



22.2.2018

## **DRAFT OPINION**

of the Committee on the Environment, Public Health and Food Safety

for the Committee on Transport and Tourism

on the proposal for a directive of the European Parliament and of the Council amending Directive 92/106/EEC on the establishment of common rules for certain types of combined transport of goods between Member States (COM(2017)0648 – C8-0391/2017 – 2017/0290(COD))

Rapporteur for opinion: Michel Dantin

PA\_Legam

## SHORT JUSTIFICATION

In the 2011 White Paper ‘Roadmap to a Single European Transport Area – Towards a competitive and resource efficient transport system’, the target was set to shift 30% of the Union’s road freight to other carriers, such as rail transport or shipping, by 2030 and 50% by 2050.

Directive 92/106/EEC is the only EU legal instrument that provides a framework for such a modal shift and, 25 years after its entry into force, it is as relevant as ever. Air pollution in the EU causes 400 000 premature deaths every year, the annual death toll on the roads is 26 000, and the estimated cost of congestion is 1.1% of the Union’s GDP. Combined transport is part of the answer in addressing the negative impact of transport.

However, with the transport sector changing and new technologies becoming more widespread, and because some of the provisions of the directive are unclear or obsolete, and it has not been adequately implemented in the Member States, it now needs to be revised so as to release the full potential of combined transport in Europe.

Overall, the rapporteur welcomes the Commission proposal, which addresses many of the current shortcomings, clarifying the text and removing certain impediments to the modal shift. In particular, he supports the revised definition of combined transport, extending the scope to include national operations, the use by operators of electronic documentation, expanding the support measures, intensifying cooperation between Member States on infrastructure investments, and the exchange of information on modal-shift activities.

The rapporteur proposes strengthening the text in several major respects.

### **Legal clarifications**

The rapporteur proposes a number of clarifications to avoid divergent interpretation. They concern, in particular, the rules on cabotage in combined transport at national level and the criteria for derogating from the 150 km rule.

### **Rationalisation of infrastructure investment**

The rapporteur takes the view that transshipment terminals should be the priority focus for investment in combined transport infrastructure, with the emphasis on extending existing infrastructure and making it more efficient. Where it is proposed to create new terminals, the rapporteur believes prior impact assessments should be carried out to ensure that the planned investments are economically and environmentally relevant, taking due account of the local geographical and natural constraints.

### **Improving logistics**

The cost of transshipment operations and the time they take are a key factor explaining combined transport’s lack of competitiveness vis-à-vis unimodal transport. In the rapporteur’s view, combined transport can be made more attractive through recourse to digital solutions, information and communication technologies and connected transport systems, as well as better training for the workforce in the sector.

## Promoting clean energies and technologies

Although one of the directive's main aims is to reduce air pollution, the existing text makes no provision for measures to encourage the use of energy efficient vehicles and infrastructure, energy from renewable sources or innovative technology and digital solutions. The rapporteur sets out a number of proposals in these areas, specifying the scope of possible support measures.

## Strengthening support measures aimed at operators

The rapporteur wants to require each Member State, by 31 December 2021, to introduce at least one additional support measure to reduce the impact of freight on the environment and public health.

He also proposes that support measures be better targeted. Member States should prioritise investment in transshipment terminals to reduce bottlenecks and congestion areas, in particular near urban and suburban areas, to make it easier to cross natural barriers such as mountain areas, to improve cross-border connections, to reduce harmful airborne emissions and to improve access to and from industrial areas which lack such infrastructure.

## Statistics and EU target for modal shift

The Union target is to shift 30% of road freight to other carriers by 2030 and 50% by 2050. However, monitoring of the development of combined transport in the Member States and at Union level remains patchy, largely because the statistics available are not robust. The rapporteur is seeking to tighten the Member States' reporting obligations and is calling on the Commission to monitor the achievement of the Union's targets for combined transport.

## AMENDMENTS

The Committee on the Environment, Public Health and Food Safety calls on the Committee on Transport and Tourism, as the committee responsible, to take into account the following amendments:

### Amendment 1

#### Proposal for a directive

##### Recital 1

*Text proposed by the Commission*

(1) The negative impact of transport on air pollution, greenhouse gas emissions, accidents, noise and congestion *continue* to pose problems to the economy, health and well-being of European citizens. Despite the fact that road transport is the main contributor of those negative effects, road freight transport *is estimated to* grow

*Amendment*

(1) The negative impact of transport on air pollution, greenhouse gas emissions, accidents, noise and congestion *continues* to pose problems to the economy, health and well-being of European citizens. ***Air pollution in the EU causes 400 000 premature deaths every year, the annual death toll on the roads is 26 000, and the***

by 60 per cent by 2050.

*estimated cost of congestion is 1.1% of the Union's GDP.* Despite the fact that road transport is the main contributor of those negative effects, road freight transport *could* grow by 60 per cent by 2050.

