applicants for authorisation and any third party involved within the territory of the Member State concerned.

*Amendment*

The **national competent authority** may, in exercising its tasks, request relevant information from the **other** competent authorities, terminal operators, applicants for authorisation and any third party involved within the territory of the Member State concerned.

Or. en

**Amendment 164**

**Peter Kouroumbashev, Andrey Novakov, Andrey Kovatchev, Angel Dzhambazki, Eva Maydell, Nikolay Barekov, Filiz Hysmenova, Iskra Mihaylova, Claudia Țapardel, Maria Grapini, Bogusław Liberadzki, Emil Radev, Ilhan Kyuchyuk, Momchil Nekov, Karoline Graswander-Hainz, Sergei Stanishev, István Ujhelyi, Miltiadis Kyrkos, Asim Ademov, Georgi Pirinski, Vladimir Urutchev, Nedzhmi Ali**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 3**

Regulation (EC) No 1073/2009

Article 3 a – paragraph 4

*Text proposed by the Commission*

Information requested shall be supplied within a reasonable period set by the **regulatory body** and not exceeding one month. In justified cases, the **regulatory body** may extend the time limit for submission of information by a maximum of two weeks. The **regulatory body** shall be able to enforce requests for information by means of penalties which are effective, proportionate and dissuasive.

*Amendment*

Information requested shall be supplied within a reasonable period set by the **national competent authority** and not exceeding one month. In justified cases, the **national competent authority** may extend the time limit for submission of information by a maximum of two weeks. The **national competent authority** shall be able to enforce requests for information by means of penalties which are effective, proportionate and dissuasive.

Or. en

**Amendment 165**  
**João Pimenta Lopes**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 3**  
Regulation (EC) No 1073/2009  
Article 3 a – paragraph 5

*Text proposed by the Commission*

*Amendment*

**5. Member States shall ensure that decisions taken by the regulatory body are subject to judicial review. That review may have suspensive effect only when the immediate effect of the regulatory body's decision may cause irretrievable or manifestly excessive damages for the appellant. This provision is without prejudice to the powers of the court hearing the appeal as conferred by constitutional law of the Member State concerned.**

**deleted**

Or. pt

**Amendment 166**  
**Lucy Anderson, Marita Ulvskog, Matt Carthy**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 3**  
Regulation (EC) No 1073/2009  
Article 3 a – paragraph 5

*Text proposed by the Commission*

*Amendment*

**5. Member States shall ensure that decisions taken by the regulatory body are subject to judicial review. *That review may have suspensive effect only when the immediate effect of the regulatory body's decision may cause irretrievable or manifestly excessive damages for the appellant. This provision is without prejudice to the powers of the court hearing the appeal as conferred by***

**5. Member States shall ensure that decisions taken by the regulatory body are subject to judicial review.**

*constitutional law of the Member State concerned.*

Or. en

#### **Amendment 167**

**Peter Kouroumbashev, Andrey Novakov, Andrey Kovatchev, Emil Radev, Eva Maydell, Nikolay Barekov, Filiz Hysmenova, Iskra Mihaylova, Claudia Țapardel, Maria Grapini, Bogusław Liberadzki, Angel Dzhambazki, Ilhan Kyuchyuk, Momchil Nekov, Karoline Graswander-Hainz, Sergei Stanishev, István Ujhelyi, Miltiadis Kyrkos, Asim Ademov, Georgi Pirinski, Vladimir Urutchev, Nedzhmi Ali**

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

##### **Article 1 – paragraph 1 – point 3**

Regulation (EC) No 1073/2009

Article 3 a – paragraph 5

#### *Text proposed by the Commission*

5. Member States shall ensure that decisions taken by the **regulatory body** are subject to judicial review. That review may have suspensive effect only when the immediate effect of **the regulatory body's** decision may cause irretrievable or manifestly excessive damages for the appellant. This provision is without prejudice to the powers of the court hearing the appeal as conferred by constitutional law of the Member State concerned.

