



2023/0311(COD)

13.11.2023

AMENDMENTS

44 - 181

Draft opinion

Rosa Estaràs Ferragut

Establishing the European Disability Card and the European Parking Card for persons with disabilities

Proposal for a directive

(COM(2023)0512 – C9-0328/2023 – 2023/0311(COD))

AM_Com_LegOpinion

Amendment 44

Abir Al-Sahlani, Susana Solís Pérez, Sylvie Brunet, Karen Melchior, Irène Tolleret

Proposal for a directive

Citation 5 a (new)

Text proposed by the Commission

Amendment

Having regard to the Charter of Fundamental Rights of the European Union (the ‘Charter’), in particular Articles 3, 6, 7, 8, 14, 15, 16, 20, 21, 23, 24, 25, 26, 31, 34, 35, 36, 41, 42, 45, and 47 thereof,

Or. en

Amendment 45

Abir Al-Sahlani, Susana Solís Pérez, Sylvie Brunet, Karen Melchior, Irène Tolleret

Proposal for a directive

Citation 5 b (new)

Text proposed by the Commission

Amendment

Having regard to the UN Convention on the Rights of Persons with Disabilities (CRPD), and its entry into force on 21 January 2011 in accordance with Council Decision 2010/48/EC of 26 November 2009 concerning the conclusion, by the European Community, of the United Nations Convention on the Rights of Persons with Disabilities,

Or. en

Amendment 46

Abir Al-Sahlani, Susana Solís Pérez, Sylvie Brunet, Karen Melchior, Irène Tolleret

Proposal for a directive

Citation 5 c (new)

Text proposed by the Commission

Amendment

*Having regard to its resolution of 13
December 2022 entitled ‘Towards equal
rights for persons with disabilities’,*

Or. en

Amendment 47

Abir Al-Sahlani, Susana Solís Pérez, Sylvie Brunet, Karen Melchior, Irène Tolleret

Proposal for a directive

Citation 5 d (new)

Text proposed by the Commission

Amendment

*Having regard to its resolution of 4
October 2023 entitled ‘Harmonising the
rights of persons with disabilities’,*

Or. en

Amendment 48

Monika Vana

on behalf of the Verts/ALE Group

Proposal for a directive

Recital 2 a (new)

Text proposed by the Commission

Amendment

*(2 a) Gender equality is a value of the
Union enshrined in Article 2 TEU and in
Article 8 TFEU it is stated that in all its
activities the Union shall aim to eliminate
inequalities, establishing the principle of
gender mainstreaming and gender
equality;*

Or. en

Amendment 49

Abir Al-Sahlani, Susana Solís Pérez, Sylvie Brunet, Karen Melchior, Irène Tolleret

Proposal for a directive

Recital 4

Text proposed by the Commission

(4) According to the Court of Justice of the European Union, citizenship of the Union is destined to be the fundamental status of nationals of the Member States when exercising the right to move and reside within the territory of the Member States, enabling those who find themselves in the same situation to enjoy, within the scope *ratione materiae* of the TFEU, the same treatment in law irrespective of their nationality, subject to such exceptions as are expressly provided for.

Amendment

(4) According to the Court of Justice of the European Union, citizenship of the Union is destined to be the fundamental status of nationals of the Member States when exercising the right to move and reside within the territory of the Member States, enabling those who find themselves in the same situation to enjoy, within the scope *ratione materiae* of the TFEU, the same treatment in law irrespective of their nationality, subject to such exceptions as are expressly provided for. ***The right to free movement should also apply to third country nationals who have legal residence in the European Union. To this end, the Directive text will be complemented by legal act from the Commission which will bridge the legal gap between EU citizens and legally residing third country nationals in this regard. This can provide for more legal certainty not least for women and girls with a migrant background.***

Or. en

Amendment 50

Abir Al-Sahlan, Susana Solís Pérez, Sylvie Brunet, Karen Melchior, Irène Tolleret

Proposal for a directive

Recital 6

Text proposed by the Commission

(6) The purpose of the UNCRPD is to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect of their inherent dignity, thus ensuring their full and effective participation and inclusion in society on an equal basis with others. The UNCRPD also recognises the importance

Amendment

(6) The purpose of the UNCRPD is to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect of their inherent dignity, thus ensuring their full and effective participation and inclusion in society on an equal basis with others. ***In its article 6, the UNCRPD specifically***

of the need to take appropriate measures to ensure accessibility to persons with disabilities.

recognises that women and girls with disabilities are subject to multiple discrimination and requires State parties to “take measures to ensure the full and equal enjoyment by them of all human rights and fundamental freedoms” and “ensure the full development, advancement and empowerment of women, for the purpose of guaranteeing them the exercise and enjoyment of the human rights”. The UNCRPD also recognises the importance of the need to take appropriate measures to ensure accessibility to persons with disabilities.

Or. en

Amendment 51

Abir Al-Sahlan, Susana Solís Pérez, Sylvie Brunet, Karen Melchior, Irène Tolleret

Proposal for a directive

Recital 6 a (new)

Text proposed by the Commission

Amendment

(6 a) The CRPD Committee in its concluding observations on the initial report of the EU in 2015 adopted specific recommendations to be followed by the EU to ensure the rights of women and girls with disabilities. These recommendations include in particular the mainstreaming of women and girls with disabilities perspective in its forthcoming Gender Equality strategy, policies and programmes and a gender perspective in its Disabilities strategy. The Committee also recommended that the European Union develops actions to advance the rights of women and girls with disabilities by establishing a mechanism to monitor progress and funding data collection and research on women and girls with disabilities.^{39a}

^{39a} *Concluding observations on the initial*

Or. en

Amendment 52
Maria-Manuel Leitão-Marques, Radka Maxová

Proposal for a directive
Recital 6 a (new)

Text proposed by the Commission

Amendment

(6 a) There are approximately 46 million women and girls with disabilities in the EU, comprising about 16% of its total female population and representing 60% of the overall population of persons with disabilities; whereas therefore a gender-sensitive approach has to be applied when establishing a European Disability Card, in order to ensure the full development, advancement and empowerment of women, and girls and their enjoyment of fundamental human rights and freedoms.

Or. en

Amendment 53
Sandra Pereira

Proposal for a directive
Recital 6 a (new)

Text proposed by the Commission

Amendment

(6 a) Article 6 recognises that women and girls with disabilities are subject to multiple discrimination, and State Parties are bound to ensure the full development, advancement and empowerment of women, as well as their full and equal

*enjoyment of human rights and
fundamental freedoms.*

Or. en

Amendment 54

Abir Al-Sahlani, Susana Solís Pérez, Sylvie Brunet, Karen Melchior, Irène Tolleret

Proposal for a directive

Recital 6 b (new)

Text proposed by the Commission

Amendment

(6 b) It is imperative to recognize that the responsibility to uphold human and equal rights for all people lies mainly with state actors. All EU Member States are bound by the UNCRPD by its ratification, however there are significant differences between the countries' implementation.^{39b} There is a need to progress on equality for persons with disabilities in all countries, for example through investments in infrastructure, capacity building and awareness raising campaigns. Here private actors can and should play a role too, as they have a duty to respect human rights and equality.

^{39b} Implementing the UN Convention on the Rights of Persons with Disabilities, https://fra.europa.eu/sites/default/files/fra_uploads/fra-2023-uncrpd-human-rights-indicators_en.pdf

Or. en

Amendment 55

Maria-Manuel Leitão-Marques, Radka Maxová

Proposal for a directive

Recital 6 b (new)

Text proposed by the Commission

Amendment

(6 b) It is necessary to acknowledge that women and girls with disabilities suffer from double discrimination due to the intersection of gender and disability, and may often even be exposed to multiple other forms of discrimination.

Or. en

Amendment 56

Maria-Manuel Leitão-Marques, Radka Maxová

Proposal for a directive

Recital 6 c (new)

Text proposed by the Commission

Amendment

(6 c) It is necessary to acknowledge that women and girls with disabilities are more likely to experience violence and abuse, including sexual abuse, and have heightened vulnerability on account of their sex, age and disability.

Or. en

Amendment 57

Maria-Manuel Leitão-Marques, Radka Maxová

Proposal for a directive

Recital 6 d (new)

Text proposed by the Commission

Amendment

(6 d) Figures clearly show that carers of disabled people are in their vast majority women and that therefore a gender approach has to be applied also when considering the carers side.

Or. en

Amendment 58
Sandra Pereira

Proposal for a directive
Recital 7

Text proposed by the Commission

(7) The European Pillar of Social Rights, proclaimed by the European Parliament, the Council and the European Commission at Gothenburg on 17 November 2017⁴⁰ provides that everyone, inter alia regardless of disability, has the right to equal treatment and opportunities regarding, ***among others***, access to goods and services available to the public (principle 3). In addition, the European Pillar of Social Rights recognises that persons with disabilities have the right to services that enable them to participate in society (principle 17).

⁴⁰ Interinstitutional Proclamation on the European Pillar of Social Rights, OJ C 428, 13.12.2017, p. 10.

Amendment

(7) The European Pillar of Social Rights, proclaimed by the European Parliament, the Council and the European Commission at Gothenburg on 17 November 2017⁴⁰ provides that everyone, inter alia regardless of disability, has the right to equal treatment and opportunities regarding ***employment, social protection, education***, access to goods and services available to the public (principle 3); ***and that equality of treatment and opportunities between women and men must be ensured and fostered in all areas (principle 2)*** In addition, the European Pillar of Social Rights recognises that persons with disabilities have the right to services that enable them to participate in ***the labour market and in society, and a work environment adapted to their needs*** (principle 17). ***(1) The European Pillar of Social Rights also recognises that everyone has the right to timely access to affordable, preventive and curative healthcare of good quality (principle 16).***

⁴⁰ Interinstitutional Proclamation on the European Pillar of Social Rights, OJ C 428, 13.12.2017, p. 10.

Or. en

Amendment 59
Rosa Estaràs Ferragut

Proposal for a directive
Recital 8 a (new)

(8 a) New point (8) CRPD states in Article 18, dedicated to Liberty of movement and nationality, that States Parties shall recognize the rights of persons with disabilities to liberty of movement, to freedom to choose their residence and to a nationality, on an equal basis with others, including by ensuring that persons with disabilities are not deprived, on the basis of disability, of their ability to obtain, possess and utilize documentation of their nationality or other documentation of identification, or to utilize relevant processes such as immigration proceedings, that may be needed to facilitate exercise of the right to liberty of movement.

Or. en

Amendment 60

Abir Al-Sahlani, Susana Solís Pérez, Sylvie Brunet, Karen Melchior, Irène Tolleret

Proposal for a directive

Recital 10

Text proposed by the Commission

Amendment

(10) Due to the lack of recognition of disability status between Member States, persons with disabilities may face specific difficulties when exercising their fundamental rights of free movement.

(10) Due to the lack of recognition of disability status between Member States, persons with disabilities may face specific difficulties when exercising their fundamental rights of free movement. ***They may also be subject to further discrimination or stigmatization when Member States take measures to fight fraud or forgery connected to disability certificates, for example by inadvertently accusing them of crimes or blaming the disabled person when in fact the fraud is being committed by other actors. Therefore, the primary focus must always be the best interest of the disabled person and the impact of measures of persons with disabilities should also be seriously***

taken into account.

Or. en

Amendment 61
Sandra Pereira

Proposal for a directive
Recital 10

Text proposed by the Commission

(10) Due to the lack of recognition of disability status between Member States, persons with disabilities may face specific difficulties when exercising their fundamental rights of free movement.