Or. fr

## Amendment 2

### Proposal for a directive

#### Recital 3

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

(3) The goal of reaching 30 % of road freight over 300 km shifted to other modes of transport such as rail or waterborne transport by 2030, and more than 50 % by 2050, in order to optimise the performance of multimodal logistic chains, including by making greater use of more energy-efficient modes, has been slower than expected and according to the current projections, will not be reached.

##### *Amendment*

(3) The goal of reaching 30 % of road freight over 300 km shifted to other modes of transport such as rail or waterborne transport by 2030, and more than 50 % by 2050, in order to optimise the performance of multimodal logistic chains, including by making greater use of more energy-efficient modes, has been slower than expected and according to the current projections, will not be reached. *Given the still untapped potential of combined transport, the implications of improving this directive are significant in terms of the contribution the sector makes to realising the targets set in the Paris Climate Agreement.*

Or. fr

## Amendment 3

### Proposal for a directive

#### Recital 6

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

(6) The volume of national intermodal operations constitutes 19,3 % of the total intermodal transport in the Union. Such operations currently do not benefit from

##### *Amendment*

(6) The volume of national intermodal operations constitutes 19.3% of the total intermodal transport in the Union. Such operations currently do not benefit from

the support measures provided by Directive 92/106/EEC because of the limited scope of the definition of combined transport. However, the negative effect of national road transport operations, and notably greenhouse gas emissions and congestion, have an impact beyond the national borders. Therefore it is necessary to broaden the scope of Directive 92/106/EEC to national (intra-Member State) combined transport operations in order to support the further development of combined transport in the Union, hence an increase in the modal shift from road to rail, inland waterways and short sea shipping.

the support measures provided by Directive 92/106/EEC because of the limited scope of the definition of combined transport. However, the negative effect of national road transport operations, and notably greenhouse gas emissions and congestion, have an impact beyond the national borders. Therefore it is necessary to broaden the scope of Directive 92/106/EEC to national (intra-Member State) combined transport operations in order to support the further development of combined transport in the Union, hence an increase in the modal shift from road to rail, inland waterways and short sea shipping. ***The derogation to the cabotage rules continues, however, to apply only to international combined transport operations between Member States. The Member States will have to carry out effective checks to ensure that these rules are observed and to promote the harmonisation of working and social conditions across the various modes of transport and the different Member States.***

Or. fr

#### *Justification*

*Article 4 of Directive 92/106/EEC, concerning the derogation to the cabotage rules, is unchanged in the Commission proposal. Because the directive's scope is being extended to cover national combined transport operations, it should be explicitly clarified that the derogation does not apply to national operations.*

#### **Amendment 4**

##### **Proposal for a directive Recital 8**

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

(8) The current definition of combined transport includes different distance limits for the road legs of a combined transport operation, according to the mode of the

###### *Amendment*

(8) The current definition of combined transport includes different distance limits for the road legs of a combined transport operation, according to the mode of the

non-road leg, and, for rail, the absence of a fixed distance limit but instead takes account of the notion of “nearest suitable terminal” to provide some flexibility to take account of specific situations. That definition has raised many difficulties in its implementation due to various interpretations and specific difficulties to establish the conditions for implementation. It would be useful to lift those ambiguities while also ensuring that some measure of flexibility is retained.

non-road leg, and, for rail, the absence of a fixed distance limit but instead takes account of the notion of “nearest suitable terminal” to provide some flexibility to take account of specific situations. That definition has raised many difficulties in its implementation due to various interpretations and specific difficulties to establish the conditions for implementation. It would be useful to lift those ambiguities while also ensuring that some measure of flexibility is retained. ***The Commission, in order to create a level playing field for Member States in applying the rules, should stipulate the criteria applicable when there is recourse to the flexibility provision. In particular, the availability and efficiency of combined transport infrastructure need to be taken into account.***

Or. fr

#### *Justification*

*This flexibility is essential so that opportunities for combined transport are not limited. The criteria governing the scope of the EU-wide derogation need to be spelled out, however, so as to avoid differences in interpretation between Member States and to ensure that all operators are treated equally in the internal market.*

## **Amendment 5**

### **Proposal for a directive Recital 11 a (new)**

*Text proposed by the Commission*

*Amendment*

***(11a) With a view to making combined transport competitive and attractive to operators, in particular very small enterprises (VSEs) and small and medium-sized enterprises (SMEs), the potential administrative burden entailed in carrying out a combined transport operation as opposed to a unimodal operation should be minimised.***

**Amendment 6****Proposal for a directive****Recital 12***Text proposed by the Commission*

(12) The scope of the current economic support measures defined in Directive 92/106/EEC is very limited, consisting of fiscal measures (namely the reimbursement or reduction of taxes) which concern only combined rail/road transport operations. Such measures should be extended to combined transport operations covering inland waterways and maritime transport. Other relevant types of measures, such as infrastructure investment support measures or different economic support measures, should also be supported.