#### *Amendment*

5. Member States shall ensure that decisions taken by the **national competent authority** are subject to judicial review. That review may have suspensive effect only when the immediate effect of **national competent authority's** decision may cause irretrievable or manifestly excessive damages for the appellant. This provision is without prejudice to the powers of the court hearing the appeal as conferred by constitutional law of the Member State concerned.

Or. en

#### **Amendment 168**

**João Pimenta Lopes**

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

##### **Article 1 – paragraph 1 – point 3**

Regulation (EC) No 1073/2009

Article 3 a – paragraph 6

#### *Text proposed by the Commission*

#### *Amendment*

6. *Decisions taken by the regulatory body shall be made public.*”;  
*deleted*

Or. pt

#### Amendment 169

Lucy Anderson

#### Proposal for a regulation

##### Article 1 – paragraph 1 – point 3

Regulation (EC) No 1073/2009

Article 3 a – paragraph 6

*Text proposed by the Commission*

*Amendment*

6. Decisions taken by the regulatory body shall be made public.;

6. Decisions taken by the regulatory body shall be made public *within two weeks.*;

Or. en

#### Amendment 170

Peter Kouroumbashev, Andrey Novakov, Andrey Kovatchev, Emil Radev, Angel Dzhambazki, Nikolay Barekov, Filiz Hyusmenova, Iskra Mihaylova, Claudia Țapardel, Maria Grapini, Bogusław Liberadzki, Eva Maydell, Ilhan Kyuchyuk, Momchil Nekov, Karoline Graswander-Hainz, Sergei Stanishev, István Ujhelyi, Miltiadis Kyrkos, Asim Ademov, Georgi Pirinski, Vladimir Urutchev, Nedzhmi Ali

#### Proposal for a regulation

##### Article 1 – paragraph 1 – point 3

Regulation (EC) No 1073/2009

Article 3 a – paragraph 6

*Text proposed by the Commission*

*Amendment*

6. Decisions taken by the *regulatory body* shall be made public.;

6. Decisions taken by the *national competent authority* shall be made public.;

Or. en

#### Amendment 171

Peter Kouroumbashev, Andrey Novakov, Andrey Kovatchev, Emil Radev, Angel Dzhambazki, Eva Maydell, Filiz Hyusmenova, Iskra Mihaylova, Maria Grapini,

**Bogusław Liberadzki, Nikolay Barekov, Ilhan Kyuchyuk, Momchil Nekov, Karoline Graswander-Hainz, Christine Revault d'Allonnes Bonnefoy, Sergei Stanishev, István Ujhelyi, Asim Ademov, Georgi Pirinski, Vladimir Urutchev, Nedzhmi Ali**

**Proposal for a regulation**

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

Regulation (EC) No 1073/2009

Article 3 b (new)

*Text proposed by the Commission*

*Amendment*

**(3a) The following Article 3b is inserted before Chapter II:**

**"Article 3b**

***Levy on carriers providing regular coach or bus services***

***1. Member States which apply the provisions of Chapter III of this Regulation for national regular services may, under the conditions laid down in this Article, authorise the national competent authority to impose a levy on carrier providing passenger services for the operation of routes which fall within the jurisdiction of that authority and which are operated between two terminals in that Member State.***

***2. The levy is intended to compensate the authority for public service obligations laid down in public service contracts awarded in accordance with Union law. The revenue raised from such a levy and paid as compensation shall not exceed what is necessary to cover all or part of the cost incurred in the relevant public service obligations taking into account the relevant receipts and a reasonable profit for discharging those obligations.***

***3. The levy shall be imposed in accordance with Union law, and shall respect in particular the principles of fairness, transparency, non-discrimination and proportionality, in particular between the average price of the service to the passenger and the level of the levy. The total levies imposed pursuant to this paragraph shall not***

*endanger the economic viability of the bus and coach passenger transport service on which they are imposed.*

*4. The relevant authorities shall keep the information necessary to ensure that the origin of the levies and their use can be traced. Member States shall provide the Commission with this information.*

