REPORT

on the proposal for a regulation of the European Parliament and of the Council on common rules ensuring basic road freight connectivity with regard to the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the Union

Committee on Transport and Tourism

Rapporteur: Isabella De Monte

(Simplified procedure – Rule 50(2) of the Rules of Procedure)
Symbols for procedures

* Consultation procedure
*** Consent procedure
***** Ordinary legislative procedure (first reading)
*****II Ordinary legislative procedure (second reading)
*****III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

Amendments to a draft act

Amendments by Parliament set out in two columns

Deletions are indicated in bold italics in the left-hand column. Replacements are indicated in bold italics in both columns. New text is indicated in bold italics in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

Amendments by Parliament in the form of a consolidated text

New text is highlighted in bold italics. Deletions are indicated using either the symbol or strikeout. Replacements are indicated by highlighting the new text in bold italics and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.
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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a regulation of the European Parliament and of the Council on common rules ensuring basic road freight connectivity with regard to the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the Union


(Ordinary legislative procedure: first reading)

The European Parliament,

– having regard to the Commission proposal to Parliament and the Council (COM(2018)0895),

– having regard to Article 294(2) and Article 91(1) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C8-0511/2018),

– having regard to Article 294(3) of the Treaty on the Functioning of the European Union,

– having regard to the opinion of the European Economic and Social Committee of …¹,

– having regard to the opinion of the European Committee of the Regions of…²,

– having regard to Rule 59 of its Rules of Procedure,

– having regard to the report of the Committee on Transport and Tourism (A8-0063/2019),

1. Adopts its position at first reading hereinafter set out;

2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;

3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

¹ [OJ C 0, 0.0.0000, p. 0 / Not yet published in the Official Journal]
² [OJ C 0, 0.0.0000, p. 0 / Not yet published in the Official Journal]
Amendment 1
Proposal for regulation
Recital 4

Text proposed by the Commission

(4) In order to prevent ensuing serious disruptions, including in respect of public order, it is therefore necessary to establish a temporary set of measures enabling road haulage operators licensed in the United Kingdom to carry goods by road between the territory of the latter and the remaining twenty-seven Member States. In order to ensure a proper equilibrium between the United Kingdom and the remaining Member States, the rights thus conferred should be conditional upon the conferral of equivalent rights and be subject to certain conditions ensuring fair competition.

Amendment

(4) In order to prevent ensuing serious disruptions, including in respect of public order, it is therefore necessary to establish a temporary set of measures enabling road haulage operators licensed in the United Kingdom to carry goods by road between the territory of the latter and the remaining twenty-seven Member States or from the territory of the United Kingdom to the territory of the United Kingdom transiting one or more Member States. In order to ensure a proper equilibrium between the United Kingdom and the remaining Member States, the rights thus conferred should be conditional upon the conferral of equivalent rights and be subject to certain conditions ensuring fair competition.

Amendment 2
Proposal for a regulation
Article 2 – paragraph 2

Text proposed by the Commission

(2) "bilateral carriage" means:
(a) a laden journey undertaken by a vehicle the point of departure and the point of arrival of which are in the territory of the Union and in the territory of the United Kingdom respectively, with or without transit through one or more Member States or third countries;
(b) an unladen journey in conjunction with the carriage referred to in point (a).

Amendment

(2) "authorised carriage" means:
(a) a laden journey undertaken by a vehicle from the territory of the Union to the territory of the United Kingdom or vice versa, with or without transit through one or more Member States or third countries;
(b) a laden journey undertaken by a vehicle from the territory of the United Kingdom to the territory of the United Kingdom with transit through the territory of the Union;
(ba) an unladen journey in conjunction with the carriage referred to in point (a) and (b);

Amendment 3
Proposal for a regulation
Article 2 – paragraph 5

Text proposed by the Commission

(5) “UK licence” means a licence issued by the United Kingdom for the purposes of international carriage, 

including bilateral carriage

Amendment

(5) “UK licence” means a licence issued by the United Kingdom for the purposes of international carriage, in respect of an authorised carriage

Amendment 4
Proposal for a regulation
Article 3 – title

Text proposed by the Commission

Right to conduct bilateral carriage

Amendment

Right to conduct authorised carriage

Amendment 5
Proposal for a regulation
Article 3 – paragraph 1

Text proposed by the Commission

1. UK road haulage operators may, under the conditions laid down in this Regulation, conduct bilateral carriage

Amendment

1. UK road haulage operators may, under the conditions laid down in this Regulation, conduct authorised carriage.

Amendment 6
Proposal for a regulation
Article 3 – paragraph 2

Text proposed by the Commission

2. Bilateral carriage of the following kinds may be conducted by natural or legal

Amendment

2. Authorised carriage of the following kinds may be conducted by
persons established in the United Kingdom, without a UK licence within the meaning of Article 2(5) being required:

natural or legal persons established in the United Kingdom, without a UK licence within the meaning of Article 2(5) being required:

Amendment 7

Proposal for a regulation
Article 4 – paragraph 1 – introductory part

Text proposed by the Commission
In the course of bilateral carriage in accordance with this Regulation, the following rules shall be complied with:

Amendment
In the course of authorised carriage in accordance with this Regulation, the following rules shall be complied with:

Amendment 8

Proposal for a regulation
Article 5 – paragraph 2

Text proposed by the Commission
2. Where it determines that the rights granted by the United Kingdom to Union road haulage operators are not, de jure or de facto, equivalent to those granted to UK road haulage operators under this Regulation, or that those rights are not equally available to all Union road haulage operators, the Commission may, in order to restore equivalence, by means of delegated acts:

(a) establish limits to the allowable capacity available to UK road haulage operators or to the number of journeys or to both;

(b) suspend the application of this Regulation;

(c) adopt other appropriate measures.

Amendment
2. Where it determines that the rights granted by the United Kingdom to Union road haulage operators are not, de jure or de facto, equivalent to those granted to UK road haulage operators under this Regulation, or that those rights are not equally available to all Union road haulage operators, the Commission may, in order to restore equivalence, by means of delegated acts:

(a) suspend the application of Article 3 (1) and (2) of this Regulation where no equivalent rights are granted to Union road haulage operators or where the rights granted are minimal; or

(b) establish limits to the allowable capacity available to UK road haulage operators or to the number of journeys or to both; or

(c) adopt other appropriate measures such as financial duties or operational restrictions.
Amendment 9

Proposal for a regulation
Article 6 – paragraph 2

Text proposed by the Commission

2. Where it determines that, as a result of any of the situations referred to in paragraph 3, the said conditions are appreciably less favourable than those enjoyed by UK road haulage operators, the Commission may, in order to remedy that situation, by means of delegated acts:

(a) establish limits to the allowable capacity available to UK road haulage operators or to the number of journeys or to both;

(b) suspend the application of this Regulation; or

(c) adopt other appropriate measures.

Amendment

2. Where it determines that, as a result of any of the situations referred to in paragraph 3, the said conditions are appreciably less favourable than those enjoyed by UK road haulage operators, the Commission may, in order to remedy that situation, by means of delegated acts:

(a) suspend the application of Article 3 (1) and (2) of this Regulation where no equivalent rights are granted to Union road haulage operators or where the rights granted are minimal; or

(b) establish limits to the allowable capacity available to UK road haulage operators or to the number of journeys or to both; or

(c) adopt other appropriate measures such as financial duties or operational restrictions.
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