*Amendment*

(12) The scope of the current economic support measures defined in Directive 92/106/EEC is very limited, consisting of fiscal measures (namely the reimbursement or reduction of taxes) which concern only combined rail/road transport operations. Such measures should be extended to combined transport operations covering inland waterways and maritime transport. Other relevant types of measures, such as infrastructure **and digital-technology** investment support measures or different economic support measures, should also be supported.

Or. fr

**Amendment 7****Proposal for a directive****Recital 13***Text proposed by the Commission*

(13) The main infrastructure bottleneck hampering the shift from road freight to other modes of transport is at the transshipment terminal level. The current distribution and coverage of transshipment terminals in the Union, at least along the existing TEN-T Core and Comprehensive network, is insufficient yet the capacity of existing transshipment terminals is reaching its limit and will need to develop in order to cope with overall freight traffic growth. Investing in transshipment terminal capacity may reduce overall transshipment costs, and

*Amendment*

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hence produce a derived modal shift, as demonstrated in some Member States. Member States should therefore ensure, in coordination with the neighbouring Member States and with the Commission, that ***more combined transport transshipment*** terminals and transshipment capacity ***are*** constructed or made available to transport operators. This would incentivise the use of freight transport alternatives and increase modal shift, thus making combined transport operations more competitive than road transport alone. The increased coverage and capacity of transshipment terminals should, at the very minimum, be established along the existing TEN-T Core and Comprehensive networks. ***There should be on average at least one suitable transshipment terminal for combined transport located no further than 150 km from any shipment location in the Union.***

hence produce a derived modal shift, as demonstrated in some Member States. Member States should therefore ensure, in coordination with the neighbouring Member States and with the Commission, that ***a network of efficient terminals to meet existing and future demand for transport infrastructure*** and ***increased*** transshipment capacity ***is*** constructed or made available to transport operators. This would incentivise the use of freight transport alternatives and increase modal shift, thus making combined transport operations more competitive than road transport alone. The increased coverage, ***efficiency*** and capacity of transshipment terminals should, at the very minimum, be established along the existing TEN-T Core and Comprehensive networks.

Or. fr

#### *Justification*

*Using purely geographical criteria is ill-advised since they fail to take account of natural constraints or other specific constraints in regions (mountains, protected natural areas, sparsely populated areas), or the reality of trade and freight transport flows. Member States should have sufficient leeway to judge the relevance of investments to be made in the field of combined transport.*

## **Amendment 8**

### **Proposal for a directive**

#### **Recital 13 a (new)**

*Text proposed by the Commission*

*Amendment*

***(13a) Member States should prioritise investment in transshipment terminals to reduce bottlenecks and congestion areas, in particular near urban and sub-urban areas, to make it easier to cross natural barriers such as mountain areas, to improve cross-border connections, to***

*reduce harmful airborne emissions and to improve access to and from industrial areas which lack such infrastructure.*

Or. fr

## **Amendment 9**

### **Proposal for a directive**

#### **Recital 14**

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

(14) Member States should implement additional economic support measures in addition to the existing ones, targeting the various legs of a combined transport operation, in order to reduce the road freight and to encourage the use of other modes of transport such as rail, inland waterways and maritime transport, thereby reducing air pollution, greenhouse gas emissions, road traffic accidents, noise and congestion. Such measures may include the reduction of certain taxes or transport fees, grants for intermodal load units ***effectively transport*** in combined transport operations, or the partial reimbursement of transshipments cost.

##### *Amendment*

(14) Member States should implement additional economic support measures in addition to the existing ones, targeting the various legs of a combined transport operation, in order to reduce the road freight and to encourage the use of other modes of transport such as rail, inland waterways and maritime transport, ***or to reduce the carbon footprint of the road freight sector***, thereby reducing air pollution, greenhouse gas emissions, road traffic accidents, noise and congestion. Such measures may include the reduction of certain taxes or transport fees, grants for ***the effective use of*** intermodal load units in combined transport operations, ***low-emission vehicles or alternative fuels***, or the partial reimbursement of transshipments cost.

Or. fr

##### *Justification*

*Since one of the directive's main objectives is to reduce emissions of airborne pollutants, the use of lower-emission vehicles and fuels, particularly in road transport, should be encouraged. Low-carbon heavy goods vehicles have significant potential for decarbonising transport.*

## **Amendment 10**

### **Proposal for a directive Recital 14 a (new)**

*Text proposed by the Commission*

*Amendment*

***(14a) The Member States should implement additional measures to boost the environmental performance, efficiency and sustainability of combined transport by encouraging the use of clean or low-emission vehicles and alternative fuels, supporting energy efficiency efforts and the use of renewables throughout the combined transport chain and reducing the various types of nuisance associated with transport, including noise, particular in the rail sector and close to urban areas.***

Or. fr

## **Amendment 11**

### **Proposal for a directive Recital 14 b (new)**

*Text proposed by the Commission*

*Amendment*

***(14b) The various EU funds and programmes for financing research should continue to support the Member States in realising the aims of this directive.***

