

**Amendment 309**

**Claudia Țapardel, Peter Kouroumbashev, Nedzhmi Ali, Filiz Hyusmenova, Ilhan Kyuchyuk, Iskra Mihaylova, Angel Dzhambazki, Andrey Kovatchev, Vladimir Urutchev, Eva Maydell, Asim Ademov, Andrey Novakov, Sergei Stanishev, Deirdre Clune, Momchil Nekov, Svetoslav Hristov Malinov, Emil Radev, Roberts Zīle, Zigmantas Balčytis, Siegfried Mureșan, Kosma Złotowski, Edward Czesak, Bolesław G. Piecha, Anna Elżbieta Fotyga, Tomasz Piotr Poręba, Ryszard Czarnecki, Victor Boștinăru, Emilian Pavel, Maria Grapini, Răzvan Popa, Elżbieta Katarzyna Łukacijewska, Adam Gierek, Maria Gabriela Zoană, Doru-Claudian Frunzuliță, Ioan Mircea Pașcu, Claudiu Ciprian Tănăsescu, Ramona Nicole Mănescu, Andi Cristea, Renate Weber, Marian-Jean Marinescu, Daciana Octavia Sârbu, Dan Nica, Damian Drăghici, István Ujhelyi, Norica Nicolai**

**Report****A8-0204/2018.****Ismail Ertug**

Adapting to development in the road transport sector  
(COM(2017)0281 – C8-0169/2017 – 2017/0123(COD))

**Proposal for a regulation****Recital 2***Text proposed by the Commission*

2. So far, and unless otherwise provided for in national law, the rules on access to the occupation of road transport operator do not apply to undertakings engaged in the occupation of road haulage operator solely by means of motor vehicles with a permissible laden mass not exceeding 3.5 tonnes **or combinations of vehicles not exceeding that limit**. The number of such undertakings **which are active in both national and international transport operations** has been increasing. As a result, several Member States have decided to apply the rules on access to the occupation of road transport operator, provided for in Regulation (EC) No 1071/2009, to those undertakings. To ensure a minimum level of professionalisation of the sector using vehicles with a permissible laden mass **not exceeding** 3.5 tonnes by way of common rules, and thus to approximate competitive conditions between all operators, this

*Amendment*

2. So far, and unless otherwise provided for in national law, the rules on access to the occupation of road transport operator do not apply to undertakings engaged in the occupation of road haulage operator solely by means of motor vehicles with a permissible laden mass, **including that of trailers**, not exceeding 3.5 tonnes. The number of such undertakings has been increasing. As a result, several Member States have decided to apply the rules on access to the occupation of road transport operator, provided for in Regulation (EC) No 1071/2009, to those undertakings. **In order to avoid possible loopholes and to ensure a minimum level of professionalisation of the sector using motor vehicles with a permissible laden mass, including that of trailers, of 2.4 to 3.5 tonnes for international transport by way of common rules, and thus to approximate competitive conditions between all operators, the requirements**

provision *should be deleted, whereas the requirements regarding effective and stable establishment and appropriate financial standing should be rendered mandatory.*

*for engagement in the occupation of road transport operator should apply equally, while avoiding a disproportionate administrative burden. Since this Regulation only applies to undertakings transporting goods for hire or reward, undertakings performing transport operations for own account are not covered by this provision.*

Or. ro

**Amendment 310**

**Claudia Țapardel, Peter Kouroumbashev, Nedzhmi Ali, Filiz Hyusmenova, Ilhan Kyuchyuk, Iskra Mihaylova, Angel Dzhambazki, Andrey Kovatchev, Vladimir Urutchev, Eva Maydell, Asim Ademov, Andrey Novakov, Sergei Stanishev, Deirdre Clune, Momchil Nekov, Svetoslav Hristov Malinov, Emil Radev, Roberts Zīle, Zigmantas Balčytis, Siegfried Mureșan, Kosma Złotowski, Edward Czesak, Bolesław G. Piecha, Anna Elżbieta Fotyga, Tomasz Piotr Poręba, Ryszard Czarnecki, Victor Boștinăru, Emilian Pavel, Maria Grapini, Răzvan Popa, Elżbieta Katarzyna Łukacijewska, Adam Gierek, Maria Gabriela Zoană, Doru-Claudian Frunzuliță, Ioan Mircea Pașcu, Claudiu Ciprian Tănăsescu, Ramona Nicole Mănescu, Andi Cristea, Renate Weber, Marian-Jean Marinescu, Daciana Octavia Sârbu, Dan Nica, Damian Drăghici, István Ujhelyi, Norica Nicolai**

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(COM(2017)0281 – C8-0169/2017 – 2017/0123(COD))

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

*Text proposed by the Commission*

*Amendment*

4. ***It is necessary to ensure that*** road transport operators established in a Member State have a real and continuous presence in that Member State and ***conduct their business*** from there. Therefore, and in light of experience, it is necessary to clarify the provisions regarding the existence of an effective and stable establishment.