*5. Based on the experience of regulatory bodies, competent authorities and carriers providing regular coach or bus services the Commission shall adopt measures setting out the details of the procedure and criteria to be followed for the application of this Article."*

Or. en

#### **Amendment 172**

**Peter Kouroumbashev, Andrey Novakov, Andrey Kovatchev, Emil Radev, Angel Dzhambazki, Eva Maydell, Nikolay Barekov, Iskra Mihaylova, Maria Grapini, Bogusław Liberadzki, Filiz Hyusmenova, Ilhan Kyuchyuk, Momchil Nekov, Karoline Graswander-Hainz, Sergei Stanishev, István Ujhelyi, Asim Ademov, Georgi Pirinski, Vladimir Urutchev, Nedzhmi Ali**

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

**Article 1 – paragraph 1 – point 3 b (new)**

Regulation (EC) No 1073/2009

Article 3 c (new)

*Text proposed by the Commission*

*Amendment*

*(3b) 3c. Member States shall not apply Article 3b when they apply subsidies for the transportation of passengers on unprofitable lines and routes at the expense of a national and/or local budget.*

Or. en

#### **Amendment 173**

**Karoline Graswander-Hainz**

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



**Article 1 – paragraph 1 – point 4 – point a**  
Regulation (EC) No 1073/2009  
Article 4 – paragraph 1

*Text proposed by the Commission*

1. International carriage of passengers **and cabotage operations** by coach and bus shall be carried out subject to possession of a Community licence issued by the competent authorities of the Member State of establishment.;

*Amendment*

1. International carriage of passengers by coach and bus shall be carried out subject to possession of a Community licence issued by the competent authorities of the Member State of establishment.

Or. en

**Amendment 174**  
**João Pimenta Lopes**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 4 – point a**  
Regulation (EC) No 1073/2009  
Article 4 – paragraph 1

*Text proposed by the Commission*

1. International carriage of passengers **and cabotage operations** by coach and bus shall be carried out subject to possession of a Community licence issued by the competent authorities of the Member State of establishment.”;

*Amendment*

1. International carriage of passengers by coach and bus, shall be carried out subject to a Community licence issued by the competent authorities of the Member State of establishment.”;

Or. pt

**Amendment 175**  
**Georg Mayer**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 4 – point a**  
Regulation (EC) No 1073/2009  
Article 4 – paragraph 1

*Text proposed by the Commission*

1. International carriage of passengers **and cabotage** operations by coach and bus

*Amendment*

1. International carriage of passengers operations by coach and bus shall be

shall be carried out subject to possession of a Community licence issued by the competent authorities of the Member State of establishment.”;

carried out subject to possession of a Community licence issued by the competent authorities of the Member State of establishment.”;

Or. de

*Justification*

*If a Community licence were sufficient to carry out cabotage, there would be discrimination against nationals.*

**Amendment 176**  
**João Pimenta Lopes**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 4 – point b**  
Regulation (EC) No 1073/2009  
Article 4 – paragraph 2

*Text proposed by the Commission*

*Amendment*

**(b) in paragraph 2, the third subparagraph is replaced by the following:**

**deleted**

**“The Commission is empowered to adopt delegated acts in accordance with Article 26 amending Annexes I and II in order to adapt them to technical progress.”;**

*(This amendment applies throughout the text; adopting it will necessitate corresponding changes throughout.)*

Or. pt

**Amendment 177**  
**Georg Mayer**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 4 – point b**  
Regulation (EC) No 1073/2009  
Article 4 – paragraph 2 – subparagraph 3

*Text proposed by the Commission*

*Amendment*

***“The Commission is empowered to adopt delegated acts in accordance with Article 26 amending Annexes I and II in order to adapt them to technical progress.”;*** *deleted*

Or. de

*Justification*

*Delegation to the Commission through delegated acts goes too far.*

**Amendment 178**  
**João Pimenta Lopes**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 5 – point a**  
Regulation (EC) No 1073/2009

