



TEXTS ADOPTED

P8_TA(2016)0455

New opportunities for small transport businesses

European Parliament resolution of 24 November 2016 on new opportunities for small transport businesses, including collaborative business models (2015/2349(INI))

The European Parliament,

- having regard to the Treaty on European Union, and in particular Article 5(3) thereof,
- having regard to Protocol No 2 on the application of the principles of subsidiarity and proportionality,
- having regard to the Commission White Paper entitled ‘Roadmap to a Single European Transport Area – Towards a competitive and resource efficient transport system’ (COM(2011)0144),
- having regard to its resolution of 9 September 2015 on ‘The implementation of the 2011 White Paper on Transport: taking stock and the way forward towards sustainable mobility’¹,
- having regard to Commission Recommendation 2003/361/EC concerning the definition of micro, small and medium-sized enterprises,
- having regard to the Annual Report on European SMEs 2014/2015,
- having regard to the Commission communications entitled “‘Think Small First’ – A ‘Small Business Act’ for Europe’ (COM(2008)0394) and ‘Review of the “Small Business Act” for Europe’ (COM(2011)0078),
- having regard to the Commission communication ‘A European agenda for the collaborative economy’ (COM(2016)0356),
- having regard to the Commission communication on ‘A European strategy for low-emission mobility’ (COM(2016)0501),
- having regard to its resolution of 5 February 2013 on improving access to finance for SMEs²,

¹ Texts adopted, P8_TA(2015)0310.

² OJ C 24, 22.1.2016, p. 2.

- having regard to its resolution of 19 May 2015 on green growth opportunities for SMEs¹,
 - having regard to Horizon 2020’s SME Instrument and INNOSUP, COSME, Your Europe Business, Fast Track to Innovation (FTI) Pilot and networking opportunities,
 - having regard to the Electronic Commerce Directive (2000/31/EC) and the Services Directive (2006/123/EC),
 - having regard to the Commission communication ‘A Digital Single Market Strategy for Europe’ (COM(2015)0192),
 - having regard to the Commission communication ‘Upgrading the Single Market: more opportunities for people and business’ (COM(2015)0550),
 - having regard to the Connecting Europe Facility (CEF) established by Regulation (EU) No 1316/2013 of the European Parliament and of the Council of 11 December 2013²,
 - having regard to Rule 52 of its Rules of Procedure,
 - having regard to the report of the Committee on Transport and Tourism and the opinion of the Committee on Employment and Social Affairs (A8-0304/2016),
- A. whereas small and medium-sized enterprises (SMEs) are the main engine of the European economy, representing, on 2014 figures, 99,8 % of all undertakings outside the financial sector and accounting for two out of three of all jobs;
- B. whereas the SMEs that have generated jobs in recent years have mainly come from the tertiary sector;
- C. whereas small transport undertakings play a crucial role in the proper functioning of mobility in Europe, but often encounter difficulties in accessing or maintaining their place within the market, notably due to the presence of monopolies on that market;
- D. whereas small undertakings provide added value particularly in remote and densely-populated areas, thanks to their excellent knowledge of the local market, their proximity to the customer and/or their agility and ability to innovate; whereas, moreover, they are able to provide tailored services and are instruments for combating social exclusion, creating jobs, generating economic activity, improving mobility management and contributing to the development of tourism (where mobility services are directly linked to visitor demand for new products and experiences);
- E. whereas for passengers and goods, both demand for transport services and the conditions applicable to their provision vary considerably, and whereas reducing mobility is not an option;
- F. whereas the organisation of transport in big cities and on the roads leading to them causes congestion and traffic jams, creating a significant burden on the economy; whereas SMEs in the transport sector are an important complement to the public transport network in urban nodes, particularly at times of day when public transport is very infrequent, as well

¹ OJ C 353, 27.9.2016, p. 27.

