

# EUROPEAN PARLIAMENT

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FINAL  
**A5-0437/2001**

28 November 2001

**\*\*\*II**

## **RECOMMENDATION FOR SECOND READING**

on the Council common position for adopting a European Parliament and Council directive amending Council Directive 96/53/EC 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  
(9068/1/2001 – C5-0433/2001 – 2000/0060(COD))

Committee on Regional Policy, Transport and Tourism

Rapporteur: Konstantinos Hatzidakis

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

- \* Consultation procedure  
*majority of the votes cast*
- \*\*I Cooperation procedure (first reading)  
*majority of the votes cast*
- \*\*II Cooperation procedure (second reading)  
*majority of the votes cast, to approve the common position  
majority of Parliament's component Members, to reject or amend  
the common position*
- \*\*\* Assent procedure  
*majority of Parliament's component Members except in cases  
covered by Articles 105, 107, 161 and 300 of the EC Treaty and  
Article 7 of the EU Treaty*
- \*\*\*I Codecision procedure (first reading)  
*majority of the votes cast*
- \*\*\*II Codecision procedure (second reading)  
*majority of the votes cast, to approve the common position  
majority of Parliament's component Members, to reject or amend  
the common position*
- \*\*\*III Codecision procedure (third reading)  
*majority of the votes cast, to approve the joint text*

(The type of procedure depends on the legal basis proposed by the Commission)

### ***Amendments to a legislative text***

In amendments by Parliament, amended text is highlighted in ***bold italics***. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the legislative text for which a correction is proposed, to assist preparation of the final text (for instance, obvious errors or omissions in a given language version). These suggested corrections are subject to the agreement of the departments concerned.

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## PROCEDURAL PAGE

At the sitting of 3 October 2000 Parliament adopted its position at first reading on the proposal for a European Parliament and Council directive on Council Directive 96/53/EC 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 (COM(2000) 137 - 2000/0060 (COD)).

At the sitting of 3 October 2001 the President of Parliament announced that the common position had been received and referred to the Committee on Regional Policy, Transport and Tourism (9068/1/2001 - C5-0433/2001).

The committee had appointed Konstantinos Hatzidakis rapporteur at its meeting of 19 April 2000.

It considered the common position and draft recommendation for second reading at its meetings of 20 and 21 November 2001.

At the latter it adopted the draft legislative resolution by 47, with 2 abstentions.

The following were present for the vote: Konstantinos Hatzidakis, chairman and rapporteur; Emmanouil Mastorakis, Helmuth Markov and Rijk van Dam, vice-chairmen; Sir Robert Atkins, Emmanouil Bakopoulos, Rolf Berend, Theodorus J.J. Bouwman, Philip Charles Bradbourn, Felipe Camisón Asensio, Carmen Cerdeira Morterero, Gerard Collins, Giovanni Claudio Fava, Jacqueline Foster, Mathieu J.H. Grosch, Ewa Hedkvist Petersen, Marie Anne Isler Béguin (for Camilo Nogueira Román), Juan de Dios Izquierdo Collado, Georg Jarzembowski, Elisabeth Jeggle (for Francesco Musotto), Dieter-Lebrecht Koch, Giorgio Lisi, Sérgio Marques, Linda McAvan (for Mary Honeyball), Erik Meijer, Rosa Miguélez Ramos, Juan Ojeda Sanz, Josu Ortuondo Larrea, Karla M.H. Peijs, Wilhelm Ernst Piecyk, Giovanni Pittella (for Demetrio Volcic), Samuli Pohjamo, Alonso José Puerta, Reinhard Rack, Marieke Sanders-ten Holte, Gilles Savary, Agnes Schierhuber (for Margie Sudre), Ingo Schmitt, Elisabeth Schroedter (for Reinhold Messner), Brian Simpson, Renate Sommer, Dirk Sterckx, Hannes Swoboda (for Ulrich Stockmann), Francesco Turchi (for Adriana Poli Bortone), Ari Vatanen, Demetrio Volcic, Mark Francis Watts, Brigitte Wenzel-Perillo (for Carlos Ripoll i Martínez Bedoya) and Jan Marinus Wiersma (for John Hume).