Amendment

(10) Due to the lack of recognition of disability status between Member States, persons with disabilities may face specific difficulties when exercising their fundamental rights of free movement, *as well as of access to work, education and healthcare.*

Or. en

Amendment 62
Monika Vana
on behalf of the Verts/ALE Group

Proposal for a directive
Recital 10 a (new)

Text proposed by the Commission

Amendment

(10 a) Women with disabilities often face intersectional forms of discrimination which impacts all spheres of their life including their mobility experiences, and thus EU legislation need to integrate an intersectional approach in order to properly address exclusion and discrimination from a comprehensive, systemic and structural perspective;

Or. en

Amendment 63

Monika Vana

on behalf of the Verts/ALE Group

Proposal for a directive

Recital 10 b (new)

Text proposed by the Commission

Amendment

(10 b) The directive should also take into account that women with disabilities are 10 times more likely to experience physical or sexual assault than women without disabilities and therefore information on the access to specialized support services should be made available for those women with disabilities having suffered any form of gender based violence;

Or. en

Amendment 64

Monika Vana

on behalf of the Verts/ALE Group

Proposal for a directive

Recital 11

Text proposed by the Commission

Amendment

(11) Persons with disabilities moving for longer periods to other Member States for employment, study or other purposes, except where otherwise provided by law or agreed among Member States, may have their disability status assessed and formally recognised by the competent authorities in the other Member State and may receive a disability certificate, a disability card or any other formal document recognising their disability status in accordance with applicable rules of that Member State.

(11) Persons with disabilities moving for longer periods to other Member States for employment, study or other purposes, except where otherwise provided by law or agreed among Member States, may have their disability status assessed and formally recognised by the competent authorities in the other Member State and may receive a disability certificate, a disability card or any other formal document recognising their disability status in accordance with applicable rules of that Member State. ***Nevertheless, persons with disabilities staying for a fixed period of time that is longer than the considered short period of time in the context of a***

mobility programme, should not need to have their disability status assessed in the new member state. Those could be mobility projects for VET, school pupils, adult education, youth exchanges, youth workers, youth participation activities, Discover EU Inclusion action, projects for higher education students and staff, partnerships for cooperation.

Or. en

Amendment 65
Sandra Pereira

Proposal for a directive
Recital 11 a (new)

Text proposed by the Commission

Amendment

(11 a) An exemption shall be added to Art. 2.2 to allow for temporary recognition of ones' disability status for the transition phase when moving abroad for work or studies, and while one is undergoing the reassessment procedure to have ones' disability recognized by the new Member State. This exemption shall also apply to participants in EU Mobility Programmes, such as ERASMUS+ for example.

Or. en

Amendment 66
Abir Al-Sahlani, Susana Solís Pérez, Sylvie Brunet, Karen Melchior, Irène Tolleret

Proposal for a directive
Recital 13 a (new)

Text proposed by the Commission

Amendment

(13 a) This impediment on fundamental rights of free movement is exacerbated for women and girls with disabilities who are

confronted with intersectional discrimination in all areas of life such as socio-economic disadvantages, social isolation, increased risk of violence against women, forced sterilisation and abortion, lack of access to community services, low-quality housing, institutionalisation, inadequate healthcare and denial of the opportunity to contribute and engage actively in society. Women and girls with disabilities may also be forbidden by their relatives or people in their vicinity to have relationships and be forced to live in continence. Overall, the situation for women and girls with disabilities is worse than those of men and boys with disabilities, and the difference is particularly true in rural areas where access to services and opportunities in general is much more limited compared to urban areas.

Or. en

Amendment 67

Abir Al-Sahlaní, Susana Solís Pérez, Sylvie Brunet, Karen Melchior, Irène Tolleret

Proposal for a directive

Recital 13 b (new)

Text proposed by the Commission

Amendment

(13 b) Data from the European Institute for Gender Equality shows that in the EU, 20 % of women with disabilities are in full-time employment, comparing to 29% of men with disabilities and 48% of women without disabilities. 22% of women with disabilities are at risk of poverty, comparing to 20% of men with disabilities and 16% of women without disabilities. 17% of women with disabilities graduate tertiary education, comparing to 18% of men with disabilities and 32% of women without disabilities. 11% of women with disabilities have

unmet needs for medical examination, comparing to 10% men with disabilities and 3% women without disabilities.^{47a}

^{47a} *Intersecting inequalities in the European Union in the 2023 Gender Equality Index*
<https://eige.europa.eu/gender-equality-index/2022/domain/intersecting-inequalities/disability/work>

Or. en

Amendment 68
Rosa Estaràs Ferragut

Proposal for a directive
Recital 15

Text proposed by the Commission

(15) Alongside *physical and other* barriers in accessing both public and private spaces, high expenses are a key factor discouraging many persons with disabilities from travel⁴⁸, because they have specific needs and may also require person(s) accompanying or assisting them including those recognised as personal assistant(s) in accordance with national legislation or practices, making their travel costs higher than for persons without disabilities⁴⁹. The lack of recognition of disability status in other Member States might limit their access to special conditions, such as free access or reduced tariffs, or preferential treatment and has an impact on their travel costs, lives and choices.

⁴⁸ Findings from Final Report based on Survey targeted at EU-level CSOs; Shaw

Amendment

(15) Alongside *visible and invisible* barriers in accessing both public and private spaces, high expenses are a key factor discouraging many persons with disabilities from travel⁴⁸, because they have specific needs and may also require person(s) accompanying or assisting them including those recognised as personal assistant(s) in accordance with national legislation or practices, making their travel costs higher than for persons without disabilities⁴⁹. The lack of recognition of disability status in other Member States might limit their access to special conditions, such as free access or reduced tariffs, or preferential treatment and has an impact on their travel costs, lives and choices. *Similarly, lack of knowledge about physical, psychosocial, cognitive and sensory accessibility is a breeding ground for discriminatory behaviour.*

⁴⁸ Findings from Final Report based on Survey targeted at EU-level CSOs; Shaw

and Coles, 'Disability, holiday making and the tourism industry in the UK: a preliminary survey', 25(3) Tourism Management (2004) 397-403; Eugénia Lima Devile and Andreia Antunes Moura (2021), Travel by People With Physical Disabilities: Constraints and Influences in the Decision-Making Process.

⁴⁹ McKercher and Darcy (2018), Re-conceptualizing barriers to travel by people with disabilities, Tourism Management Perspectives, 59-66. [More for Explanatory Memorandum?]

and Coles, 'Disability, holiday making and the tourism industry in the UK: a preliminary survey', 25(3) Tourism Management (2004) 397-403; Eugénia Lima Devile and Andreia Antunes Moura (2021), Travel by People With Physical Disabilities: Constraints and Influences in the Decision-Making Process.

⁴⁹ McKercher and Darcy (2018), Re-conceptualizing barriers to travel by people with disabilities, Tourism Management Perspectives, 59-66. [More for Explanatory Memorandum?]

Or. en

Amendment 69 **Sandra Pereira**

Proposal for a directive **Recital 15**

Text proposed by the Commission

(15) Alongside physical and other barriers in accessing both public and private spaces, high expenses are a key factor discouraging many persons with disabilities from travel⁴⁸, because they have specific needs and may also require person(s) accompanying or assisting them including those recognised as personal assistant(s) in accordance with national legislation or practices, making their travel costs higher than for persons without disabilities⁴⁹. The lack of recognition of disability status in other Member States might limit their access to special conditions, such as free access or reduced tariffs, or preferential treatment and has an impact on their travel costs, lives and choices.

⁴⁸ Findings from Final Report based on Survey targeted at EU-level CSOs; Shaw and Coles, 'Disability, holiday making and

Amendment

(15) Alongside physical and other barriers in accessing both public and private spaces, **and services**, high expenses are a key factor discouraging many persons with disabilities from travel⁴⁸, because they have specific needs and may also require person(s) accompanying or assisting them including those recognised as personal assistant(s) in accordance with national legislation or practices, making their travel costs higher than for persons without disabilities⁴⁹. The lack of recognition of disability status in other Member States might limit their access to special conditions, such as free access or reduced tariffs, or preferential treatment and has an impact on their travel costs, lives and choices.

⁴⁸ Findings from Final Report based on Survey targeted at EU-level CSOs; Shaw and Coles, 'Disability, holiday making and

the tourism industry in the UK: a preliminary survey', 25(3) Tourism Management (2004) 397-403; Eugénia Lima Devile and Andreia Antunes Moura (2021), Travel by People With Physical Disabilities: Constraints and Influences in the Decision-Making Process.

⁴⁹ McKercher and Darcy (2018), Re-conceptualizing barriers to travel by people with disabilities, Tourism Management Perspectives, 59-66. [More for Explanatory Memorandum?]

the tourism industry in the UK: a preliminary survey', 25(3) Tourism Management (2004) 397-403; Eugénia Lima Devile and Andreia Antunes Moura (2021), Travel by People With Physical Disabilities: Constraints and Influences in the Decision-Making Process.

⁴⁹ McKercher and Darcy (2018), Re-conceptualizing barriers to travel by people with disabilities, Tourism Management Perspectives, 59-66. [More for Explanatory Memorandum?]

Or. en

Amendment 70

Jadwiga Wiśniewska, Margarita de la Pisa Carrión

Proposal for a directive

Recital 16

Text proposed by the Commission

(16) Preferential treatment (such as personal assistance, priority access, etc.) offered with or without remuneration may be important for persons with disabilities to be able to access various services, activities or facilities and to *better experience* them. However, due to the lack of recognition, in the Member State they visit or travel to, of their disability status and of formal documents recognising this status issued in other Member States, persons with disabilities may not be able to benefit from the special conditions or preferential treatment offered by private operators or public authorities in that Member State to holders of a disability certificate, disability card or any other formal document recognising their disability status issued there.

Amendment

(16) Preferential treatment (such as personal assistance, priority access, etc.) offered with or without remuneration may be important for persons with disabilities to be able to access various services, activities or facilities and to *fully utilize* them. However, due to the lack of recognition, in the Member State they visit or travel to, of their disability status and of formal documents recognising this status issued in other Member States, persons with disabilities may not be able to benefit from the special conditions or preferential treatment offered by private operators or public authorities in that Member State to holders of a disability certificate, disability card or any other formal document recognising their disability status issued there.

Or. en

Amendment 71

Jadwiga Wiśniewska, Margarita de la Pisa Carrión

Proposal for a directive

Recital 18

Text proposed by the Commission

(18) On the basis of their disability status, persons with disabilities may apply for a parking card to competent authorities in the Member State in which they reside for the issuance of a parking card for person with disabilities which recognises the right to certain parking conditions and facilities reserved for persons with disabilities. Each Member State has in place an application procedure, be it at local, regional or national level, to obtain a parking card for person with disabilities (or person(s) accompanying or assisting them including personal assistant(s)) and criteria which must be fulfilled in order to be eligible.

Amendment

(18) On the basis of their disability status, ***recognised and issued in accordance with national law and practice***, persons with disabilities may apply for a parking card to competent authorities in the Member State in which they reside for the issuance of a parking card for person with disabilities which recognises the right to certain parking conditions and facilities reserved for persons with disabilities. Each Member State has in place an application procedure, be it at local, regional or national level, to obtain a parking card for person with disabilities (or person(s) accompanying or assisting them including personal assistant(s)) and criteria which must be fulfilled in order to be eligible.