*Text proposed by the Commission*

*Amendment*

***(a) in paragraph 3, the fifth subparagraph is deleted;*** *deleted*

Or. pt

**Amendment 179**  
**Georg Mayer**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 5 – point b**  
Regulation (EC) No 1073/2009  
Article 5 – paragraph 5 – subparagraph 3

*Text proposed by the Commission*

*Amendment*

***“The Commission is empowered to adopt delegated acts in accordance with Article 26 establishing the format of the certificates.”;*** *deleted*

Or. de

*Justification*

*Delegation to the Commission through delegated acts goes too far.*

**Amendment 180**  
**João Pimenta Lopes**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 5 – point b**  
Regulation (EC) No 1073/2009  
Article 5 – paragraph 5 – subparagraph 3

*Text proposed by the Commission*

*Amendment*

***“The Commission is empowered to adopt delegated acts in accordance with Article 26 establishing the format of the certificates.”;***

***deleted***

*(This amendment applies throughout the text; adopting it will necessitate corresponding changes throughout.)*

Or. pt

**Amendment 181**  
**João Pimenta Lopes**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 6**  
Regulation (EC) No 1073/2009  
Article 5 a

*Text proposed by the Commission*

*Amendment*

**6. *the following Article 5a is inserted:***

***deleted***

***“Article 5a***

***Access to terminals***

***1. Terminal operators shall grant carriers the right to access terminals for the purpose of operating regular services including any facilities or services provided in that terminal under fair, equitable, non-discriminatory and transparent conditions.***

***2. Terminal operators shall endeavour to accommodate all requests***

*for access in order to ensure optimum use of terminals.*

*Requests for access may be refused only on the grounds of lack of capacity.*

*Where a terminal operator refuses a request for access, it shall indicate any viable alternatives.*

**3. Terminal operators shall publish at least the following information in two or more official languages of the Union:**

**(a) a list of all services provided, and the prices for those services;**

**(b) the rules for scheduling the allocation of capacity;**

**(c) the current timetable and capacity allocation.**

*That information shall be made available free of charge in electronic format by the terminal operator and the regulatory body on request, and where they have websites, on those websites.*

*The information shall be kept up to date and amended as necessary.”;*

Or. pt

**Amendment 182**  
**Michael Cramer**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 6**  
Regulation (EC) No 1073/2009  
Article 5 a – paragraph 1

*Text proposed by the Commission*

1. Terminal operators shall grant carriers the right to access terminals for the purpose of operating regular services including any facilities or services provided in that terminal under fair, equitable, non-discriminatory and transparent conditions.

*Amendment*

1. Terminal operators shall grant carriers ***as well as all passengers, including those with disabilities and reduced mobility (PRMs)*** the right ***and the possibility*** to access terminals for the purpose of operating regular services including any facilities or services provided in that terminal under fair,

equitable, non-discriminatory and  
transparent conditions.

Or. en

*Justification*

*This addition brings this legislation in line with the UN Charta on Accessibility for Persons with Disabilities.*

**Amendment 183**

**Daniel Dalton**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 6**

Regulation (EC) No 1073/2009

Article 5 a – paragraph 1

*Text proposed by the Commission*

1. Terminal operators shall grant carriers the right to access terminals for the purpose of operating regular services including any facilities or services provided in that terminal under fair, equitable, non-discriminatory and transparent conditions.

*Amendment*

1. Terminal operators shall grant carriers the right to access **publicly owned** terminals for the purpose of operating regular services including any facilities or services provided in that terminal under fair, equitable, non-discriminatory and transparent conditions.

Or. en

*Justification*

*This regulation on opening up market access should solely refer to publicly-owned terminals, not to those terminals which are privately owned and managed and have developed through private investment, which risks being undermined by including them in the scope.*

**Amendment 184**

**Lucy Anderson, Matt Carthy**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 6**

Regulation (EC) No 1073/2009

Article 5 a

*Text proposed by the Commission*

*Amendment*

1. Terminal operators shall **grant** carriers the right to access terminals for the purpose of operating regular services including any facilities or services provided in that terminal ***under fair, equitable, non-discriminatory and transparent conditions.***

1. Terminal operators shall **consider applications from** carriers **for** the right to access terminals for the purpose of operating regular services including any facilities or services provided in that terminal.