Or. fr

## **Amendment 12**

### **Proposal for a directive Recital 14 c (new)**

*Text proposed by the Commission*

*Amendment*

***(14c) Investment in logistics is another important lever for making combined***

*transport more competitive. More systematic recourse to digital solutions, including information and communication technologies and smart connected systems, would facilitate data exchange, help to make transshipment operations more efficient and less costly and reduce the time they take.*

Or. fr

#### *Justification*

*The cost of transshipment operations and the time they take are key factors explaining combined transport's lack of competitiveness vis-à-vis unimodal transport, which enjoys the advantage of a logistics chain without any breaks. Reducing these costs by improving logistics performance at transshipment terminals must therefore be a priority if we wish to make combined transport a more attractive option.*

### **Amendment 13**

#### **Proposal for a directive Recital 14 d (new)**

*Text proposed by the Commission*

*Amendment*

*(14d) Investment in workforce training in the logistics chain, particularly at transshipment terminals, would also help to make combined transport more competitive.*

Or. fr

### **Amendment 14**

#### **Proposal for a directive Recital 15**

*Text proposed by the Commission*

*Amendment*

*(15) Support measures for combined transport operations should be implemented in compliance with the State aid rules contained in the Treaty on the Functioning of the European Union*

*(15) Without prejudice to the State aid rules contained in the Treaty on the Functioning of the European Union (TFEU), a certain degree of flexibility should apply in respect of support*

(TFEU).

*measures for combined transport operations in order to encourage the use of State aid.*

Or. fr

## **Amendment 15**

### **Proposal for a directive**

#### **Recital 16**

*Text proposed by the Commission*

(16) Support measures should be coordinated, as needed, between Member States and the Commission.

*Amendment*

(16) Support measures should be coordinated, as needed, between Member States and the Commission, *particularly by means of close cooperation between the Member States' competent authorities.*

Or. fr

## **Amendment 16**

### **Proposal for a directive**

#### **Recital 17**

*Text proposed by the Commission*

(17) Support measures should also be reviewed on a regular basis by the Member States to ensure their effectiveness and efficiency.

*Amendment*

(17) Support measures should also be reviewed on a regular basis by the Member States to ensure their effectiveness and efficiency, *and corrective measures should be taken as needed. The Commission should provide, on the basis of information supplied by the Member States, an analysis of the various measures the Member States undertake and the effectiveness of those measures, and should promote the sharing of good practice.*

Or. fr

### *Justification*

*The dissemination of good practice – i.e. support measures introduced by Member States which prove particularly effective – should be stepped up so as to provide Member States with information they can use when selecting investments and support measures in the combined transport field.*

#### **Amendment 17**

##### **Proposal for a directive**

##### **Recital 18 a (new)**

*Text proposed by the Commission*

*Amendment*

***(18a) The lack of comparable, reliable statistics is currently impeding the evaluation of combined transport in the Union and the adoption of measures to release its potential.***

Or. fr

#### **Amendment 18**

##### **Proposal for a directive**

##### **Recital 19**

*Text proposed by the Commission*

*Amendment*

(19) To cope with the evolution of Union transport, and in particular the combined transport market, relevant data and information should be gathered by the Member States and reported to the Commission on a regular basis and the Commission should submit a report to the European Parliament **and** the Council on the application of this Directive every four years.

(19) To cope with the evolution of Union transport, and in particular the combined transport market, relevant data and information should be gathered by the Member States and reported to the Commission on a regular basis and the Commission should submit a report to the European Parliament, the Council **and the Member States' competent authorities** on the application of this Directive every four years.

Or. fr

#### **Amendment 19**

**Proposal for a directive**  
**Recital 19 a (new)**

*Text proposed by the Commission*

*Amendment*

***(19a) The Commission shall be responsible for the proper implementation of this directive and for achieving the objective of developing combined transport EU-wide by 2030 and 2050. To that end, it shall regularly assess progress in increasing the share of combined transport in each Member State, on the basis of the information provided by the Member States, and may table amendments to this Directive with a view to achieving this EU-wide objective.***

Or. fr

*Justification*

*The Commission should play a greater role in monitoring European objectives in the field of combined transport, taking remedial measures where necessary.*

**Amendment 20**

**Proposal for a directive**  
**Recital 20**

*Text proposed by the Commission*

*Amendment*

(20) Transparency is important for all stakeholders involved in combined transport operations, notably those affected by this Directive. To support such transparency, and promote further cooperation, competent **authorities** should be identified in each Member State.

(20) Transparency is important for all stakeholders involved in combined transport operations, notably those affected by this Directive. To support such transparency, and promote further cooperation, **a** competent **authority** should be identified in each Member State.