Or. en

Amendment 72

Rosa Estaràs Ferragut

Proposal for a directive

Recital 19

Text proposed by the Commission

(19) Council Recommendation 98/376/EC⁵¹ has provided for a European model of a parking card for persons with disabilities, which has facilitated the recognition of the parking card across Member States. However, its implementation and the inclusion of national specific additions or deviations from the recommended model have led to a variety of different cards. This hinders the

Amendment

(19) Council Recommendation 98/376/EC⁵¹ has provided for a European model of a parking card for persons with disabilities, which has facilitated the recognition of the parking card across Member States. However, its implementation and the inclusion of national specific additions or deviations from the recommended model have led to a variety of different cards. This hinders the

cross-border recognition of the cards across Member States, hampering the access of persons with disabilities to parking conditions provided and facilities reserved for persons with disabilities who are holders of a parking card in other Member States. Moreover, the Council Recommendation has not been updated to reflect ongoing technological and digitalisation developments. Member States also experience problems with fraud and forgery of the cards, as the format is usually quite simple and easily forged and in practice different in each Member States, which makes it difficult to verify.

cross-border recognition of the cards across Member States, hampering the access of persons with disabilities to parking conditions provided and facilities reserved for persons with disabilities who are holders of a parking card in other Member States. Moreover, the Council Recommendation has not been updated to reflect ongoing technological and digitalisation developments. Member States also experience problems with fraud and forgery of the cards, as the format is usually quite simple and easily forged and in practice different in each Member States, which makes it difficult to verify. ***Access to services should be instantaneous without requiring a new application in case of moving to another country.***

⁵¹ Council Recommendation of 4 June 1998 on a parking card for people with disabilities (OJ L 167, 12.6.1998, p. 25), as adapted by Council Recommendation of 3 March 2008 by reason of accession of the Republic of Bulgaria, the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, Romania, the Republic of Slovenia and the Slovak Republic OJ L 63/43, 7.3.2008.

⁵¹ Council Recommendation of 4 June 1998 on a parking card for people with disabilities (OJ L 167, 12.6.1998, p. 25), as adapted by Council Recommendation of 3 March 2008 by reason of accession of the Republic of Bulgaria, the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, Romania, the Republic of Slovenia and the Slovak Republic OJ L 63/43, 7.3.2008.

Or. en

Amendment 73

Abir Al-Sahlan, Susana Solís Pérez, Sylvie Brunet, Karen Melchior, Irène Tolleret

Proposal for a directive

Recital 22 a (new)

Text proposed by the Commission

Amendment

(22 a) In order to increase the number of service providers who offer preferential

treatment for persons with disabilities, Member States should support and encourage private operators and public authorities through different information measures that ensure positive nudging. These measures could include for example, listing the service providers who already offer preferential treatment as well as publicizing information about requirements of persons with disabilities concerning communication or management of equipment.

Or. en

Amendment 74

Abir Al-Sahlaní, Susana Solís Pérez, Sylvie Brunet, Karen Melchior, Irène Tolleret

Proposal for a directive

Recital 23

Text proposed by the Commission

(23) Beside parking conditions and facilities, the services, activities and facilities covered by this Directive concern a wide variety of ever-changing activities, including activities provided not for remuneration, by public authorities or private operators, either on a mandatory (on the basis of national/local rules or legal obligations) but often also on a voluntary basis (in particular by private operators) in a variety of policy domains, such as culture, leisure, tourism, sports, public and private transport, education.

Amendment

(23) Beside parking conditions and facilities, the services, activities and facilities covered by this Directive concern ***the provision of accessibility and reasonable accommodation measures for*** a wide variety of ever-changing activities, including activities provided not for remuneration, by public authorities or private operators, either on a mandatory (on the basis of national/local rules or legal obligations) but often also on a voluntary basis (in particular by private operators) in a variety of policy domains, such as culture, leisure, tourism, sports, public and private transport, education.

Or. en

Amendment 75

Jadwiga Wiśniewska, Margarita de la Pisa Carrión

Proposal for a directive

Recital 23

Text proposed by the Commission

(23) Beside parking conditions and facilities, the services, activities and facilities covered by this Directive concern a wide variety of ever-changing activities, including activities provided not for remuneration, by public authorities or private operators, either on a mandatory (on the basis of national/local rules or legal obligations) but often also on a voluntary basis (in particular by private operators) in a variety of policy domains, such as culture, leisure, tourism, sports, public and private transport, **education**.

Amendment

(23) Beside parking conditions and facilities, the services, activities and facilities covered by this Directive concern a wide variety of ever-changing activities, including activities provided not for remuneration, by public authorities or private operators, either on a mandatory (on the basis of national/local rules or legal obligations) but often also on a voluntary basis (in particular by private operators) in a variety of policy domains, such as culture, leisure, tourism, sports, public and private transport.

Or. en

Amendment 76 Sandra Pereira

Proposal for a directive Recital 24

Text proposed by the Commission

(24) Examples of special conditions or preferential treatment include free access, reduced tariffs, reduced fees or user charges for toll roads/bridges/tunnels, priority access, designated seats in parks and other public areas, accessible seating in cultural or public events, personal assistance, assistance animals, assistance on the beach to enter the water, support (such as access to braille, audio guides, sign language interpretation), provisions of aids or assistance, loan of a wheelchair, loan of a floating wheelchair, obtaining tourist information in accessible formats, using a mobility scooter on roads or a wheelchair in bike lanes without a fine, etc. Parking conditions and facilities include extended parking or reserved parking spaces. With respect to passenger transport

Amendment

(24) Examples of special conditions or preferential treatment include, **among others**, free access, reduced tariffs, reduced fees or user charges for toll roads/bridges/tunnels, priority access, designated seats in parks and other public areas, accessible seating in cultural or public events, personal assistance, assistance animals, assistance on the beach to enter the water, support (such as access to braille, audio guides, sign language interpretation), provisions of aids or assistance, loan of a wheelchair, loan of a floating wheelchair, obtaining tourist information in accessible formats, using a mobility scooter on roads or a wheelchair in bike lanes without a fine, etc. Parking conditions and facilities include extended parking or reserved parking spaces. With

services, in addition to the special conditions or preferential treatment offered to persons with disabilities, in accordance with national legislation or practices, assistance animals, personal assistants or other persons accompanying or assisting persons with disabilities (or reduced mobility) may travel free of charge or be seated, where practicable next to the person with disabilities.

respect to passenger transport services, in addition to the special conditions or preferential treatment offered to persons with disabilities, in accordance with national legislation or practices, assistance animals, personal assistants or other persons accompanying or assisting persons with disabilities (or reduced mobility) may travel free of charge or be seated, where practicable next to the person with disabilities.

Or. en

Amendment 77
Sandra Pereira

Proposal for a directive
Recital 24 a (new)

Text proposed by the Commission

Amendment

(24 a) Women and girls with disabilities are at an increased risk of violence and abuse. The special conditions and preferential treatment covered by this directive shall include all measures and services aimed at supporting, protecting and assisting women and girls with disabilities, including access to specialised support, legal assistance and healthcare.

Or. en

Amendment 78
Sandra Pereira

Proposal for a directive
Recital 24 b (new)

Text proposed by the Commission

Amendment

(24 b) With respect to passenger transport services, in addition to the special conditions or preferential

treatment offered to persons with disabilities, in accordance with national legislation or practices, assistance animals, personal assistants or other persons accompanying, assisting or travelling to care for persons with disabilities (or reduced mobility) may travel free of charge or be seated, where practicable next to the person with disabilities. It is imperative to take into account that women bear a disproportionate responsibility for the unpaid and paid care for disabled people, including female family members.

Or. en

Amendment 79

Abir Al-Sahlani, Susana Solís Pérez, Sylvie Brunet, Karen Melchior, Irène Tolleret

Proposal for a directive

Recital 25

Text proposed by the Commission

(25) The issuance of the European Disability Card and the European Parking Card for persons with disabilities in a Member State is to be determined by this Directive together with that Member State's applicable procedures and competences for the assessment and recognition of disability status and parking rights for persons with disabilities.

Amendment

(25) The issuance of the European Disability Card and the European Parking Card for persons with disabilities in a Member State is to be determined by this Directive together with that Member State's applicable procedures and competences for the assessment and recognition of disability status and parking rights for persons with disabilities.
Experience shows that even when presenting a European Disability Card or similar proof of disability, the person is not always offered the most accurate support for their disability due to inter alia misunderstandings or miscommunication. Member States should therefore provide the option to persons with disabilities when applying for the card to the relevant authorities, to display their requirements through disability access symbols. This could be done directly on the card or digitally

through a QR code and can thus facilitate the communication of their condition and/or requirements.

Or. en

Amendment 80

Monika Vana

on behalf of the Verts/ALE Group

Proposal for a directive

Recital 28

Text proposed by the Commission

(28) The Member State responsible for issuing the European Disability Card or the European Parking Card for persons with disabilities should be the one where the person habitually resides within the meaning of Regulations (EC) Nos 883/2004 of the European Parliament and of the Council⁵⁴ and (EC) No 987/2009 of the European Parliament and of the Council⁵⁵ and received the assessment of their disability status. Holders of a European Disability Card or European Parking Card for persons with disabilities should be able to use the cards during their stay in any other Member State.

⁵⁴ Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems (OJ L 166, 30.4.2004, p. 1)

⁵⁵ Regulation (EC) No 987/2009 of the European Parliament and of the Council of 16 September 2009 laying down the

Amendment

(28) The Member State responsible for issuing the European Disability Card or the European Parking Card for persons with disabilities should be the one where the person habitually resides within the meaning of Regulations (EC) Nos 883/2004 of the European Parliament and of the Council⁵⁴ and (EC) No 987/2009 of the European Parliament and of the Council⁵⁵ and received the assessment of their disability status. Holders of a European Disability Card or European Parking Card for persons with disabilities should be able to use the cards during their stay in any other Member State. ***The EU Member States shall guarantee, that the access to the services to get such a cards are inclusive and accessible for people with disabilities – for example the format of respective websites or digital services of EU Member States as well as physical offices.***

⁵⁴ Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems (OJ L 166, 30.4.2004, p. 1)

⁵⁵ Regulation (EC) No 987/2009 of the European Parliament and of the Council of 16 September 2009 laying down the

procedure for implementing Regulation (EC) No 883/2004 on the coordination of social security systems (OJ L 284, 30.10.2009, p. 1).

procedure for implementing Regulation (EC) No 883/2004 on the coordination of social security systems (OJ L 284, 30.10.2009, p. 1).

Or. en

Amendment 81
Sandra Pereira

Proposal for a directive
Recital 29 a (new)

Text proposed by the Commission

Amendment

(29 a) In order to strengthen the proposal on the Parking Card and to make some concrete improvements for persons with disabilities, a new database shall be set up to inform persons with disabilities of the different parking rights and rules concerning disabled parking spaces in the different Member States and its regions, cities, and municipalities.

Or. en

Amendment 82
Abir Al-Sahlan, Susana Solís Pérez, Sylvie Brunet, Karen Melchior, Irène Tolleret

Proposal for a directive
Recital 31

Text proposed by the Commission

Amendment

(31) In order to raise awareness and facilitate access to ***special*** conditions ***or preferential treatment***, while travelling to or visiting another Member State, all relevant information with respect to the conditions, rules, practices, and procedures applicable to obtain the European Disability Card and/or the European Parking Card for persons with disabilities and its subsequent use should be made

(31) In order to raise awareness and facilitate access to ***specific*** conditions ***and/or tailored support***, while travelling to or visiting another Member State, all relevant information with respect to the conditions, rules, practices, and procedures applicable to obtain the European Disability Card and/or the European Parking Card for persons with disabilities and its subsequent use should be made

publicly available in a clear, comprehensive, user-friendly manner and accessible formats for persons with disabilities respecting the relevant accessibility requirements for services established in Annex I to Directive (EU) 2019/882. Private operators or public authorities granting special conditions or preferential treatment to persons with disabilities should make such information publicly available in a clear, comprehensive, user-friendly manner and accessible formats, for persons with disabilities respecting the relevant accessibility requirements for services established in Annex I to Directive (EU) 2019/882.

publicly available in a clear, comprehensive, user-friendly manner and accessible formats for persons with disabilities ***including in national sign languages, augmentative and alternative communication (AAC) as well as easy to read format*** respecting the relevant accessibility requirements for services established in Annex I to Directive (EU) 2019/882. Private operators or public authorities granting special conditions or preferential treatment to persons with disabilities should make such information publicly available in a clear, comprehensive, user-friendly manner and accessible formats, for persons with disabilities respecting the relevant accessibility requirements for services established in Annex I to Directive (EU) 2019/882.