Or. en

#### **Amendment 185**

**Lucy Anderson, Marita Ulvskog, Theresa Griffin, Matt Carthy**

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

**Article 1 – paragraph 1 – point 6**

Regulation (EC) No 1073/2009

Article 5 a – paragraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

***1a. Where terminal operators grant access, bus and coach operators must comply with the terminal's existing terms and conditions.***

Or. en

#### **Amendment 186**

**Lucy Anderson, Matt Carthy**

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

**Article 1 – paragraph 1 – point 6**

Regulation (EC) No 1073/2009

Article 5 a – paragraph 2 – subparagraph 1

*Text proposed by the Commission*

*Amendment*

***Terminal operators shall endeavour to accommodate all requests for access in order to ensure optimum use of terminals.***

***deleted***

Or. en

**Amendment 187**  
**Inés Ayala Sender, Francisco Assis**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 6**  
Regulation (EC) No 1073/2009  
Article 5 a – paragraph 2 – subparagraph 1

*Text proposed by the Commission*

Terminal operators shall endeavour to accommodate all requests for access in order to ensure optimum use of terminals.

*Amendment*

Terminal operators shall endeavour to accommodate all requests for access in order to ensure optimum use of terminals, ***with preference being given to public service operators where territorial balance and social cohesion are compromised.***

Or. es

**Amendment 188**  
**Christine Revault d'Allonnes Bonnefoy**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 6**  
Regulation (EC) No 1073/2009  
Article 5 a – paragraph 2 – subparagraph 1

*Text proposed by the Commission*

Terminal operators shall ***endeavour to*** accommodate all requests for access in order to ensure optimum use of terminals.

*Amendment*

Terminal operators shall accommodate all requests for access in order to ensure optimum use of terminals ***and guarantee optimum accessibility for users. Requests for access may be refused only on the grounds of lack of capacity.***

Or. fr

**Amendment 189**  
**Daniel Dalton**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 6**  
Regulation (EC) No 1073/2009  
Article 5 a – paragraph 2 – subparagraph 1



*Text proposed by the Commission*

Terminal operators shall endeavour to accommodate all requests for access in order to ensure optimum use of terminals.

*Amendment*

Terminal operators shall endeavour to accommodate all requests for access in order to ensure optimum use of **publicly owned** terminals.

Or. en

*Justification*

*This regulation on opening up market access should solely refer to publicly-owned terminals, not to those terminals which are privately owned and managed and have developed through private investment, which risks being undermined by including them in the scope.*

**Amendment 190**  
**Maria Grapini**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 6**

Regulation (EC) No 1073/2009

Article 5 a – paragraph 2 – subparagraph 2

*Text proposed by the Commission*

Requests for access may be refused **only** on the grounds of lack of capacity.

*Amendment*

Requests for access may be refused on the grounds of lack of capacity **and duly documented serious and repeated infringements by the road transport operator of specific legislation or contractual relations with the economic operator administering the terminal.**

Or. ro

**Amendment 191**  
**Inés Ayala Sender, Francisco Assis**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 6**

Regulation (EC) No 1073/2009

Article 5 a – paragraph 2 – subparagraph 2

*Text proposed by the Commission*

*Amendment*

Requests for access may be refused only on the grounds of lack of capacity.

Requests for access *to terminals* may be refused only on the grounds of lack of capacity, *or for security and service reasons. If a request is refused, the terminal operator shall inform the regulatory authority of its decision.*

Or. es

**Amendment 192**  
**Dieter-Lebrecht Koch**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 6**  
Regulation (EC) No 1073/2009  
Article 5 a – paragraph 2 – subparagraph 2

*Text proposed by the Commission*

Requests for access may be refused only on the grounds of lack of capacity.