Or. fr

*Justification*

*With a view to ensuring greater visibility for the contact point and consistency in the implementation of the Directive as well as reducing administrative overlap and to facilitating monitoring of implementation, the number of competent authorities should be cut to one per*

*Member State.*

## **Amendment 21**

### **Proposal for a directive**

#### **Recital 22**

*Text proposed by the Commission*

(22) Since the objectives of this Directive to further promote the shift from road transport to more environmentally friendly modes of transport, and hence reduce the negative externalities of the Union transport system, cannot be sufficiently achieved by the Member States but can rather, by reason of the *primarily* cross-border nature of freight combined transport and interlinked infrastructure, and of the problems this Directive is intended to address, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality as set out in that Article, this Directive does not go beyond what is necessary in order to achieve those objectives

*Amendment*

(22) Since the objectives of this Directive to further promote the shift from road transport to more environmentally friendly modes of transport, and hence reduce the negative externalities of the Union transport system, cannot be sufficiently achieved by the Member States but can rather, *notably* by reason of the cross-border nature of freight combined transport and interlinked infrastructure, and of the problems this Directive is intended to address, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality as set out in that Article, this Directive does not go beyond what is necessary in order to achieve those objectives

Or. fr

## **Amendment 22**

### **Proposal for a directive**

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

Directive 92/106/EEC

Article 1 – paragraph 3 – subparagraph 2

*Text proposed by the Commission*

The road leg distance limit may be exceeded for combined *road/rail* transport operations, *when authorised by the Member State or Member States on whose territory the road leg takes place*, in order

*Amendment*

The road leg distance limit may be exceeded for combined transport operations, in order to reach the geographically nearest transport terminal – *including in cases when this is in another*



to reach the geographically nearest transport terminal which has the necessary operational transshipment capability for loading or unloading in terms of transshipment equipment, terminal capacity and appropriate rail freight services.

**Member State** – which has the necessary operational transshipment capability for loading or unloading in terms of transshipment equipment, terminal capacity and appropriate rail freight services. ***With a view to avoiding differences in interpretation between Member States, the Commission shall lay down, in a delegated act in accordance with Article 10(a), the criteria under which combined transport operators may exceed the road leg distance limit for combined transport operations. The Member States shall be responsible for ensuring compliance with these rules by operators.***

Or. xm

*[The reference in the header relating to the amending act (“Article 1 – paragraph 1 – point 2”) corresponds to “Article 1 – paragraph 1 – point 6” of the Commission’s Proposal. This discrepancy is caused by the incorrect numbering (the points in Article 1, paragraph 1, start from 5 instead of 1) in the French version of the Commission’s proposal.]*

#### *Justification*

*The criteria governing the scope of this EU-wide derogation need to be spelled out so as to avoid differences in interpretation between Member States and to ensure that all operators are treated equally within the internal market.*

## **Amendment 23**

### **Proposal for a directive**

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

Directive 92/106/EEC

Article 1 – paragraph 4

#### *Text proposed by the Commission*

4. A combined transport operation shall be deemed to take place in the Union where the operation or the part thereof taking place in the Union fulfils the requirements laid down in paragraphs 2 and 3.

#### *Amendment*

4. A combined transport operation shall be deemed to take place in the Union where the operation or the part thereof taking place in the Union fulfils the requirements laid down in paragraphs 2 and 3. ***A combined transport operation may, for the purposes of this Directive, begin or end in, or pass through, a third country.***

*[The reference in the header relating to the amending act (“Article 1 – paragraph 1 – point 2”) corresponds to “Article 1 – paragraph 1 – point 6” of the Commission’s Proposal. This discrepancy is caused by the incorrect numbering (the points in Article 1, paragraph 1, start from 5 instead of 1) in the French version of the Commission’s proposal.]*

## **Amendment 24**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 4**

Directive 92/106/EEC

Article 5 – paragraph 1 – point c a (new)

*Text proposed by the Commission*

*Amendment*

***(ca) changes in the share of combined transport and the various modes of transport on the territory,***

*[The reference in the header relating to the amending act (“Article 1 – paragraph 1 – point 4”) corresponds to “Article 1 – paragraph 1 – point 8” of the Commission’s Proposal. This discrepancy is caused by the incorrect numbering (the points in Article 1, paragraph 1, start from 5 instead of 1) in the French version of the Commission’s proposal.]*

## **Amendment 25**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 4**

Directive 92/106/EEC

Article 5 – paragraph 3

*Text proposed by the Commission*

*Amendment*

3. On the basis of an analysis of the national reports, in the first instance by [xx/xx/xxx - 9 months after the MS report submission deadline] and two years thereafter the Commission shall draw up and submit a report to the European Parliament **and to** the Council on:

3. On the basis of an analysis of the national reports, in the first instance by [xx/xx/xxx - 9 months after the MS report submission deadline] and *every* two years thereafter the Commission shall draw up and submit a report to the European Parliament, the Council **and the Member States’ competent authorities** on:

*[The reference in the header relating to the amending act (“Article 1 – paragraph 1 – point 4”) corresponds to “Article 1 – paragraph 1 – point 8” of the Commission’s Proposal. This discrepancy is caused by the incorrect numbering (the points in Article 1, paragraph 1, start from 5 instead of 1) in the French version of the Commission’s proposal.]*

## **Amendment 26**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 4**

Directive 92/106/EEC

Article 5 – paragraph 3 – point a

#### *Text proposed by the Commission*

(a) the economic development of combined transport, notably in light of the evolution of the environmental performance of different modes of transport;