Or. en

Amendment 83

Monika Vana

on behalf of the Verts/ALE Group

Proposal for a directive

Recital 31

Text proposed by the Commission

(31) In order to raise awareness and facilitate access to special conditions or preferential treatment, while travelling to or visiting another Member State, all relevant information with respect to the conditions, rules, practices, and procedures applicable to obtain the European Disability Card and/or the European Parking Card for persons with disabilities and its subsequent use should be made publicly available in a clear, comprehensive, user-friendly manner and accessible formats for persons with disabilities respecting the relevant accessibility requirements for services

Amendment

(31) In order to raise awareness and facilitate access to special conditions or preferential treatment, while travelling to or visiting another Member State, all relevant information with respect to the conditions, rules, practices, and procedures applicable to obtain the European Disability Card and/or the European Parking Card for persons with disabilities and its subsequent use should be made publicly available ***on an EU digital Portal*** in a clear, comprehensive, user-friendly manner and accessible formats for persons with disabilities respecting the relevant accessibility requirements for services

established in Annex I to Directive (EU) 2019/882. Private operators or public authorities granting special conditions or preferential treatment to persons with disabilities should make such information publicly available in a clear, comprehensive, user-friendly manner and accessible formats, for persons with disabilities respecting the relevant accessibility requirements for services established in Annex I to Directive (EU) 2019/882.

established in Annex I to Directive (EU) 2019/882 ***including by making all information available in the national sign langue(s)*** . Private operators or public authorities granting special conditions or preferential treatment to persons with disabilities should make such information publicly available in a clear, comprehensive, user-friendly manner and accessible formats, for persons with disabilities respecting the relevant accessibility requirements for services established in Annex I to Directive (EU) 2019/882.

Or. en

Amendment 84

Jadwiga Wiśniewska, Margarita de la Pisa Carrión

Proposal for a directive

Recital 36

Text proposed by the Commission

(36) Member States should take appropriate measures and provide for effective, proportionate and dissuasive penalties in the event of breaches or failure to comply with the obligations laid down in this Directive and that relates to the rights which are within its scope. Such penalties can include administrative and financial sanctions, such as fines or the payment of compensation, as well as other types of penalties.

Amendment

(36) Member States should take appropriate measures and provide for effective, proportionate and dissuasive penalties in the event of breaches or failure to comply with the obligations laid down in this Directive and that relates to the rights which are within its scope. Such penalties can include administrative and financial sanctions, such as fines or the payment of compensation, as well as other types of penalties ***in line with national law***.

Or. en

Amendment 85

Monika Vana

on behalf of the Verts/ALE Group

Proposal for a directive

Recital 38 a (new)

Text proposed by the Commission

Amendment

(38 a) The European Commission and EU Member States shall ensure that gender disaggregated data is collected to elaborate a gender impact assessment of the Directive and guarantee a gender-mainstreamed revision of this Directive in the future.

Or. en

Amendment 86

Monika Vana

on behalf of the Verts/ALE Group

Proposal for a directive

Recital 38 b (new)

Text proposed by the Commission

Amendment

(38 b) Member States shall take appropriate action with reference to make the services fully accessible to persons with functional illiteracy, where women are proportionally higher affected.

Or. en

Amendment 87

Rosa Estaràs Ferragut

Proposal for a directive

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

Text proposed by the Commission

Amendment

(a a) (a) The conditions necessary to promote equality for persons with disabilities and to contribute to their free movement within the EU, without obstacles to free movement and with the individual supports that each person needs, projecting the EU's basic

foundation, free mobility, to all persons with disabilities, who so far face severe disadvantages in this domain.

Or. en

Amendment 88
Sandra Pereira

Proposal for a directive
Article 2 – paragraph 1 – introductory part

Text proposed by the Commission

1. This Directive shall apply to parking conditions and facilities and to all situations where special conditions or preferential treatment are offered by private operators or public authorities to persons with disabilities as regards access to the following services, activities and facilities:

Amendment

1. This Directive shall apply to parking conditions and facilities and to all situations where special conditions or preferential treatment are offered by private operators or public authorities to persons with disabilities ***and where provided, for person(s) accompanying or assisting them including their personal assistant(s),*** as regards access to the following services, activities and facilities:

Or. en

Amendment 89
Abir Al-Sahlan, Susana Solís Pérez, Sylvie Brunet, Karen Melchior, Irène Tolleret

Proposal for a directive
Article 2 – paragraph 1 – introductory part

Text proposed by the Commission

1. This Directive shall apply to parking conditions and facilities and to all situations where ***special*** conditions ***or preferential treatment*** are offered by private operators or public authorities to persons with disabilities as regards access to the following services, activities and facilities:

Amendment

1. This Directive shall apply to parking conditions and facilities and to all situations where ***specific*** conditions ***and/or tailored support*** are offered by private operators or public authorities to persons with disabilities as regards access to the following services, activities and facilities:

Or. en

Amendment 90
Sandra Pereira

Proposal for a directive
Article 2 – paragraph 1 – indent 1 a (new)

Text proposed by the Commission

Amendment

- **- public services, including education and healthcare;**

Or. en

Amendment 91
Sandra Pereira

Proposal for a directive
Article 2 – paragraph 1 – indent 1 b (new)

Text proposed by the Commission

Amendment

- **- specialised assistance and support to women and girls with disabilities victims of violence;**

Or. en

Amendment 92
Rosa Estaràs Ferragut

Proposal for a directive
Article 2 – paragraph 1 – indent 3 a (new)

Text proposed by the Commission

Amendment

- **(-)— Protection services in humanitarian emergencies and risk situations.**

Or. en

Amendment 93
Rosa Estaràs Ferragut

Proposal for a directive
Article 2 – paragraph 1 – indent 3 b (new)

Text proposed by the Commission

Amendment

– (-) — *Justice services, including free legal aid.*

Or. en

Amendment 94
Rosa Estaràs Ferragut

Proposal for a directive
Article 2 – paragraph 1 – indent 3 c (new)

Text proposed by the Commission

Amendment

– (-) — *Recognition of the disability vis-à-vis institutions, authorities and policies promoted by all European Union bodies, in particular in EU mobility programmes (such as ERASMUS+ and other similar programmes). In the case of EU mobility programmes, the duration shall be extended to at least one school year.*

Or. en

Amendment 95
Abir Al-Sahlani, Susana Solís Pérez, Sylvie Brunet, Karen Melchior

Proposal for a directive
Article 2 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1 a. For the purpose of paragraph 1, it shall always remain voluntary for the persons with disabilities to use the Disability Card for the listed services and

conditions. Under no circumstances shall private or public actors require the EU Disability Card over existing national certificates.

Or. en

Amendment 96

Monika Vana

on behalf of the Verts/ALE Group

Proposal for a directive

Article 2 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1 a. This Directive shall apply to all persons with disabilities participating in a mobility program within the EU that has a fixed period of time. In that case, the use of the Disability Card and the Parking Card shall be extended for the duration of the programme

Or. en

Amendment 97

Sandra Pereira

Proposal for a directive

Article 2 – paragraph 2 – point c a (new)

Text proposed by the Commission

Amendment

(c a) 3. Exceptions to paragraph 2 shall be made by Member States to ensure equal treatment and opportunities between national and other Europeans with disabilities:

a) when a European Disability Card holder moves to the Member State with to a work contract or enrolment in an education institution until their disability is re-assessed in the national system,

or b) when a European Disability Card holder participates in an EU Mobility Programme.

Or. en

Amendment 98
Rosa Estaràs Ferragut

Proposal for a directive
Article 2 – paragraph 2 – subparagraph 1 (new)

Text proposed by the Commission

Amendment

The provisions of this paragraph do not apply in cases where people with disabilities move to work or study in another EU country. In this case, the Directive will ensure temporary access to the personal and financial benefits and assistive devices necessary for personal autonomy while the disability is reassessed in the new country of residence.

Or. en

Amendment 99
Rosa Estaràs Ferragut

Proposal for a directive
Article 2 – paragraph 4

Text proposed by the Commission

Amendment

4. This Directive does not impinge on national competences to grant or require to grant special benefits or specific, preferential conditions, such as free access, reduced tariffs, or preferential treatment for persons with disabilities and, where provided, for person(s) accompanying or assisting them including their personal assistant(s).

4. This Directive does not impinge on national competences to grant or require to grant special benefits or specific, preferential conditions, such as free access, reduced tariffs, or preferential treatment for persons with disabilities and, where provided, for person(s) accompanying or assisting them including their personal assistant(s) ***and guide dogs and assistance dogs.***

Amendment 100
Rosa Estaràs Ferragut

Proposal for a directive
Article 2 – paragraph 5

Text proposed by the Commission

5. This Directive shall be without prejudice to the rights that persons with disabilities or person(s) accompanying or assisting them, including their personal assistant(s), may derive from other provisions of Union law or national law implementing Union law, including those granting specific benefits, special conditions, or preferential treatment.

Amendment

5. This Directive shall be without prejudice to the rights that persons with disabilities or person(s) accompanying or assisting them, including their personal assistant(s) **and guide dogs and assistance dogs**, may derive from other provisions of Union law or national law implementing Union law, including those granting specific benefits, special conditions, or preferential treatment.

Amendment 101
Rosa Estaràs Ferragut

Proposal for a directive
Article 3 – paragraph 1 – point a a (new)

Text proposed by the Commission

Amendment

(a a) New point (a) Discrimination on the basis of disability" means any distinction, exclusion or restriction on the basis of disability which has the purpose or effect of impairing or nullifying the recognition, enjoyment or exercise, on an equal basis, of all human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field. It includes all forms of discrimination, including denial of reasonable accommodation.

Amendment 102

Jadwiga Wiśniewska, Margarita de la Pisa Carrión

Proposal for a directive

Article 3 – paragraph 1 – point c

Text proposed by the Commission

(c) “persons with disabilities” means persons who have long-term physical, mental, intellectual or sensory impairments ***which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others;***

Amendment

(c) “persons with disabilities” means persons who have long-term physical, mental, intellectual or sensory impairments ***with disability status recognised and issued in accordance with national law and practice;***

Or. en

Amendment 103

Rosa Estaràs Ferragut

Proposal for a directive

Article 3 – paragraph 1 – point d

Text proposed by the Commission

(d) “personal assistant” is a person accompanying or assisting persons with disabilities who is recognised in accordance with the national legislation or practices as such;

Amendment

(d) “personal assistant” is a person accompanying or assisting persons with disabilities who is recognised in accordance with the national legislation or practices as such; ***this person performs or assists in the daily living tasks of another person who is unable or in need of such assistance. Its aim is to promote independent living, foster personal autonomy and facilitate community living. The relationship between the two is contractual in nature and shall present a profile appropriate to the multiple tasks to be performed.***

Or. en

Amendment 104
Sandra Pereira

Proposal for a directive
Article 3 – paragraph 1 – point d

Text proposed by the Commission

(d) “personal assistant” is a person accompanying or assisting persons with disabilities who is recognised in accordance with the national legislation or practices as such;

Amendment

(d) “personal assistant” is a person accompanying or assisting persons with disabilities who is recognised in accordance with the national legislation or practices as such, ***including informal caregivers such as family members***;

Or. en

Amendment 105
Rosa Estaràs Ferragut

Proposal for a directive
Article 3 – paragraph 1 – point e

Text proposed by the Commission

(e) “special conditions or preferential treatment” means specific conditions, including those related to financial conditions, or differentiated treatment related to assistance and support such as free access, reduced tariffs, priority access, offered to persons with disabilities and/or, when applicable, to person(s) accompanying or assisting them including personal assistant(s) or assistance ***animals*** recognised in accordance with the national legislation or practices as such, irrespective whether provided on a voluntary basis or imposed by legal obligations;

Amendment

(e) “special conditions or preferential treatment” means specific conditions, including those related to financial conditions, or differentiated treatment related to assistance and support such as free access, reduced tariffs, priority access, offered to persons with disabilities and/or, when applicable, to person(s) accompanying or assisting them including personal assistant(s) or assistance ***dogs or guide dogs*** recognised in accordance with the national legislation or practices as such, irrespective whether provided on a voluntary basis or imposed by legal obligations;

Or. en

Amendment 106
Abir Al-Sahlani, Susana Solís Pérez, Sylvie Brunet, Karen Melchior, Irène Tolleret

Proposal for a directive
Article 3 – paragraph 1 – point f a (new)

Text proposed by the Commission

Amendment

(f a) “reasonable accommodation” means necessary and appropriate modification and adjustments not imposing a disproportionate or undue burden, where needed in a particular case, to ensure to persons with disabilities the enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms;

Or. en

Amendment 107
Monika Vana
on behalf of the Verts/ALE Group

Proposal for a directive
Article 3 – paragraph 1 – point f a (new)

Text proposed by the Commission

Amendment

(f a) "EU mobility programme" means any programme that has a fixed period of time, and that is temporary, that takes place in another Member State that the state or residence, in the field of education, training, or for work related purposes.