² OJ L 348, 20.12.2013, p. 129.

as in peripheral areas without a properly developed suburban transport service;

- G. whereas a recent study by the Commission shows that 17 % of European consumers have used services provided by the sharing economy, and 52 % are aware of the services offered; whereas consumer expectations seek easily accessible and flexible ways to use transport services while prices are maintained in line with the actual costs of provision as well as easy access to reservations and secure payment for services provided;
- H. whereas a collaborative economy in the transport sector can actively promote the development of sustainable forms of mobility; whereas self-regulation is not always the solution and a suitable regulatory framework is necessary;
- I. whereas the imperative of sustainable development and the revolution in the field of information and communication technology have created unprecedented opportunities and challenges for firms of all sizes in terms of responding to the increasing demand for sustainable mobility within the constraints of limited infrastructure;
- J. whereas the exponential growth in the penetration of smart mobile devices as well the comprehensive coverage of high-speed wide-band network have created new digital tools for both transport service providers and customers, reducing transaction costs and also diminishing the significance of the physical location of the service providers, allowing them to be widely connected in order to provide services, not only regionally but also globally, via digital networks and also from remote areas;
- K. whereas technological advances, new business models and digitalisation have transformed the transport sector significantly in recent years, with major impacts on traditional business models as well as on working conditions and employment in the sector; whereas while on the one hand the transport sector has opened up, on the other hand working conditions have in many cases worsened, owing to the economic crisis and, in some cases, to insufficient implementation of existing regulations;
- L. whereas the transport sector comprises not only direct transport service providers, but also SMEs offering services such as maintenance of means of transport, sale of spare parts, training of staff, and rental of vehicles and equipment; whereas there is an enormous potential for job creation linked to these activities, including employment for highly qualified workers; whereas policies for the transport sector should take the interests of the entire value chain into account;
- M. whereas only 1,7 % of enterprises in the EU make full use of advanced digital technologies, while 41 % do not use them at all; whereas the digitalisation of all sectors is crucial if the EU's competitiveness is to be maintained and improved;
- N. whereas the flexibility and ease of entry inherent in the collaborative economy can provide employment opportunities for groups traditionally excluded from the labour market, in particular women, young people and migrants;
- O. whereas transport services can provide a good way of becoming self-employed and promote a culture of entrepreneurship;
- P. whereas online platforms for transport services can offer the possibility of a swift match between service requests by customers, on the one hand, and labour supply by registered companies or workers, on the other;

Q. whereas the OECD considers good-quality jobs to be an essential factor in efforts to tackle high levels of inequality and promote social cohesion;

I. Challenges to small transport businesses

1. Takes the view that transport businesses face considerable challenges in order to respond to the increasing demand for mobility within the constraints of limited infrastructure and increasing environmental requirements; points out that all transport undertakings are under pressure to provide safe, sustainable and highly competitive solutions that are environmentally responsible under COP21, while limiting congestion, but that it is harder and more expensive for small businesses to meet these challenges;
2. Stresses that changing vehicle emission standards too frequently can prove particularly problematic for smaller transport companies in view of the depreciation periods for fleets of vehicles;
3. Stresses the complex nature of the transport sector, which is characterised by multi-level (local, national, European and global) governance still largely compartmentalised by mode of transport; notes that this sector is subject to heavy regulation, particularly regarding access to the profession, activities concerned and the development, use and marketing of transport services (exclusive rights, capping of the number of licenses), as well as subsidisation; stresses that safety and security are of paramount importance for the transport sector, but deplores the fact that they are, among other factors, sometimes used as a pretext to erect artificial barriers;
4. Calls on the Member States to put an end to over-regulation, which is often linked to protectionist and corporatist instincts that give rise to fragmentation, complexity and rigidity within the internal market, thus increasing inequality; believes it is useful for Member States not to approach the legality of online platforms in a plethora of ways, and hence to avert unwarranted restrictive unilateral measures; calls on the Member States to comply with, and fully implement, the Electronic Commerce Directive (Directive 2000/31/EC) and the Services Directive (Directive 2006/123/EC); maintains that the free movement of service providers and freedom of establishment, as provided for in Articles 56 and 49 TFEU respectively, are essential in order to realise the European dimension of services and hence of the internal market;
5. Stresses that because of the current legal uncertainty as to the definition of ‘service providers’ in the transport sector, it is not possible to establish fair competition, and regrets the difficulties experienced by many small businesses in accessing the domestic and international market and developing or offering new services; stresses the fact that the above hamper the access of SMEs to this sector;
6. Takes the view that Regulation (EC) No 1072/2009 of the European Parliament and of the Council needs to be improved in order to overcome the serious disruption that occurred on national transport markets in several Member States after it was introduced;
7. Welcomes the new opportunities afforded by small transport businesses and new collaborative business models, while at the same time deploring anti-competitive practices resulting from the uneven application of EU rules across Member States, in particular as regards pay and social security systems, which may lead to serious distortions such as social dumping, as well as security challenges;