*Amendment*

Requests for access may be refused only on the grounds of lack of capacity, *security concerns, repeated failure to pay fees or violations of the house rules.*

Or. de

**Amendment 193**  
**Lucy Anderson, Marita Ulvskog, Theresa Griffin, Matt Carthy**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 6**  
Regulation (EC) No 1073/2009  
Article 5 a – paragraph 2 – subparagraph 2

*Text proposed by the Commission*

Requests for access may be refused *only on the grounds of lack of* capacity.

*Amendment*

Requests for access may be refused *for justified reasons of public interest, including environmental and capacity considerations.*

Or. en

**Amendment 194**  
**Markus Ferber**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 6**

Regulation (EC) No 1073/2009

Article 5 a – paragraph 2 – subparagraph 2

*Text proposed by the Commission*

*Amendment*

Requests for access may be refused **only** on the grounds of lack of capacity.

Requests for access may be refused on the grounds of lack of capacity **or other national provisions**.

Or. de

**Amendment 195**

**Georg Mayer**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 6**

Regulation (EC) No 1073/2009

Article 5 a – paragraph 2 – subparagraph 2

*Text proposed by the Commission*

*Amendment*

Requests for access may be refused **only** on the grounds of lack of capacity.

Requests for access may be refused on the grounds of lack of capacity **and national provisions**.

Or. de

*Justification*

*Specified national requirements must be taken into account. Here the focus should be on the interests of the Member States.*

**Amendment 196**

**Michael Cramer**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 6**

Regulation (EC) No 1073/2009

Article 5 a – paragraph 2 – subparagraph 2

*Text proposed by the Commission*

*Amendment*

Requests for access may be refused only on *the* grounds of lack of capacity.

Requests for access may be refused only on *well justified* grounds of lack of capacity.

Or. en

*Justification*

*This addition contributes to more transparency and fairness in favour of carriers and passengers.*

**Amendment 197**  
**Markus Ferber**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 6**  
Regulation (EC) No 1073/2009  
Article 5 a – paragraph 2 – subparagraph 3

*Text proposed by the Commission*

*Amendment*

*Where a terminal operator refuses a request for access, it shall indicate any viable alternatives.*

*deleted*

Or. de

*Justification*

*Terminal operators should not be obliged to find ‘viable alternatives’ where they refuse a request for access, since this would constitute a considerable additional burden on them.*

**Amendment 198**  
**Karoline Graswander-Hainz**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 6**  
Regulation (EC) No 1073/2009  
Article 5 a – paragraph 2 – subparagraph 3

*Text proposed by the Commission*

*Amendment*

*Where a terminal operator refuses a request for access, it shall indicate any viable alternatives.*

*deleted*

**Amendment 199**

**Lucy Anderson, Marita Ulvskog, Matt Carthy**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 6**

Regulation (EC) No 1073/2009

Article 5 a – paragraph 2 – subparagraph 3

*Text proposed by the Commission*

*Amendment*

***Where a terminal operator refuses a request for access, it shall indicate any viable alternatives.***

***deleted***

Or. en

**Amendment 200**

**Dominique Riquet, Pavel Telička**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 6**

Regulation (EC) No 1073/2009

Article 5 a – paragraph 2 – subparagraph 3

*Text proposed by the Commission*

*Amendment*

Where a terminal operator refuses a request for access, it shall indicate any viable alternatives.

Where a terminal operator refuses a request for access, it shall indicate any viable alternatives ***of which it is aware.***

Or. fr

**Amendment 201**

**Rolandas Paksas**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 6**

Regulation (EC) No 1073/2009

Article 5 a – paragraph 2 – subparagraph 3

*Text proposed by the Commission*

*Amendment*

Where a terminal operator refuses a request for access, it shall indicate any **viable** alternatives.

Where a terminal operator refuses a request for access, it shall indicate any **possible** alternatives.