Or. en

Amendment 108
Sandra Pereira

Proposal for a directive
Article 4 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) *Union* citizens *and* family members *of* Union *citizens* whose disability status is recognised by the competent authorities in the Member State of their residence by means of a certificate, a card or any other formal document issued in accordance with national competences, practices, and procedures, as well as, when applicable, to person(s) accompanying or assisting them including personal assistant(s),

(a) Citizens *of the Member-States of the European Union, their* family members *as well as third country nationals that have permanent residence status in a Member State of the European Union* whose disability status is recognised by the competent authorities in the Member State of their residence by means of a certificate, a card or any other formal document issued in accordance with national competences, practices, and procedures, as well as, when applicable, to person(s) accompanying or assisting them including personal assistant(s),

Or. en

Amendment 109

Abir Al-Sahlani, Susana Solís Pérez, Sylvie Brunet, Karen Melchior, Irène Tolleret

Proposal for a directive

Article 4 – paragraph 1 – point a

Text proposed by the Commission

(a) Union citizens and family members of Union citizens whose disability status is recognised by the competent authorities in the Member State of their residence by means of a certificate, a card or any other formal document issued in accordance with national competences, practices, and procedures, as well as, when applicable, to person(s) accompanying or assisting them including personal assistant(s),

Amendment

(a) Union citizens and family members of Union citizens *as well as third country nationals that have permanent residence status in a Member State of the European Union* whose disability status is recognised by the competent authorities in the Member State of their residence by means of a certificate, a card or any other formal document issued in accordance with national competences, practices, and procedures, as well as, when applicable, to person(s) accompanying or assisting them including personal assistant(s),

Or. en

Amendment 110

Rosa Estaràs Ferragut

Proposal for a directive

Article 4 – paragraph 1 – point a

Text proposed by the Commission

(a) Union citizens and family members of Union citizens whose disability status is recognised by the competent authorities in the Member State of their residence by means of a certificate, a card or any other formal document issued in accordance with national competences, practices, and procedures, as well as, when applicable, to person(s) accompanying or assisting them including personal assistant(s),

Amendment

(a) Union citizens and family members of Union citizens whose disability status is recognised by the competent authorities in the Member State of their residence by means of a certificate, a card or any other formal document issued in accordance with national competences, practices, and procedures, as well as, when applicable, to person(s) accompanying or assisting them including personal assistant(s), ***as well as guide and assistance dogs,***

Or. en

Amendment 111

Sandra Pereira

Proposal for a directive

Article 4 – paragraph 1 – point b

Text proposed by the Commission

(b) ***Union*** citizens ***and*** family members ***of*** Union ***citizens*** whose rights to parking conditions and facilities reserved for persons with disabilities are recognised in their Member State of residence by way of a parking card or another document issued in accordance with national competences, practices, and procedures as well as, when applicable, to person(s) accompanying or assisting them including personal assistant(s).

Amendment

(b) Citizens ***of the Member-States of the European Union, their*** family members ***as well as third country nationals that have permanent residence status in a Member State of the European*** Union whose rights to parking conditions and facilities reserved for persons with disabilities are recognised in their Member State of residence by way of a parking card or another document issued in accordance with national competences, practices, and procedures as well as, when applicable, to person(s) accompanying or assisting them including personal assistant(s).

Or. en

Amendment 112

Abir Al-Sahlani, Susana Solís Pérez, Sylvie Brunet, Karen Melchior, Irène Tolleret

Proposal for a directive

Article 4 – paragraph 1 – point b

Text proposed by the Commission

(b) Union citizens and family members of Union citizens whose rights to parking conditions and facilities reserved for persons with disabilities are recognised in their Member State of residence by way of a parking card or another document issued in accordance with national competences, practices, and procedures as well as, when applicable, to person(s) accompanying or assisting them including personal assistant(s).

Amendment

(b) Union citizens and family members of Union citizens ***as well as third country nationals that have permanent residence status in a Member State of the European Union*** whose rights to parking conditions and facilities reserved for persons with disabilities are recognised in their Member State of residence by way of a parking card or another document issued in accordance with national competences, practices, and procedures as well as, when applicable, to person(s) accompanying or assisting them including personal assistant(s).

Or. en

Amendment 113

Rosa Estaràs Ferragut

Proposal for a directive

Article 4 – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(b a) New point (c) Any person with a factual disability, according to the meaning stated in Article 1 of the CRPD, when they reside and are displaced in an EU State other than their own, even if they do not have a disability status recognised by their Member State of residence

Or. en

Amendment 114

Rosa Estaràs Ferragut

Proposal for a directive

Article 4 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

New point (d) Persons with disabilities in a situation of international protection in an EU member state.

Or. en

Amendment 115

Rosa Estaràs Ferragut

Proposal for a directive

Article 4 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

New point (e) Citizens of the Union who have a medical certificate of diagnosis of autism spectrum disorder issued or validated by the health services supported by public funds.

Or. en

Amendment 116

Rosa Estaràs Ferragut

Proposal for a directive

Article 5 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1 a. New point (1) Member States shall take all necessary measures to recognise all persons with disabilities who are holders of a European Disability Card as being specially protected against discrimination on the grounds of disability, with the consequent right of access throughout the EU to the remedies and mechanisms provided against breaches of rights and lack of effective equal treatment.

Amendment 117
Rosa Estaràs Ferragut

Proposal for a directive
Article 5 – paragraph 3 – point a

Text proposed by the Commission

(a) when special conditions or preferential treatment referred to in paragraph 1 of this Article include favourable conditions for person(s) accompanying or assisting them including personal assistant(s) or specific conditions for assistance animals, these favourable or specific conditions are granted on equal terms and conditions to the person(s) accompanying or assisting them, including personal assistant(s) or assistance **animals** of the holder of a European Disability Card;

Amendment

(a) when special conditions or preferential treatment referred to in paragraph 1 of this Article include favourable conditions for person(s) accompanying or assisting them including personal assistant(s) or specific conditions for assistance animals, these favourable or specific conditions are granted on equal terms and conditions to the person(s) accompanying or assisting them, including personal assistant(s) or **guide and assistance dogs** of the holder of a European Disability Card;

Amendment 118
Jadwiga Wiśniewska, Margarita de la Pisa Carrión

Proposal for a directive
Article 5 – paragraph 3 – point b

Text proposed by the Commission

(b) when parking conditions and facilities referred to in paragraph 2 of this Article include favourable conditions for person(s) accompanying or assisting them including personal assistant(s), these favourable conditions are granted on equal terms and conditions to the person(s) accompanying or assisting them, including personal assistant(s) of the holder of the European Parking Card for persons with disabilities.

Amendment

(b) when parking conditions and facilities referred to in paragraph 2 of this Article include favourable conditions for person(s) accompanying or assisting them including personal assistant(s), these favourable conditions are granted on equal terms and conditions to the person(s) accompanying or assisting them, including personal assistant(s) of the holder of the European Parking Card for persons with disabilities, **as long as the Card holder**

benefits from use of the vehicle.

Or. en

Amendment 119

Rosa Estaràs Ferragut

Proposal for a directive

Article 5 – paragraph 3 – point b

Text proposed by the Commission

(b) when parking conditions and facilities referred to in paragraph 2 of this Article include favourable conditions for person(s) accompanying or assisting them including personal assistant(s), these favourable conditions are granted on equal terms and conditions to the person(s) accompanying or assisting them, including personal assistant(s) of the holder of the European Parking Card for persons with disabilities.

Amendment

(b) when parking conditions and facilities referred to in paragraph 2 of this Article include favourable conditions for person(s) accompanying or assisting them including personal assistant(s), these favourable conditions are granted on equal terms and conditions to the person(s) accompanying or assisting them, including personal assistant(s) of the holder of the European Parking Card for persons with disabilities, ***provided that the card holder is in the vehicle.***

Or. en

Amendment 120

Rosa Estaràs Ferragut

Proposal for a directive

Article 5 a (new)

Text proposed by the Commission

Amendment

Article 5a

New point (4) Service providers shall comply with the following obligations and measures: (a) Service providers are obliged to recognise holders of the European Disability Card as persons who are specially protected against discrimination on the grounds of disability by guaranteeing them the right of access throughout the EU to the

remedies and mechanisms available to them against infringements of their rights. (b) Service providers shall ensure that they provide services in accordance with the accessibility requirements set out in this Directive. (c) Service providers shall produce the necessary information in accordance with Annex I and explain how their services comply with the applicable accessibility requirements. The information shall be made available to the public in a form that is universally accessible to all persons with disabilities. (d) In the event of non-compliance, service providers shall take the necessary corrective measures to bring the service into compliance with the applicable universal accessibility requirements.

Or. en

Amendment 121

Abir Al-Sahlan, Susana Solís Pérez, Sylvie Brunet, Karen Melchior, Irène Tolleret

Proposal for a directive

Article 6 – paragraph 1

Text proposed by the Commission

1. Each Member State shall introduce the European Disability Card following the common standardised format set out in Annex I. Member States shall introduce digital features in physical cards using electronic means addressing fraud-prevention as part of the European Disability Card, as soon as the requirements concerning the digital features referred to in Annex I, are laid down by the Commission in the technical specifications referred to in Article 8. The digital storage medium shall not contain more personal data than the data provided for the European Disability Card in Annex I.

Amendment

1. Each Member State shall introduce the European Disability Card following the common standardised format set out in Annex I. Member States shall introduce digital features in physical cards using electronic means addressing fraud-prevention as part of the European Disability Card, as soon as the requirements concerning the digital features referred to in Annex I, are laid down by the Commission in the technical specifications referred to in Article 8. The digital storage medium shall not contain more personal data than the data provided for the European Disability Card in Annex I. ***Member States shall provide the option to persons with disabilities when applying for the card to the relevant authorities, to***

display their requirements through disability access symbols directly on the card or digitally through a QR code.