4. ***In order to combat the phenomenon of so-called ‘letterbox companies’ and guarantee fair competition and a level playing field in the internal market, clearer establishment criteria, more intensive monitoring and enforcement, and improved cooperation between Member States is necessary.*** Road transport operators established in a Member State ***should*** have a real and continuous presence in that Member State and ***actually conduct their transport business and perform substantial activities*** from there. Therefore, and in light of experience, it is necessary to clarify ***and strengthen*** the provisions regarding the existence of an effective and stable establishment, ***while avoiding a disproportionate administrative burden.***

Or. ro

**Amendment 311**

**Claudia Țapardel, Peter Kouroumbashev, Nedzhmi Ali, Filiz Hyusmenova, Ilhan Kyuchyuk, Iskra Mihaylova, Angel Dzhambazki, Andrey Kovatchev, Vladimir Urutchev, Eva Maydell, Asim Ademov, Andrey Novakov, Sergei Stanishev, Deirdre Clune, Momchil Nekov, Svetoslav Hristov Malinov, Emil Radev, Roberts Zīle, Zigmantas Balčytis, Siegfried Mureșan, Kosma Złotowski, Edward Czesak, Bolesław G. Piecha, Anna Elżbieta Fotyga, Tomasz Piotr Poręba, Ryszard Czarnecki, Victor Boștinăru, Emilian Pavel, Maria Grapini, Răzvan Popa, Elżbieta Katarzyna Łukacijewska, Adam Gierek, Maria Gabriela Zoană, Doru-Claudian Frunzuliță, Ioan Mircea Pașcu, Claudiu Ciprian Tănăsescu, Ramona Nicole Mănescu, Andi Cristea, Renate Weber, Marian-Jean Marinescu, Daciana Octavia Sârbu, Dan Nica, Damian Drăghici, István Ujhelyi, Norica Nicolai**

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**Proposal for a regulation****Recital 10***Text proposed by the Commission**Amendment*

10. Undertakings engaged in the occupation of road haulage operator solely by means of motor vehicles with a permissible laden mass **not exceeding** 3.5 tonnes **or with combinations of vehicles not exceeding that limit** should have a minimum level of financial standing, to ensure that they have the means to carry out operations on a stable and long-lasting basis. However, since the operations **concerned** are generally of a limited size, the corresponding requirements should be less demanding than those applicable to operators using vehicles or combinations of vehicles above that limit.

10. Undertakings engaged in the occupation of road haulage operator solely by means of motor vehicles with a permissible laden mass, **including that of trailers, of between 2.4 and 3.5 tonnes and engaged in international transport operations**, should have a minimum financial standing, to ensure that they have the means to carry out operations on a stable and long-lasting basis. However, since the operations **conducted with these vehicles** are generally of a limited size, the corresponding requirements should be less demanding than those applicable to operators using vehicles or combinations of vehicles above that limit.

Or. ro

**Amendment 312**

**Claudia Țapardel, Peter Kouroumbashev, Nedzhmi Ali, Filiz Hyusmenova, Ilhan Kyuchyuk, Iskra Mihaylova, Angel Dzhambazki, Andrey Kovatchev, Vladimir Urutchev, Eva Maydell, Asim Ademov, Andrey Novakov, Sergei Stanishev, Deirdre Clune, Momchil Nekov, Svetoslav Hristov Malinov, Emil Radev, Roberts Zīle, Zigmantas Balčytis, Siegfried Mureșan, Kosma Złotowski, Edward Czesak, Bolesław G. Piecha, Anna Elżbieta Fotyga, Tomasz Piotr Poręba, Ryszard Czarnecki, Victor Boștinaru, Emilian Pavel, Maria Grapini, Răzvan Popa, Elżbieta Katarzyna Łukacijewska, Adam Gierek, Maria Gabriela Zoană, Doru-Claudian Frunzuliță, Ioan Mircea Pașcu, Claudiu Ciprian Tănăsescu, Ramona Nicole Mănescu, Andi Cristea, Renate Weber, Marian-Jean Marinescu, Daciana Octavia Sârbu, Dan Nica, Damian Drăghici, István Ujhelyi, Norica Nicolai**