#### *Amendment*

(a) the economic development of combined transport **at Member State and EU-wide level**, notably in light of the evolution of the environmental performance of different modes of transport;

Or. xm

*[The reference in the header relating to the amending act (“Article 1 – paragraph 1 – point 4”) corresponds to “Article 1 – paragraph 1 – point 8” of the Commission’s Proposal. This discrepancy is caused by the incorrect numbering (the points in Article 1, paragraph 1, start from 5 instead of 1) in the French version of the Commission’s proposal.]*

## **Amendment 27**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 4**

Directive 92/106/EEC

Article 5 – paragraph 3 – point c

#### *Text proposed by the Commission*

(c) the effectiveness and efficiency of the support measures provided for in Article 6,

#### *Amendment*

(c) the effectiveness and efficiency of the support measures provided for in Article 6, **specifying the measures deemed to be most effective and best practice in the Member States,**

Or. xm

*[The reference in the header relating to the amending act (“Article 1 – paragraph 1 – point 4”) corresponds to “Article 1 – paragraph 1 – point 8” of the Commission’s Proposal. This*

*discrepancy is caused by the incorrect numbering (the points in Article 1, paragraph 1, start from 5 instead of 1) in the French version of the Commission's proposal.]*

## **Amendment 28**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 4**

Directive 92/106/EEC

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

*Text proposed by the Commission*

*Amendment*

**(ca) changes in the share of combined transport in each Member State and at EU level, with a view to achieving the Union's objectives by 2030 and 2050,**

Or. xm

*[The reference in the header relating to the amending act (“Article 1 – paragraph 1 – point 4”) corresponds to “Article 1 – paragraph 1 – point 8” of the Commission's Proposal. This discrepancy is caused by the incorrect numbering (the points in Article 1, paragraph 1, start from 5 instead of 1) in the French version of the Commission's proposal.]*

### *Justification*

*The Commission should play a greater role in monitoring European objectives in the field of combined transport, taking remedial measures where necessary.*

## **Amendment 29**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 5**

Directive 92/106/EEC

Article 6 – paragraph 4 – point a

*Text proposed by the Commission*

*Amendment*

**(a) the construction and, where necessary,** the expansion of **combined transport** such transshipment terminals;

**(a) the expansion of transshipment terminals and, where necessary, the construction of new combined transport terminals. Prior to these investments, an impact assessment, whose purpose shall be to ensure the achievement of this directive's aims and the economic and environmental relevance of such investments – with due account for the**

*geographical and natural constraints of the area – shall be conducted. Member States shall prioritise investment in transshipment terminals to reduce bottlenecks and congestion areas, in particular near urban and sub-urban areas, with a view to making it easier to cross natural barriers such as mountain areas, improving cross-border connections, reducing harmful airborne emissions and improving access to and from industrial areas which lack such infrastructure;*

Or. xm

*[The reference in the header relating to the amending act (“Article 1 – paragraph 1 – point 5”) corresponds to “Article 1 – paragraph 1 – point 9” of the Commission’s Proposal. This discrepancy is caused by the incorrect numbering (the points in Article 1, paragraph 1, start from 5 instead of 1) in the French version of the Commission’s proposal.]*

## **Amendment 30**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 5**

Directive 92/106/EEC

Article 6 – paragraph 4 – point b

*Text proposed by the Commission*

*Amendment*

(b) the increase of operational efficiency in existing terminals.

(b) the increase of operational efficiency in existing terminals **by fostering, among other things, the integration of connected systems and the automation of operations as well as investment in digital logistics, information and communications technologies and intelligent transport systems.**

Or. xm

*[The reference in the header relating to the amending act (“Article 1 – paragraph 1 – point 5”) corresponds to “Article 1 – paragraph 1 – point 9” of the Commission’s Proposal. This discrepancy is caused by the incorrect numbering (the points in Article 1, paragraph 1, start from 5 instead of 1) in the French version of the Commission’s proposal.]*

### *Justification*

*The cost of transshipment operations and the time they take are key factors explaining combined transport's lack of competitiveness vis-à-vis unimodal transport, which enjoys the advantage of a logistics chain without any breaks. Reducing these costs by improving logistics performance at transshipment terminals must therefore be a priority if we wish to make combined transport a more attractive option.*

### **Amendment 31**

#### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 5**

Directive 92/106/EEC

Article 6 – paragraph 4 – subparagraph 2

#### *Text proposed by the Commission*

Member States shall coordinate with neighbouring Member States and with the Commission and ensure that, when such measures are implemented, priority is given to ensuring a balanced and sufficient geographical distribution of suitable facilities in the Union, and notably on the TEN-T Core and Comprehensive networks, allowing that any location in the Union is not situated at a distance farther than 150 km from such terminal.