Or. en

Amendment 122

Rosa Estaràs Ferragut

Proposal for a directive

Article 6 – paragraph 2

Text proposed by the Commission

2. European Disability Cards issued by Member States shall be mutually recognised in all Member States.

Amendment

2. European Disability Cards issued by Member States shall be mutually recognised in all Member States *and before the UE institutions. The European Disability Card will be compatible with any national disability recognition card or certificate.*

Or. en

Amendment 123

Monika Vana

on behalf of the Verts/ALE Group

Proposal for a directive

Article 6 – paragraph 3

Text proposed by the Commission

3. Competent authorities in the Member States shall issue, renew or withdraw the European Disability Card in accordance with their national rules, procedures and practices. Without prejudice to Regulation (EU) 2016/679, Member States shall ensure the security, integrity, authenticity and confidentiality of the data collected and stored for the purpose of this Directive. The competent authority responsible for issuing the European Disability Card shall be

Amendment

3. Competent authorities in the Member States shall issue, renew or withdraw the European Disability Card in accordance with their national rules, procedures and practices. *Such procedures shall be free of charge for the card holder.* Without prejudice to Regulation (EU) 2016/679, Member States shall ensure the security, integrity, authenticity and confidentiality of the data collected and stored for the purpose of this Directive. The competent authority responsible for

considered as the controller referred to in Article 4(7) of Regulation (EU) 2016/679 and shall have responsibility for the processing of personal data. Cooperation with external service providers shall not exclude any liability on the part of a Member State which may arise under Union or national law in respect of breaches of obligations with regard to personal data.

issuing the European Disability Card shall be considered as the controller referred to in Article 4(7) of Regulation (EU) 2016/679 and shall have responsibility for the processing of personal data. Cooperation with external service providers shall not exclude any liability on the part of a Member State which may arise under Union or national law in respect of breaches of obligations with regard to personal data.

Or. en

Amendment 124
Sandra Pereira

Proposal for a directive
Article 6 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3 a. Member States shall ensure that the European Disability Card is equally accessible to people with disabilities regardless of their sex, socioeconomic background and migration status, among others.

Or. en

Amendment 125
Sandra Pereira

Proposal for a directive
Article 6 – paragraph 3 b (new)

Text proposed by the Commission

Amendment

3 b. The European Disability Card and its renewals shall be issued free of charge;

Or. en

Amendment 126
Sandra Pereira

Proposal for a directive
Article 6 – paragraph 4

Text proposed by the Commission

4. The European Disability Card shall be issued or renewed by the Member State of residence directly or upon application by the person with disabilities. It shall be issued and renewed within the same period set in the applicable national legislation for issuing disability certificates, disability cards or any other formal document recognising the disability status of a person with disabilities.

Amendment

4. The European Disability Card shall be issued or renewed by the Member State of residence directly ***if such is the procedure according to the national disability recognition***, or upon application by the person with disabilities. It shall be issued and renewed ***free of charge for the beneficiary and*** within the same period set in the applicable national legislation for issuing disability certificates, disability cards or any other formal document recognising the disability status of a person with disabilities. ***The card shall never be required as a proof of disability in the context of rights established in other Union legislation.***

Or. en

Amendment 127
Abir Al-Sahlani, Susana Solís Pérez, Sylvie Brunet, Karen Melchior, Irène Tolleret

Proposal for a directive
Article 6 – paragraph 4

Text proposed by the Commission

4. The European Disability Card shall be issued or renewed by the Member State of residence directly or upon application by the person with disabilities. It shall be issued and renewed within the same period set in the applicable national legislation for issuing disability certificates, disability cards or any other formal document recognising the disability status of a person with disabilities.

Amendment

4. The European Disability Card shall be issued or renewed by the Member State of residence directly ***if this is according to the national disability recognition procedure***, or upon application by the person with disabilities. It shall be issued and renewed ***free of charge to the beneficiary*** within the same period set in the applicable national legislation for issuing disability certificates, disability

cards or any other formal document recognising the disability status of a person with disabilities.

Or. en

Amendment 128

Rosa Estaràs Ferragut

Proposal for a directive

Article 6 – paragraph 4

Text proposed by the Commission

4. The European Disability Card shall be issued or renewed by the Member State of residence directly or upon application by the person with disabilities. It shall be issued and renewed within the same period set in the applicable national legislation for issuing disability certificates, disability cards or any other formal document recognising the disability status of a person with disabilities.

Amendment

4. The European Disability Card shall be issued or renewed by the Member State of residence directly or upon application by the person with disabilities. It shall be issued and renewed within the same period set in the applicable national legislation for issuing disability certificates, disability cards or any other formal document recognising the disability status of a person with disabilities. ***In the event of a change of country of residence, the renewal period may be extended by 6 to 8 months.***

Or. en

Amendment 129

Monika Vana

on behalf of the Verts/ALE Group

Proposal for a directive

Article 6 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4 a. Member States shall use the back of the card to display information on the kind of assistance that the card holder needs.

Or. en

Amendment 130

Maria-Manuel Leitão-Marques, Radka Maxová

Proposal for a directive

Article 6 – paragraph 5

Text proposed by the Commission

5. The European Disability Card shall be issued as a physical card and shall be complemented by a digital format upon adoption of the delegated acts referred to in paragraph 7. Persons with disabilities shall be given the option to use either the digital or physical card, or both.

Amendment

5. The European Disability Card shall be issued as a physical card and shall be complemented by a digital format upon adoption of the delegated acts referred to in paragraph 7. ***The digital format must take into consideration that persons with disability, in particular women and girls, are particularly at risk of being digitally excluded.*** Persons with disabilities shall be given the option to use either the digital or physical card, or both.

Or. en

Amendment 131

Sandra Pereira

Proposal for a directive

Article 6 – paragraph 5

Text proposed by the Commission

5. The European Disability Card shall be issued as a physical card and shall be complemented by a digital format upon adoption of the delegated acts referred to in paragraph 7. Persons with disabilities shall be given the option to use either the digital or physical card, or both.

Amendment

5. The European Disability Card shall be issued as a physical card and shall be complemented by a digital format upon adoption of the delegated acts referred to in paragraph 7. Persons with disabilities shall be given the option to use either the digital or physical card, or both. ***When applicable, the physical and digital cards shall be accompanied by different formats that adapt to the specific needs of their holders, such as braille.***

Or. en

Amendment 132

Maria-Manuel Leitão-Marques, Radka Maxová

Proposal for a directive

Article 6 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5 a. The process to request and acquire a European Disability Card issued by Member States shall be designed in a simplified and universal way, ensuring there are no barriers preventing equal access, in order to guarantee accessibility and usability by all people with disabilities, especially by women and girls with disabilities who are more prone to being digitally excluded, meaning that they can equally perceive, understand, navigate, and interact with the process as much as necessary, either by physical or digital means.

Or. en

Amendment 133

Rosa Estaràs Ferragut

Proposal for a directive

Article 6 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5 a. New point (5) The European Disability Card will be issued (first and subsequent issues) free of charge, at no cost to the person applying for it.

Or. en

Amendment 134

Rosa Estaràs Ferragut

Proposal for a directive

Article 6 – paragraph 6

Text proposed by the Commission

6. The validity of the European Disability Card issued by a Member State shall be at least for the same duration as that of the disability certificate, disability card or any other formal document with the longest duration recognising their disability status issued to the person concerned by the competent authority of the Member State in its territory.

Amendment

6. The validity of the European Disability Card issued by a Member State shall be at least for the same duration as that of the disability certificate, disability card or any other formal document with the longest duration recognising their disability status issued to the person concerned by the competent authority of the Member State in its territory. ***In the event of a change of country of residence, the renewal period may be extended by 6 to 8 months.***

Or. en

Amendment 135
Rosa Estaràs Ferragut

Proposal for a directive
Article 6 – paragraph 7 – point 1 (new)

Text proposed by the Commission

Amendment

(1) New point (8) Universal accessibility shall be ensured throughout the process related to the format, mutual recognition, issuing and validity of the European Disability Card.

Or. en

Amendment 136
Rosa Estaràs Ferragut

Proposal for a directive
Article 6 – paragraph 7 – point 2 (new)

Text proposed by the Commission

Amendment

(2) New point (9) In the event that the same person with a disability holds both the European Disability Card and the

Parking Card, flexible and simple formulas will be established that allow for the same material and/or digital support, in order to avoid unnecessary administrative burdens.

Or. en

Amendment 137

Sandra Pereira

Proposal for a directive

Article 7 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2 a. Member States shall ensure that the European Disability Card is equally accessible to people with disabilities regardless of their sex, socioeconomic background and migration status, among others.

Or. en

Amendment 138

Sandra Pereira

Proposal for a directive

Article 7 – paragraph 2 b (new)

Text proposed by the Commission

Amendment

2 b. The European Parking Card and its renewals shall be issued free of charge;

Or. en

Amendment 139

Monika Vana

on behalf of the Verts/ALE Group

Proposal for a directive

Article 7 – paragraph 3

Text proposed by the Commission

3. Competent authorities in the Member States shall issue, renew, or withdraw the European Parking Card for persons with disabilities in accordance with their national rules, procedures and practices. Without prejudice to Regulation (EU) 2016/679, Member States shall ensure the security, authenticity and confidentiality of the personal data collected and stored for the purpose of this Directive. The competent authority responsible for issuing the European parking Card for persons with disabilities shall be considered as the controller referred to in Article 4(7) of Regulation (EU) 2016/679 and shall have responsibility for the processing of personal data. Cooperation with external service providers shall not exclude any liability on the part of a Member State which may arise under Union or national law in respect of breaches of obligations with regard to personal data.

Amendment

3. Competent authorities in the Member States shall issue, renew, or withdraw the European Parking Card for persons with disabilities in accordance with their national rules, procedures and practices. ***Such procedures shall be free of charge for the card holder.*** Without prejudice to Regulation (EU) 2016/679, Member States shall ensure the security, authenticity and confidentiality of the personal data collected and stored for the purpose of this Directive. The competent authority responsible for issuing the European parking Card for persons with disabilities shall be considered as the controller referred to in Article 4(7) of Regulation (EU) 2016/679 and shall have responsibility for the processing of personal data. Cooperation with external service providers shall not exclude any liability on the part of a Member State which may arise under Union or national law in respect of breaches of obligations with regard to personal data.

Or. en

Amendment 140

Rosa Estaràs Ferragut

Proposal for a directive

Article 7 – paragraph 4

Text proposed by the Commission

4. The European Parking Card for persons with disabilities shall be issued or renewed by the Member State of residence upon application by the person with disabilities. ***It shall be issued or renewed within a reasonable period from the date of the application which shall not exceed 60 days.***

Amendment

4. The European Parking Card for persons with disabilities shall be issued or renewed by the Member State of residence upon application by the person with disabilities. ***The presentation of the application for renewal of the parking card within the period provided for in the applicable State regulations, extends the***

validity of the previously issued card until the resolution of the procedure. In the event that the application is submitted within ninety calendar days after the date on which the validity of the last card issued has expired, it will be understood that the validity of the card will continue to be valid until the resolution of the corresponding renewal procedure.

Or. en

Amendment 141

Abir Al-Sahlani, Susana Solís Pérez, Sylvie Brunet, Karen Melchior, Irène Tolleret

Proposal for a directive

Article 7 – paragraph 5

Text proposed by the Commission

5. Member States shall take the necessary measures to ensure that the European Parking Card for persons with disabilities replaces all existing valid parking cards, issued in accordance with the Council Recommendation on parking cards for persons with disabilities⁵⁸ at national, regional or local level at the latest by dd/mm/yy [date of application of this Directive].

⁵⁸ Council Recommendation of 4 June 1998 (98/376/EC) OJ L 167/25, 12.6.1998 as adapted by Council Recommendation of 3 March 2008 by reason of accession of the Republic of Bulgaria, the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, Romania, the Republic of Slovenia and the Slovak Republic OJ L 63/43, 7.3.2008.

Amendment

5. Member States shall take the necessary measures to ensure that the European Parking Card for persons with disabilities replaces all existing valid parking cards, issued in accordance with the Council Recommendation on parking cards for persons with disabilities⁵⁸ at national, regional or local level at the latest by dd/mm/yy [date of application of this Directive]. ***These measures shall be taken with due respect and consideration to the person with disabilities and their rights.***

⁵⁸ Council Recommendation of 4 June 1998 (98/376/EC) OJ L 167/25, 12.6.1998 as adapted by Council Recommendation of 3 March 2008 by reason of accession of the Republic of Bulgaria, the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, Romania, the Republic of Slovenia and the Slovak Republic OJ L 63/43, 7.3.2008.