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**Proposal for a regulation****Recital 11***Text proposed by the Commission**Amendment*

11. The information about transport operators contained in the national electronic registers should be **as complete as possible** to allow national authorities in charge of enforcing the relevant rules to have a sufficient overview of the operators being investigated. In particular, information regarding the registration number of the vehicles at the disposal of operators, the number of employees they hire, their risk rating **and their basic financial information** should allow a better national and cross-border enforcement of the provisions of Regulations(EC) No 1071/2009 and (EC) No 1072/2009. The rules on the national electronic register should therefore be amended accordingly.

11. The information about transport operators contained in the national electronic registers should be complete **and up-to-date** to allow national authorities in charge of enforcing the relevant rules to have a sufficient overview of the operators being investigated. In particular, information regarding the registration number of the vehicles at the disposal of operators, the number of employees they hire **and** their risk rating should allow a better national and cross-border enforcement of the provisions of Regulations (EC) No 1071/2009 and (EC) No 1072/2009, **as well as other relevant Union legislations. Furthermore, in order to provide enforcement officials, including those performing roadside checks, with a clear and complete overview of the transport operators being checked, they should have direct and real-time access to all relevant information. Therefore, the national electronic**

*registers should be truly interoperable and the data contained therein should be directly and in real-time accessible to all designated enforcement officials of all Member States.* The rules on the national electronic register should therefore be amended accordingly.

Or. ro

**Amendment 313**

**Claudia Țapardel, Peter Kouroumbashev, Nedzhmi Ali, Filiz Hyusmenova, Ilhan Kyuchyuk, Iskra Mihaylova, Angel Dzhambazki, Andrey Kovatchev, Vladimir Urutchev, Eva Maydell, Asim Ademov, Andrey Novakov, Sergei Stanishev, Deirdre Clune, Momchil Nekov, Svetoslav Hristov Malinov, Emil Radev, Roberts Zīle, Zigmantas Balčytis, Siegfried Mureșan, Kosma Złotowski, Edward Czesak, Bolesław G. Piecha, Anna Elżbieta Fotyga, Tomasz Piotr Poręba, Ryszard Czarnecki, Victor Boștinăru, Emilian Pavel, Maria Grapini, Răzvan Popa, Elżbieta Katarzyna Łukacijewska, Adam Gierek, Maria Gabriela Zoană, Doru-Claudian Frunzuliță, Ioan Mircea Pașcu, Claudiu Ciprian Tănăsescu, Ramona Nicole Mănescu, Andi Cristea, Renate Weber, Marian-Jean Marinescu, Daciana Octavia Sârbu, Dan Nica, Damian Drăghici, István Ujhelyi, Norica Nicolai**

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**Proposal for a regulation****Recital 14***Text proposed by the Commission**Amendment*

(14) To this end, and in order to facilitate checks and to eliminate uncertainty, the limitation on the number of cabotage operations subsequent to an international carriage should be abolished, while the number of days available for such operations should be reduced.

(14) ***In order to avoid empty runs, cabotage operations should be allowed in the host Member State.*** To this end, and in order to facilitate checks and to eliminate uncertainty, the limitation on the number of cabotage operations subsequent to an international carriage should be abolished, while the number of days available for such operations should be reduced.

Or. ro

**Amendment 314**

**Claudia Țapardel, Peter Kouroumbashev, Nedzhmi Ali, Filiz Hyusmenova, Ilhan Kyuchyuk, Iskra Mihaylova, Angel Dzhambazki, Andrey Kovatchev, Vladimir Urutchev, Eva Maydell, Asim Ademov, Andrey Novakov, Sergei Stanishev, Deirdre Clune, Momchil Nekov, Svetoslav Hristov Malinov, Emil Radev, Roberts Zīle, Zigmantas Balčytis, Siegfried Mureșan, Kosma Złotowski, Edward Czesak, Bolesław G. Piecha, Anna Elżbieta Fotyga, Tomasz Piotr Poręba, Ryszard Czarnecki, Victor Boștinăru, Emilian Pavel, Maria Grapini, Răzvan Popa, Elżbieta Katarzyna Łukacijewska, Adam Gierek, Maria Gabriela Zoană, Doru-Claudian Frunzuliță, Ioan Mircea Pașcu, Claudiu Ciprian Tănăsescu, Ramona Nicole Mănescu, Andi Cristea, Renate Weber, Marian-Jean Marinescu, Daciana Octavia Sârbu, Dan Nica, Damian Drăghici, István Ujhelyi, Norica Nicolai**