#### *Amendment*

Member States shall coordinate with neighbouring Member States, ***particularly via close cooperation between their competent authorities***, and with the Commission and ensure that, when such measures are implemented, priority is given to ensuring a balanced and sufficient geographical distribution of suitable facilities in the Union, and notably on the TEN-T Core and Comprehensive networks, allowing that any location in the Union is not situated at a distance farther than 150 km ***as the crow flies*** from such terminal. ***Member States may derogate from this 150-km rule if these facilities have no economic relevance or for reasons related the geographic or natural features of a given area. Such derogations must be duly justified by the competent authority.***

Or. xm

*[The reference in the header relating to the amending act (“Article 1 – paragraph 1 – point 5”) corresponds to “Article 1 – paragraph 1 – point 9” of the Commission’s Proposal. This discrepancy is caused by the incorrect numbering (the points in Article 1, paragraph 1, start from 5 instead of 1) in the French version of the Commission’s proposal.]*

### *Justification*

*Using purely geographical criteria is ill-advised since they fail to take account of natural constraints or other specific constraints in regions (mountains, protected natural areas,*

*sparsely populated areas), or the reality of trade and freight transport flows. Member States should have sufficient leeway to judge the relevance of investments to be made in the field of combined transport.*

## **Amendment 32**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 5**

Directive 92/106/EEC

Article 6 – paragraph 5 – subparagraph 1

#### *Text proposed by the Commission*

Member States *may* take additional *measures*, to improve the competitiveness of combined transport operations as compared to equivalent alternative road transport operations.

#### *Amendment*

***By 31 December 2021***, Member States ***shall*** take ***at least one*** additional ***measure*** to improve the competitiveness of combined transport operations as compared to equivalent alternative road transport operations, ***in particular with a view to reducing the time and costs involved in transshipment operations.***

Or. xm

*[The reference in the header relating to the amending act (“Article 1 – paragraph 1 – point 5”) corresponds to “Article 1 – paragraph 1 – point 9” of the Commission’s Proposal. This discrepancy is caused by the incorrect numbering (the points in Article 1, paragraph 1, start from 5 instead of 1) in the French version of the Commission’s proposal.]*

## **Amendment 33**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 5**

Directive 92/106/EEC

Article 6 – paragraph 5 – subparagraph 2

#### *Text proposed by the Commission*

Such measures may address any or part of a combined transport operation, such as the operation of a road or non-road leg including the vehicle used on such a leg, or such as the load unit ***or*** the transshipment operations.

#### *Amendment*

Such measures may address any or part of a combined transport operation, such as the operation of a road or non-road leg including the vehicle used on such a leg, or such as the load unit, the transshipment operations ***or labour force training.***

Or. xm

*[The reference in the header relating to the amending act (“Article 1 – paragraph 1 – point 5)”) corresponds to “Article 1 – paragraph 1 – point 9” of the Commission’s Proposal. This discrepancy is caused by the incorrect numbering (the points in Article 1, paragraph 1, start from 5 instead of 1) in the French version of the Commission’s proposal.]*

## **Amendment 34**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 5**

Directive 92/106/EEC

Article 6 – paragraph 5 a (new)

*Text proposed by the Commission*

*Amendment*

**5a. By 31 December 2021, Member States shall take at least one additional measure to reduce the impact of freight on the environment and public health, by promoting, for instance, vehicle efficiency, the use of cleaner energy or the more efficient use of transport networks via the implementation of information and communication technologies.**

Or. xm

*[The reference in the header relating to the amending act (“Article 1 – paragraph 1 – point 5)”) corresponds to “Article 1 – paragraph 1 – point 9” of the Commission’s Proposal. This discrepancy is caused by the incorrect numbering (the points in Article 1, paragraph 1, start from 5 instead of 1) in the French version of the Commission’s proposal.]*

## **Amendment 35**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 5**

Directive 92/106/EEC

Article 6 – paragraph 6

*Text proposed by the Commission*

*Amendment*

6. Member States shall **report to the Commission on the measures taken pursuant to this Article and their specifications.**

6. Member States shall **assess the impact of such support measures, and re-evaluate their needs at least every four years and, where necessary, adapt the measures.**



*[The reference in the header relating to the amending act (“Article 1 – paragraph 1 – point 5”) corresponds to “Article 1 – paragraph 1 – point 9” of the Commission’s Proposal. This discrepancy is caused by the incorrect numbering (the points in Article 1, paragraph 1, start from 5 instead of 1) in the French version of the Commission’s proposal.]*

## Amendment 36

### Proposal for a directive

#### Article 1 – paragraph 1 – point 5

Directive 92/106/EEC

Article 6 – paragraph 7

#### *Text proposed by the Commission*

7. Member States shall ***assess the impact of such support measures, and re-evaluate their needs at least every four years and where necessary adapt*** the measures.