Amendment 142
Sandra Pereira

Proposal for a directive
Article 7 – paragraph 6

Text proposed by the Commission

6. The European Parking Card for persons with disabilities shall be issued or renewed as a physical card and shall be complemented by a digital format upon adoption of the delegated acts referred to in paragraph 7. Persons with disabilities shall be given the option to use either the digital or physical card, or both.

Amendment

6. The European Parking Card for persons with disabilities shall be issued or renewed as a physical card and shall be complemented by a digital format upon adoption of the delegated acts referred to in paragraph 7. Persons with disabilities shall be given the option to use either the digital or physical card, or both. ***When applicable, the physical and / or digital cards shall be accompanied by different formats that adapt to the specific needs of their holders, such as braille.***

Amendment 143
Maria-Manuel Leitão-Marques, Radka Maxová

Proposal for a directive
Article 7 – paragraph 6

Text proposed by the Commission

6. The European Parking Card for persons with disabilities shall be issued ***or renewed*** as a physical card and shall be complemented by a digital format upon adoption of the delegated acts referred to in paragraph 7. Persons with disabilities shall be given the option to use either the digital or physical card, or both.

Amendment

6. The European Parking Card for persons with disabilities shall be issued as a physical card and shall be complemented by a digital format upon adoption of the delegated acts referred to in paragraph 7. ***The digital format must take into consideration that persons with disability, in particular women and girls, are particularly at risk of being digitally excluded.*** Persons with disabilities shall be given the option to use either the digital or physical card, or both.

Amendment 144

Maria-Manuel Leitão-Marques, Radka Maxová

Proposal for a directive

Article 7 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6 a. The process to request and acquire a European Parking Card for persons with disabilities issued by Member States shall be designed in a simplified and universal way, ensuring there are no barriers preventing equal access, in order to guarantee accessibility and usability by all people with disabilities, meaning that they can equally perceive, understand, navigate, and interact with the process as much as necessary, either by physical or digital means.

Or. en

Amendment 145

Sandra Pereira

Proposal for a directive

Article 7 – paragraph 7 a (new)

Text proposed by the Commission

Amendment

7 a. The Commission shall set up a publicly available database that contains relevant information related to the applicable parking rules, conditions, and spaces as defined on local, regional, or national level. The database shall be available in all EU languages; Member States shall encourage public authorities to upload relevant information in the database.

Or. en

Amendment 146

Monika Vana

on behalf of the Verts/ALE Group

Proposal for a directive

Article 7 a (new)

Text proposed by the Commission

Amendment

Article 7a

***Provisions for card holders when
changing residence***

1. Member States shall ensure the beneficiaries who have changed their member state of residence and are pending the issuance of a new national disability card by the competent authorities, are guaranteed their rights and benefits provided by the Disability Card and the Parking Card of the previous member state who first issued it.

2. Member States shall ensure that the process of re-assessment of the disability and the issuing of the new national card and therefore the new European Disabilities and Parking Card does not exceed 6 months.

Or. en

Amendment 147

Abir Al-Sahlani, Susana Solís Pérez, Sylvie Brunet, Karen Melchior, Irène Tolleret

Proposal for a directive

Article 9 – title

Text proposed by the Commission

Amendment

Surveillance, compliance, accessibility of
information and awareness raising

Accessibility of information and awareness
raising

Or. en

Justification

The topics proposed to be covered by this Article are very diverse and would thus merit to be in two separate Articles.

Amendment 148

Abir Al-Sahlani, Susana Solís Pérez, Sylvie Brunet, Karen Melchior, Irène Tolleret

Proposal for a directive

Article 9 – paragraph 1

Text proposed by the Commission

1. Member States shall make the conditions and rules, practices, and procedures to issue, renew or withdraw a European Disability Card and a European Parking Card for persons with disabilities publicly available in accessible formats, including in digital formats, and upon request in assistive formats requested by persons with disabilities.

Amendment

1. Member States shall make the conditions and rules, practices, and procedures to issue, renew or withdraw a European Disability Card and a European Parking Card for persons with disabilities publicly available in accessible formats ***latest by [within 12 months after the entry into force of this Directive],*** including in digital formats, ***as well as in national sign languages, augmentative and alternative communication and easy to read format*** and upon request in ***other*** assistive formats requested by persons with disabilities.

Or. en

Amendment 149

Abir Al-Sahlani, Susana Solís Pérez, Sylvie Brunet, Karen Melchior, Irène Tolleret

Proposal for a directive

Article 9 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1 a. Pursuant to paragraph 1 of this Article, the Commission shall gather the information provided by Member States in a specially dedicated EU website. Particularly, the website shall provide information on which different accessibility measures are available by public authorities to Card holders

according to each disability type in the respective Member States. The website shall also list, where applicable, the type of service providers involved in the Card's scheme.

Or. en

Amendment 150

Monika Vana

on behalf of the Verts/ALE Group

Proposal for a directive

Article 9 – paragraph 2

Text proposed by the Commission

2. Member States shall take appropriate measures to raise awareness among the public and inform persons with disabilities, including in accessible ways, about the existence and conditions to obtain, use, or renew the European Disability Card and the European Parking Card for persons with disabilities.

Amendment

2. Member States shall take appropriate measures to raise awareness among the public , ***including to public authorities and private operators having the potential to offer preferential treatment pursuant to Article 5*** and inform persons with disabilities, including in accessible ways, about the existence and conditions to obtain, use, or renew the European Disability Card and the European Parking Card for persons with disabilities. ***The EU competent authorities and the EU Member States shall coordinate on a comprehensive training for all concerned public servants as well as private service providers that participate to ensure a comprehensive and equal knowledge. This comprehensive training shall be co-financed by ESF+ funds.***

Or. en

Amendment 151

Abir Al-Sahlaní, Susana Solís Pérez, Sylvie Brunet, Karen Melchior, Irène Tolleret

Proposal for a directive

Article 9 – paragraph 2

Text proposed by the Commission

2. Member States shall take appropriate measures to raise awareness among the public and inform persons with disabilities, including in accessible ways, about the existence and conditions to obtain, use, or renew the European Disability Card and the European Parking Card for persons with disabilities.

Amendment

2. Member States shall take appropriate measures to raise awareness among the public ***in particular public authorities and private service providers having the potential to offer tailored support pursuant to Article 5, about the existence and conditions of the card.*** ***Member States shall also inform persons with disabilities, including in accessible ways, about the existence*** and inform persons with disabilities, including in accessible ways, about the existence and conditions to obtain, use, or renew the European Disability Card and the European Parking Card for persons with disabilities.

Or. en

Amendment 152

Maria-Manuel Leitão-Marques, Radka Maxová

Proposal for a directive

Article 9 – paragraph 2

Text proposed by the Commission

2. Member States shall take appropriate measures to raise awareness among the public and inform persons with disabilities, including in accessible ways, about the existence and conditions to obtain, use, or renew the European Disability Card and the European Parking Card for persons with disabilities.

Amendment

2. Member States shall take appropriate measures to raise awareness among the public and inform persons with disabilities, including in accessible ***and gender-inclusive*** ways, about the existence and conditions to obtain, use, or renew the European Disability Card and the European Parking Card for persons with disabilities.

Or. en

Amendment 153

Abir Al-Sahlani, Susana Solís Pérez, Sylvie Brunet, Karen Melchior, Irène Tolleret

Proposal for a directive

Article 9 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2 a. *The Commission shall publish guidelines on standards as well as proper management of assistive devices and technologies in order to support Member States in their harmonization efforts. The first version of those guidelines shall be published latest by [within 12 months after the entry into force of this Directive] and consequently every 12 months. For this, the Commission shall assist persons with disabilities and their representative organizations as well as companies developing assistive technologies.*

Or. en

Amendment 154

Abir Al-Sahlan, Susana Solís Pérez, Sylvie Brunet, Karen Melchior, Irène Tolleret

Proposal for a directive

Article 9 – paragraph 2 b (new)

Text proposed by the Commission

Amendment

2 b. *The information referred to in this Article shall be made available free of charge in a clear, comprehensive, user-friendly and easily accessible way, including through private operators' or public authorities' official website where available, or by other suitable means, in accordance with the relevant accessibility requirements for services set in Annex I of Directive (EU) 2019/882.*

Or. en

Amendment 155

Rosa Estaràs Ferragut

Proposal for a directive

Article 9 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3 a. New point (3) In addition, the European institutions should disseminate information and training on the European Disability Card on an ongoing basis, through successive training and awareness-raising campaigns on its use, in formats that ensure universal accessibility and with the participation of persons with disabilities and their representative organisations. This information should clearly include the voluntary nature of the card. Specific funding lines should be made available within the Union for this purpose.

Or. en

Amendment 156

Maria-Manuel Leitão-Marques, Radka Maxová

Proposal for a directive

Article 9 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6 a. Member States shall collect gender-disaggregated data in order to identify the forms of multiple discrimination that are faced by women and girls with disabilities when accessing special conditions or preferential treatment with respect to services, activities or facilities, or parking conditions and facilities offered to or reserved for persons with disabilities or person(s) accompanying or assisting them including their personal assistant(s), in compliance with the obligations deriving from the European Disability Card or European Parking Card for persons with disabilities.

Or. en

Amendment 157
Rosa Estaràs Ferragut

Proposal for a directive
Article 9 – paragraph 7 – point 1 (new)

Text proposed by the Commission

Amendment

(1) New point (8) In order to establish a centralized information system at EU level, it would be necessary to create a website containing all information about the European Disability Card or the European Parking Card for people with disabilities and, where applicable, how to apply for it, in a universally accessible format, in all languages of the European Union, including sign language, easy-to-read and alternative and augmentative means of communication, should be set up.

Or. en

Amendment 158
Rosa Estaràs Ferragut

Proposal for a directive
Article 9 – paragraph 7 – point 2 (new)

Text proposed by the Commission

Amendment

(2) New point (9) Representative organisations of persons with disabilities should be involved in the whole process of development, planning, implementation, monitoring and evaluation.

Or. en

Amendment 159
Abir Al-Sahlani, Susana Solís Pérez, Sylvie Brunet, Karen Melchior, Irène Tolleret

Proposal for a directive
Article 9 a (new)

Text proposed by the Commission

Amendment

Article 9a

Surveillance and compliance

1. Member States shall take all necessary steps to avoid the risk of forgery or fraud and shall actively combat the fraudulent use and forgery of the European Disability Card and European Parking Card for persons with disabilities.

Any measures taken to avoid risk of forgery or fraud shall have due regard and consideration to the rights of persons with disabilities and shall not result in any interference with the legitimate interests of persons with disabilities in the use of either card or lead in any way to their stigmatisation.

2. Member States shall take the necessary measures to ensure that holders of a European Disability Card or European Parking Card for persons with disabilities return their cards to the competent authority should the conditions under which they were issued no longer be fulfilled.

3. Member States shall take the necessary measures to ensure that in case they encounter cases of abuse or misuse of the cards issued by another Member State on their territory, the competent authorities in the Member State who issued the European Disability Card or European Parking Card for persons with disabilities are informed. The Member State of issuance shall ensure appropriate follow-up in accordance with national law or practice, keeping in mind the best interest of the persons with disabilities.

4. Member States shall carry out checks on compliance with the obligations deriving from the European Disability Card or European Parking Card for

persons with disabilities and with the corresponding rights of persons with disabilities holding those cards and person(s) accompanying or assisting them including their personal assistant(s).

5. The information referred to in this Article shall be made available free of charge in a clear, comprehensive, user-friendly and easily accessible way, including through private operators' or public authorities' official website where available, or by other suitable means, in accordance with the relevant accessibility requirements for services set in Annex I of Directive (EU) 2019/882.