Or. It

## **Amendment 202**

**Michael Cramer**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 6**

Regulation (EC) No 1073/2009

Article 5 a – paragraph 2 – subparagraph 3

#### *Text proposed by the Commission*

Where a terminal operator refuses a request for access, it shall indicate **any** viable alternatives.

#### *Amendment*

Where a terminal operator refuses a request for access, it shall indicate **best** viable alternatives.

Or. en

#### *Justification*

*This strengthens the obligations to offer fair alternatives to the carrier and passenger.*

## **Amendment 203**

**Mark Demesmaeker**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 6**

Regulation (EC) No 1073/2009

Article 5 a – paragraph 3

#### *Text proposed by the Commission*

Terminal operators shall publish at least the following information in **two or** more official **languages** of the Union:

#### *Amendment*

Terminal operators shall publish at least the following information in **their respective national or regional language and one** more official **language** of the Union:

Or. en

## **Amendment 204**

**Gesine Meissner**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 6**

Regulation (EC) No 1073/2009

Article 5 a – paragraph 3

*Text proposed by the Commission*

Terminal operators shall publish at least the following information ***in two or more official languages of the Union:***

*Amendment*

Terminal operators shall publish, ***in their respective national language or languages and, upon request in English,*** at least the following information:

Or. en

**Amendment 205**

**Lucy Anderson, Theresa Griffin**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 6**

Regulation (EC) No 1073/2009

Article 5 a – paragraph 3

*Text proposed by the Commission*

Terminal operators shall publish ***at least the following*** information in two or more official languages of the Union:

*Amendment*

Terminal operators shall publish information in two or more official languages of the Union ***regarding current timetables and capacity allocation.***

Or. en

**Amendment 206**

**Daniel Dalton**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 6**

Regulation (EC) No 1073/2009

Article 5 a – paragraph 3

*Text proposed by the Commission*

*Amendment*

Terminal operators shall publish at least the following information in two or more official languages of the Union:

**Public** terminal operators shall publish at least the following information in two or more official languages of the Union:

Or. en

*Justification*

*This regulation on opening up market access should solely refer to publicly-owned terminals, not to those terminals which are privately owned and managed and have developed through private investment, which risks being undermined by including them in the scope.*

**Amendment 207**  
**Lucy Anderson**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 6**  
Regulation (EC) No 1073/2009  
Article 5 a – paragraph 3 – point a

*Text proposed by the Commission*

*Amendment*

**(a) a list of all services provided, and the prices for those services;**

**deleted**

Or. en

**Amendment 208**  
**Gesine Meissner**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 6**  
Regulation (EC) No 1073/2009  
Article 5 a – paragraph 3 – point a (new)

*Text proposed by the Commission*

*Amendment*

**(aa) a list of all infrastructure and technical specifications of the terminal;**

Or. en

**Amendment 209**



**Lucy Anderson**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 6**

Regulation (EC) No 1073/2009

Article 5 a – paragraph 3 – point b

*Text proposed by the Commission*

*Amendment*

**(b) the rules for scheduling the allocation of capacity;**

**deleted**

Or. en

**Amendment 210**

**Gesine Meissner**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 6**

Regulation (EC) No 1073/2009

Article 5 a – paragraph 3 – point b

*Text proposed by the Commission*

*Amendment*

**(b) the rules for scheduling the allocation of capacity;**

**(b) the rules for scheduling the allocation of capacity, *including the conditions for managing the access to terminals in the event of demand that exceeds capacity*;**

Or. en

**Amendment 211**

**Lucy Anderson**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 6**

Regulation (EC) No 1073/2009

Article 5 a – paragraph 3 – point c

*Text proposed by the Commission*

*Amendment*

**(c) the current timetable and capacity allocation.**

**deleted**

**Amendment 212**

**Markus Pieper**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 6**

Regulation (EC) No 1073/2009

Article 5 a – paragraph 3 – point c a (new)

*Text proposed by the Commission*

*Amendment*

**(ca) a list of the existing infrastructure and technical specifications of the terminal;**

Or. de

**Amendment 213**

**Georg Mayer**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 6**

Regulation (EC) No 1073/2009

Article 5 a – paragraph 3 – subparagraph 2

*Text proposed by the Commission*

*Amendment*

That information shall be made available free of charge in electronic format by the terminal operator **and the regulatory body on request**, and where they have websites, on those websites.