#### *Amendment*

7. Member States shall ***report to the Commission, in accordance with the conditions laid down in Article 5 (1), on the measures taken pursuant to this Article, detailing them and their impact and disclosing any remedial measures taken or planned, together with a precise schedule.***

*[The reference in the header relating to the amending act (“Article 1 – paragraph 1 – point 5”) corresponds to “Article 1 – paragraph 1 – point 9” of the Commission’s Proposal. This discrepancy is caused by the incorrect numbering (the points in Article 1, paragraph 1, start from 5 instead of 1) in the French version of the Commission’s proposal.]*

## Amendment 37

### Proposal for a directive

#### Article 1 – paragraph 1 – point 5

Directive 92/106/EEC

Article 6 – paragraph 8

#### *Text proposed by the Commission*

8. Member States shall ensure that support measures for combined transport operations aim at reducing the road freight and encourage the use of other modes of transport such as rail, inland waterways ***and*** maritime transport, thereby reducing air pollution, greenhouse gas emissions,

#### *Amendment*

8. Member States shall ensure that support measures for combined transport operations aim at reducing the road freight and encourage the use of other modes of transport such as rail, inland waterways, maritime transport ***or low-emission vehicles, or the use of lower-emission***

road traffic accidents, noise and congestion.;

*alternative fuels such as biofuels, electricity from renewable sources, natural gas or hydrogen fuel cells*, thereby reducing air pollution, greenhouse gas emissions, road traffic accidents, noise and congestion.

Or. xm

*[The reference in the header relating to the amending act (“Article 1 – paragraph 1 – point 5”) corresponds to “Article 1 – paragraph 1 – point 9” of the Commission’s Proposal. This discrepancy is caused by the incorrect numbering (the points in Article 1, paragraph 1, start from 5 instead of 1) in the French version of the Commission’s proposal.]*

#### *Justification*

*Since one of the directive’s principal objectives is to reduce emissions of airborne pollutants, the use of lower-emission vehicles and fuels, particularly in road transport, should be encouraged. Low-carbon heavy goods vehicles have significant potential for decarbonising transport.*

### **Amendment 38**

#### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 7**

Directive 92/106/EEC

Article 9a – paragraph 1 – subparagraph 1

#### *Text proposed by the Commission*

Member States shall designate one **or more** competent authority to ensure the implementation of this Directive and to act as the main point of contact for its implementation.

#### *Amendment*

Member States shall designate one competent authority to ensure the implementation of this Directive and to act as the main point of contact for its implementation.

Or. xm

*[The reference in the header relating to the amending act (“Article 1 – paragraph 1 – point 7”) corresponds to “Article 1 – paragraph 1 – point 11” of the Commission’s Proposal. This discrepancy is caused by the incorrect numbering (the points in Article 1, paragraph 1, start from 5 instead of 1) in the French version of the Commission’s proposal.]*

#### *Justification*

*With a view to ensuring greater visibility for the contact point and consistency in the implementation of the Directive as well as reducing administrative overlap and to facilitating monitoring of implementation, the number of competent authorities should be cut to one per*

Member State.

## Amendment 39

### Proposal for a directive

#### Article 1 – paragraph 1 – point 7

Directive 92/106/EEC

Article 9a – paragraph 1 – subparagraph 2

#### *Text proposed by the Commission*

Member States shall notify the other Member States and the Commission of the competent **authorities** referred to in the first subparagraph.

#### *Amendment*

Member States shall notify the other Member States and the Commission of the competent **authority** referred to in the first subparagraph.

Or. xm

*[The reference in the header relating to the amending act (“Article 1 – paragraph 1 – point 7”) corresponds to “Article 1 – paragraph 1 – point 11” of the Commission’s Proposal. This discrepancy is caused by the incorrect numbering (the points in Article 1, paragraph 1, start from 5 instead of 1) in the French version of the Commission’s proposal.]*

#### *Justification*

*With a view to ensuring greater visibility for the contact point and consistency in the implementation of the Directive as well as reducing administrative overlap and to facilitating monitoring of implementation, the number of competent authorities should be cut to one per Member State.*

## Amendment 40

### Proposal for a directive

#### Article 1 – paragraph 1 – point 7

Directive 92/106/EEC

Article 9a – paragraph 2

#### *Text proposed by the Commission*

2. Member States shall ensure that national competent authorities cooperate with **the competent authorities from other member States**. For such purpose, Member States shall ensure that competent authorities provide each other with the information necessary for the application

#### *Amendment*

2. Member States shall ensure that national competent authorities cooperate **with one another, particularly in upgrading cross-border transport connections and ensuring the continuity and consistency of investments on both sides of the border**. For such purpose,

of the present Directive. In respect of the information exchanged, the receiving authority shall ensure the same level of confidentiality as the originating authority.

Member States shall ensure that competent authorities provide each other with the information necessary for the application of the present Directive. In respect of the information exchanged, the receiving authority shall ensure the same level of confidentiality as the originating authority.

Or. xm

*[The reference in the header relating to the amending act (“Article 1 – paragraph 1 – point 7)”) corresponds to “Article 1 – paragraph 1 – point 11” of the Commission’s Proposal. This discrepancy is caused by the incorrect numbering (the points in Article 1, paragraph 1, start from 5 instead of 1) in the French version of the Commission’s proposal.]*