Or. en

Amendment 160

Monika Vana

on behalf of the Verts/ALE Group

Proposal for a directive

Article 11 – paragraph 4

Text proposed by the Commission

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.

Amendment

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making. *The Commission shall also consult gender equality experts and request gender disaggregated data by each Member State and competent EU Authorities in view enhancing gender mainstreaming and gender budgeting where necessary.*

Or. en

Amendment 161

Abir Al-Sahlan, Susana Solís Pérez, Sylvie Brunet, Karen Melchior, Irène Tolleret

Proposal for a directive
Article 11 – paragraph 4

Text proposed by the Commission

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.

Amendment

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making, ***as well as persons with disabilities and their representative organisations.***

Or. en

Amendment 162

Abir Al-Sahlani, Susana Solís Pérez, Sylvie Brunet, Karen Melchior, Irène Tolleret

Proposal for a directive
Article 12 – paragraph 1

Text proposed by the Commission

1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

Amendment

1. The Commission shall be assisted by a committee ***and shall meaningfully involve representative organisations of persons with disabilities.*** That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

Or. en

Amendment 163

Rosa Estaràs Ferragut

Proposal for a directive
Article 13 – paragraph 2 – point a

Text proposed by the Commission

(a) provisions whereby persons with disabilities may take action under national law before the courts or before the

Amendment

(a) provisions whereby persons with disabilities ***and their representative organisations*** may take action under

competent administrative bodies in case of violations of their rights under this Directive and in national provisions implementing this Directive;

national law before the courts or before the competent administrative bodies in case of violations of their rights under this Directive and in national provisions implementing this Directive;

Or. en

Amendment 164

Abir Al-Sahlani, Susana Solís Pérez, Sylvie Brunet, Karen Melchior, Irène Tolleret

Proposal for a directive

Article 13 – paragraph 2 – point b

Text proposed by the Commission

(b) provisions whereby public bodies or private associations, organisations or other legal entities which have a legitimate interest in ensuring that the provisions of this Directive are complied with may take action in accordance with national law and procedures before the courts or before the competent administrative bodies on behalf or in support of a person with disabilities, with **his or her** approval, in any judicial or administrative proceedings provided for the enforcement of obligations under this Directive.

Amendment

(b) provisions whereby public **bodies such as Equality** Bodies or private associations, organisations or other legal entities which have a legitimate interest in ensuring that the provisions of this Directive are complied with may take action in accordance with national law and procedures before the courts or before the competent administrative bodies on behalf or in support of a person with disabilities, with **their** approval, in any judicial or administrative proceedings provided for the enforcement of obligations under this Directive.

Or. en

Amendment 165

Abir Al-Sahlani, Susana Solís Pérez, Sylvie Brunet, Karen Melchior, Irène Tolleret

Proposal for a directive

Article 13 – paragraph 2 – point b a (new)

Text proposed by the Commission

Amendment

(b a) provisions whereby persons with disabilities, or their designated representatives acting on their behalf and with their approval, may appeal, in

accordance with national law or practice, a decision from a Member State regarding the issuance or renewal of an European Disability Card or an European Parking Card.

Or. en

Amendment 166
Rosa Estaràs Ferragut

Proposal for a directive
Article 13 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2 a. New point (3)*An authority should be established to set up an institutional mechanism to monitor and control compliance with the regulations related to the implementation, monitoring and evaluation of the European Disability Card.*

Or. en

Amendment 167
Abir Al-Sahlani, Susana Solís Pérez, Sylvie Brunet, Karen Melchior, Irène Tolleret

Proposal for a directive
Article 15 – paragraph 1

Text proposed by the Commission

Amendment

1. Member States shall ensure that private operators or public authorities make information on any *special* conditions or *preferential treatment* pursuant to Article 5 publicly available in accessible formats.

1. Member States shall ensure that private operators or public authorities make information on any *specific* conditions or *tailored support related to reasonable accommodation* pursuant to Article 5 publicly available in accessible formats.

Or. en

Amendment 168

Abir Al-Sahlan, Susana Solís Pérez, Sylvie Brunet, Karen Melchior, Irène Tolleret

Proposal for a directive

Article 15 – paragraph 2

Text proposed by the Commission

2. Member States shall encourage private operators or public authorities to voluntarily provide ***special*** conditions or ***preferential treatment*** for persons with disabilities.

Amendment

2. Member States shall encourage private operators or public authorities to voluntarily provide ***specific*** conditions or ***tailored support*** for persons with disabilities ***in as wide a range of services, other activities and facilities as possible. This may be done by Member States through inter alia the following information measures:***

(a) publicizing information about which other service providers are already offering tailored support for persons with disabilities;

(b) providing information on disability access symbols that can be displayed by the service providers to enhance visibility towards customers;

(c) providing information on how to deal properly with assistive devices such as electric wheelchairs and scooters to avoid damage;

(d) providing information on assistive augmentative communication (AAC).

Or. en

Amendment 169

Monika Vana

on behalf of the Verts/ALE Group

Proposal for a directive

Article 15 – paragraph 3

Text proposed by the Commission

3. The information referred to in paragraph 1 of this article shall be made

Amendment

3. The information referred to in paragraph 1 of this article shall be made

available free of charge in a clear, comprehensive, user-friendly and easily accessible way, including through the private operators or public authorities' official website where available, or by other suitable means, in accordance with the relevant accessibility requirements for services set in Annex I of Directive (EU) 2019/882.

available free of charge in a clear, comprehensive, user-friendly and easily accessible way, including through the private operators or public authorities' official website where available, or by other suitable means, in accordance with the relevant accessibility requirements for services set in Annex I of Directive (EU) 2019/882. ***The Commission shall create a digital portal containing all the information with regards the benefits of holding the European Disability Card and the European Parking Card in all Member States including information on the different procedures in each Member States. Such information shall be sent by the Member States to the Commission and updated according to the reporting requirements in Article 16 of this Directive.***

Or. en

Amendment 170

Abir Al-Sahlani, Susana Solís Pérez, Sylvie Brunet, Karen Melchior, Irène Tolleret

Proposal for a directive Article 16 – paragraph 2

Text proposed by the Commission

2. The report shall address, inter alia, ***in the light of social, economic developments*** the use of the European Disability Card and European Parking Card for persons with disabilities with a view to assessing the need to review this Directive.

Amendment

2. The report shall address, inter alia, the use of the European Disability Card and European Parking Card for persons with disabilities ***in the light of social and economic developments in the Member States and in the Union as a whole***, with a view to assessing the need to review this Directive. ***The report shall include a gender analysis, focusing on how the provisions of this Directive actually and potentially have impacted the free movement of women and girls with disabilities. The report shall also evaluate the effectiveness of the incentivizing measures provided by Member States to***

service providers.

Or. en

Amendment 171

Abir Al-Sahlani, Susana Solís Pérez, Sylvie Brunet, Karen Melchior, Irène Tolleret

Proposal for a directive

Article 16 – paragraph 3

Text proposed by the Commission

3. Member States shall communicate to the Commission, at its request and in due time, all the information necessary for the Commission to draw up such a report.

Amendment

3. Member States shall communicate to the Commission, at its request and in due time, all the information necessary for the Commission to draw up such a report. ***This information shall include, inter alia, a clear gender perspective on the implementation of the Disability Card.***

Or. en

Amendment 172

Abir Al-Sahlani, Susana Solís Pérez, Sylvie Brunet, Karen Melchior, Irène Tolleret

Proposal for a directive

Article 16 – paragraph 4

Text proposed by the Commission

4. The Commission's report shall take into account the viewpoints of persons with disabilities, ***economic stakeholders*** and relevant non-governmental organisations, ***including*** organisations representing persons with disabilities.

Amendment

4. The Commission's report shall take into account the viewpoints of persons with disabilities and relevant non-governmental organisations, ***in particular*** organisations representing persons with disabilities ***and organizations fighting for gender equality, as well as economic stakeholders.***

Or. en

Amendment 173

Monika Vana

on behalf of the Verts/ALE Group

Proposal for a directive
Article 16 – paragraph 4

Text proposed by the Commission

4. The Commission's report shall take into account the viewpoints of persons with disabilities, economic stakeholders and relevant non-governmental organisations, including ***organisations representing*** persons with disabilities.

Amendment

4. The Commission's report shall take into account the viewpoints of persons with disabilities, economic stakeholders and relevant non-governmental organisations, including persons with disabilities ***and their representative organisations***.

Or. en

Amendment 174
Monika Vana
on behalf of the Verts/ALE Group

Proposal for a directive
Article 18 – paragraph 1

Text proposed by the Commission

1. Member States shall adopt and publish, by dd/mm/yy [within **18** months after the entry into force of this Directive] at the latest, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions.

Amendment

1. Member States shall adopt and publish, by dd/mm/yy [within **12** months after the entry into force of this Directive] at the latest, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions.

Or. en

Amendment 175
Abir Al-Sahlani, Susana Solís Pérez, Sylvie Brunet, Karen Melchior, Irène Tolleret

Proposal for a directive
Article 18 – paragraph 1

Text proposed by the Commission

1. Member States shall adopt and publish, by dd/mm/yy [within **18** months

Amendment

1. Member States shall adopt and publish, by dd/mm/yy [within **12** months

after the entry into force of this Directive] at the latest, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions.

after the entry into force of this Directive] at the latest, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions.

Or. en

Amendment 176

Jadwiga Wiśniewska, Margarita de la Pisa Carrión

Proposal for a directive

Article 18 – paragraph 1

Text proposed by the Commission

1. Member States shall adopt and publish, by dd/mm/yy [within **18** months after the entry into force of this Directive] at the latest, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions.

Amendment

1. Member States shall adopt and publish, by dd/mm/yy [within **24** months after the entry into force of this Directive] at the latest, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions.

Or. en

Amendment 177

Rosa Estaràs Ferragut

Proposal for a directive

Article 18 – paragraph 2

Text proposed by the Commission

2. They shall apply those provisions from dd/mm/yy [**30** months from the date of entry into force of this Directive].

Amendment

2. They shall apply those provisions from dd/mm/yy [**20** months from the date of entry into force of this Directive].

Or. en

Amendment 178

Jadwiga Wiśniewska, Margarita de la Pisa Carrión

**Proposal for a directive
Article 18 – paragraph 2**

Text proposed by the Commission

2. They shall apply those provisions from dd/mm/yy [**30** months from the date of entry into force of this Directive].

Amendment

2. They shall apply those provisions from dd/mm/yy [**36** months from the date of entry into force of this Directive].

Or. en

Amendment 179

Monika Vana

on behalf of the Verts/ALE Group

**Proposal for a directive
Article 18 – paragraph 2**

Text proposed by the Commission

2. They shall apply those provisions from dd/mm/yy [**30** months from the date of entry into force of this Directive].

Amendment

2. They shall apply those provisions from dd/mm/yy [**24** months from the date of entry into force of this Directive].

Or. en

Amendment 180

Abir Al-Sahlan, Susana Solís Pérez, Sylvie Brunet, Karen Melchior, Irène Tolleret

**Proposal for a directive
Article 18 – paragraph 2**

Text proposed by the Commission

2. They shall apply those provisions from dd/mm/yy [**30** months from the date of entry into force of this Directive].

Amendment

2. They shall apply those provisions from dd/mm/yy [**24** months from the date of entry into force of this Directive].

Or. en

Amendment 181

Jadwiga Wiśniewska, Margarita de la Pisa Carrión

Proposal for a directive
Annex I – paragraph 2

Text proposed by the Commission

BACK SIDE National information in the national language or national languages to be decided by the issuing Member State.

Amendment

BACK SIDE National information in the national language or national languages to be decided by the issuing Member State ***but including at least a formally recognised and issued disability degree.***

Or. en