The recommendation for second reading was tabled on 28 November 2001.

The deadline for tabling amendments will be indicated in the draft agenda for the relevant part-session.

## DRAFT LEGISLATIVE RESOLUTION

**European Parliament legislative resolution on the Council common position for adopting a European Parliament and Council directive on Council Directive 96/53/EC 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 (9068/1/2001 – C5-0433/2001 – 2000/0060(COD))**

**(Codecision procedure: second reading)**

*The European Parliament,*

- having regard to the Council common position (9068/1/2001 – C5-0433/2001),
  - having regard to its position at first reading<sup>1</sup> on the Commission proposal (and amended proposal) to Parliament and the Council (COM(2000) 137<sup>2</sup>),
  - having regard to Article 251(2) of the EC Treaty,
  - having regard to Rule 78 of its Rules of Procedure,
  - having regard to the recommendation for second reading of the Committee on Regional Policy, Transport and Tourism (A5-0437/2001),
1. Approves the common position;
  2. Notes that the act is adopted in accordance with the common position;
  3. Instructs its President to sign the act with the President of the Council pursuant to Article 254(1) of the EC Treaty;
  4. Instructs its Secretary-General duly to sign the act and, in agreement with the Secretary-General of the Council, to have it published in the Official Journal of the European Communities;
  5. Instructs its President to forward its position to the Council and Commission.

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<sup>1</sup> OJ C 178, 22.6.2001, p. 61.

<sup>2</sup> OJ C 274, 26.9.2000, p. 32.

## **Explanatory Statement**

### **Introduction**

The aim of this proposal for a directive is to harmonise the maximum length of both rigid buses and articulated buses when undertaking transport throughout the EU.

Up till now this matter had not regulated explicitly; there was only the guarantee that rigid buses of up to 12m and articulated buses of up to 18m could circulate freely in the EU. On the national level for ex. for rigid buses we have 4 different maximum lengths which make that some buses are inappropriate for EU-wide use and distorting competition. Member states wished to harmonise these maximum lengths, at least for buses used throughout the EU and asked the Commission to work out a proposal.

### **European Parliament's amendments in first reading**

Parliament adopted 3 amendments in first reading:

- 1) It extended the date until which Member states may authorise the circulation on their territory of buses with dimensions not complying with the requirements of the new directive, from December 2009 as proposed as proposed by the Commission to 2015 in order to allow a normal "economic life" for those buses.  
The Council stretched this date even further until December 2020, a modification the Committee on Regional Policy, Transport and Tourism agreed fully with.
- 2) With the second amendment EP proposes the same length for articulated buses (18,75m) as for buses with trailers, Also this amendment was accepted in the common position.
- 3) The last amendment allows rigid buses of up to 13,5m to have 2 axles.  
Buses between 13,5, and 15m must have 3 axles in order to prevent exceeding the maximum weight per axle.  
Even this amendment was accepted. Only the part of this amendment adding the specification "rigid" was not accepted, but this is a merely terminological question.

It should be noted that the Common position adopts the Commission's proposal to use the new manoeuvrability criteria which are in the process of being adapted within the Economic Committee for Europe of the United Nations (ECE-UN) in Geneva.

Portugal and the United Kingdom however can up to 3 years after the entry into force ban from their territory buses which do not comply with the old (and stricter) manoeuvrability criteria. But also Member states are allowed to restrict locally for safety or other reasons the use of the long buses (see new article 7 of common position). This should largely meet the concern expressed in some amendments rejected in second reading in the Committee on Regional Policy, Transport and Tourism.

## **Conclusion**

The Committee on Regional Policy, Transport and Tourism and the rapporteur propose the plenary to adopt this common position without modifications since it strikes a reasonable balance between internal market, regulation, safety technical and commercial considerations.