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**Proposal for a regulation****Recital 15***Text proposed by the Commission*

(15) The means by which road transport operators can prove compliance with the rules for cabotage operations should be clarified. The use and transmission of electronic transport information should be recognised as such means, which should simplify the provision of relevant evidence and its treatment by the competent authorities. The format used for that purpose should ensure reliability and authenticity. Considering the *increasing* use of efficient electronic exchange of information in transport and logistics, it is important to ensure coherence in the regulatory frameworks and provisions addressing the simplification of administrative procedures.

*Amendment*

(15) ***Effective and efficient enforcement of the rules is a prerequisite for fair competition in the internal market. Further digitalisation of enforcement tools is essential in order to free up enforcement capacity, reduce unnecessary administrative burdens on international transport operators and in particular SMEs, better target high-risk transport operators and detect fraudulent practices. In order for transport documents to become paperless, the use of electronic documents should in the future become the rule, particularly the electronic consignment note under the Convention on the Contract for the International Carriage of Goods by Road (eCMR).*** The means by which road transport operators can prove compliance with the rules for cabotage operations should be clarified. The use and transmission of electronic transport information should be recognised as such

means, which should simplify the provision of relevant evidence and its treatment by the competent authorities. The format used for that purpose should ensure reliability and authenticity. Considering the *increasingly frequent* use of efficient electronic exchange of information in transport and logistics, it is important to ensure coherence in the regulatory frameworks and provisions addressing the simplification of administrative procedures.

Or. ro

**Amendment 315**

**Claudia Țapardel, Peter Kouroumbashev, Nedzhmi Ali, Filiz Hyusmenova, Ilhan Kyuchyuk, Iskra Mihaylova, Angel Dzhambazki, Andrey Kovatchev, Vladimir Urutchev, Eva Maydell, Asim Ademov, Andrey Novakov, Sergei Stanishev, Deirdre Clune, Momchil Nekov, Svetoslav Hristov Malinov, Emil Radev, Roberts Zīle, Zigmantas Balčytis, Siegfried Mureșan, Kosma Złotowski, Edward Czesak, Bolesław G. Piecha, Anna Elżbieta Fotyga, Tomasz Piotr Poręba, Ryszard Czarnecki, Victor Boștinăru, Emilian Pavel, Maria Grapini, Răzvan Popa, Elżbieta Katarzyna Łukacijewska, Adam Gierek, Maria Gabriela Zoană, Doru-Claudian Frunzuliță, Ioan Mircea Pașcu, Claudiu Ciprian Tănăsescu, Ramona Nicole Mănescu, Andi Cristea, Renate Weber, Marian-Jean Marinescu, Daciana Octavia Sârbu, Dan Nica, Damian Drăghici, István Ujhelyi, Norica Nicolai**

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**Proposal for a regulation****Recital 16***Text proposed by the Commission**Amendment*

16. Transport undertakings are the addressees of the rules on international carriage and are, as such, subject to the consequences of any infringements committed by them. However, in order to prevent abuses by undertakings contracting transport services from road haulage operators, Member States should also provide for sanctions on shippers *and* freight forwarders *in case they knowingly commission transport services which* involve infringements of the provisions of Regulation (EC) No 1072/2009.

16. Transport undertakings are the addressees of the rules on international carriage and are, as such, subject to the consequences of any infringements committed by them. However, in order to prevent abuses by undertakings contracting transport services from road haulage operators, Member States should also provide for sanctions on consignors, shippers, freight forwarders, *contractors and subcontractors where they know that the transport services that they commission* involve infringements of the provisions of Regulation (EC) No 1072/2009. *When undertakings contracting transport services commission those services from transport undertakings with a low risk rating, their liability should be reduced.*

Or. ro