That information shall be made available free of charge in electronic format by the terminal operator, and where they have websites, on those websites.

Or. de

*Justification*

*Passengers must be provided with non-discriminatory access to information.*

**Amendment 214**

**Wim van de Camp**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 6**  
Regulation (EC) No 1073/2009  
Article 5 a – paragraph 3 a (new)

*Text proposed by the Commission*

*Amendment*

**3a. Regulatory bodies may exclude terminals that are owned and used solely by the terminal operator for its own road passenger transport services from the application of this Article.**

**When considering an application for exclusion, regulatory bodies shall take into account the availability of viable alternatives.**

Or. en

**Amendment 215**  
**João Pimenta Lopes**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 7**  
Regulation (EC) No 1073/2009  
Article 5 b

*Text proposed by the Commission*

*Amendment*

**7. the following Article 5b is inserted: deleted**

**“Article 5b**

***Procedure for granting access to terminals***

**1. A carrier seeking access to a terminal shall submit an application to the terminal operator.**

**2. If access cannot be granted as requested in the application, the terminal operator shall initiate consultations with all interested carriers with a view to accommodating the application.**

**3. The terminal operator shall take a decision on any application for access to a terminal within two months of the date of submission of the application by the**

*carrier. Decisions on access shall state the reasons on which they are based.*

*4. Applicants may appeal against decisions by terminal operators. Appeals shall be lodged with the regulatory body.*

*5. Where the regulatory body hears an appeal against a decision by a terminal operator, it shall adopt a reasoned decision within a fixed timeframe and, in any case within three weeks from receipt of all relevant information.*

*The decision of the regulatory body on the appeal shall be binding. The regulatory body shall be able to enforce it by means of penalties which are effective, proportionate and dissuasive*

*The decision shall be subject to judicial review only.";*

Or. pt

#### **Amendment 216**

**Karoline Graswander-Hainz**

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

**Article 1 – paragraph 1 – point 7**

Regulation (EC) No 1073/2009

Article 5 b – paragraph 2

*Text proposed by the Commission*

*Amendment*

*2. If access cannot be granted as requested in the application, the terminal operator shall initiate consultations with all interested carriers with a view to accommodating the application.*

*deleted*

Or. en

#### **Amendment 217**

**Lucy Anderson, Matt Carthy**

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

**Article 1 – paragraph 1 – point 7**

Regulation (EC) No 1073/2009

Article 5 b – paragraph 2

*Text proposed by the Commission*

*Amendment*

**2. If access cannot be granted as requested in the application, the terminal operator shall initiate consultations with all interested carriers with a view to accommodating the application.**

**deleted**

Or. en

**Amendment 218**

**Markus Ferber**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 7**

Regulation (EC) No 1073/2009

Article 5 b – paragraph 2

*Text proposed by the Commission*

*Amendment*

**2. If access cannot be granted as requested in the application, the terminal operator shall initiate consultations with all interested carriers with a view to accommodating the application.**

**deleted**

Or. de

*Justification*

*The obligation to carry out such consultations with all interested carriers also places too much of an extra burden on terminal operators.*

**Amendment 219**

**Christine Revault d'Allonnes Bonnefoy**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 7**

Regulation (EC) No 1073/2009

Article 5 b – paragraph 2

*Text proposed by the Commission*

*Amendment*

2. If access cannot be granted as requested in the application, the terminal operator shall initiate consultations with all

2. If access cannot be granted as requested in the application, the terminal operator shall initiate consultations with all interested carriers with a view to accommodating the application, **so that**

interested carriers with a view to  
accommodating the application.

*optimum accessibility is guaranteed for  
users.*

Or. fr