8. Calls on the Commission and the Member States to step up law enforcement; considers that any change to the legislation concerning social and working conditions must respect all EU fundamental freedoms, must not restrict fair competition based on objective competitive advantages, and must not create any further administrative burdens or additional costs for small transport businesses;
9. Notes that small transport businesses need to invest, not only to comply with the law but also to remain competitive (e.g. by focusing on new technologies); deplores the fact that, on the one hand and in contrast to what happens with large companies, these businesses' access to credit and funding on the money markets remains limited in spite of quantitative easing measures, while, on the other hand, aid from the public purse, particularly at European level, is rarely forthcoming, owing to overly complex and long-winded administrative procedures; stresses the importance of providing knowledge dissemination and assistance for small business applicants within the framework of the European Investment Fund;
10. Notes that, in a context of growing urbanisation, transport needs to be organised in more increasingly integrated, digitalised and multimodal way, and that urban nodes increasingly have a central role to play in the organisation of sustainable mobility; stresses the growing impact of multimodal travel planning applications and the importance for small businesses of being included on the list of available applications and portfolios of transport services; highlights the fact that universal internet access would encourage transport sharing and improved travel planning;
11. Notes that in response to economic difficulties and the lack of resources with which to maintain the capillary transport network, numerous branch lines are closing in many regions, especially those most cut-off and most sparsely populated; takes the view that the advent of collaborative business models can in no way justify abandoning public transport services in these regions;
12. Stresses the importance for urban mobility of rental services for light vehicles, such as bicycles or scooters; notes that a large majority of such operators are SMEs; calls for the potential of these operators to be more frequently taken into account in the process of increasing the level of urban mobility and developing energy-efficient and resource-efficient urban transport;
13. Calls on the Member States and the Commission to consider the pooling of small transport companies, which would facilitate the development of partnership between such companies and help customers locate the desired small transport company services according to their needs;
14. Calls on the Commission, when setting guidelines in this area, to take account of the difficulties new collaborative businesses models have in penetrating rural and non-urban environments;
15. Notes that the development of collaborative business models can optimise vehicle and infrastructure use, thus helping to meet the demand for mobility in a more sustainable fashion; notes that the growing exploitation of user-generated data could eventually result in added value being created in the transport chain; stresses, however, that a concentration of data in the hands of only few intermediation platforms could have an adverse effect both on the fair distribution of income and on balanced participation in infrastructure

investment and in other relevant costs, all of which has a direct impact on SMEs;

16. Welcomes the fact that intermediation platforms have brought into play the idea of challenging each other, the existing operators and the corporatist structures, and of undermining existing monopolies and preventing new ones; underlines that this is encouraging a market that is much more focused on consumer demand and is leading Member States to review the structure of the market; notes, however, that unless there is an appropriate and clear legal framework intermediation platforms, with their 'winner takes all' ethos, will create dominant market positions harming the diversity of the economic fabric;
17. Draws attention to the opportunities and challenges (e.g. small businesses could also emerge in these new fields) arising from the development of connected and self-driving vehicles (cars, ships, drones and platooning); urges the Commission, therefore, to come up with a roadmap on connected and automated vehicles, and to analyse the potential effects that widespread use of this technology could have on the European transport sector, especially on SME;

II. Recommendations: how to transform the challenges into opportunities

18. Calls for efforts to be pursued with a view to completing the single European transport area; takes the view that any legislation which imposes new requirements on small businesses, particularly tax-related, social and environmental measures, should be proportionate, simple and clear, not hampering their development and reflecting where necessary regional and national characteristics in different Member States; takes the view that such legislation must be accompanied by the necessary (regulatory and/or financial) incentives;
19. Considers that fostering an integrated and coordinated European mobility system is the best way of properly integrating all companies offering all modes of transport into a common dynamic process in which digitisation and promoting innovation from within the transport sector is most effective method of ensuring that customers have a single coherent system and that professionals are best placed to add value;
20. Notes that services provided by SMEs in the transport sector are not always sufficiently tailored to the needs of disabled people and the elderly; calls for all tools and programmes aimed at supporting these operators to take into account the need to adapt transport services as far as possible to the needs of people with reduced mobility;
21. Notes that, in view of the lack of investment in infrastructure, all operators benefiting from the use of that infrastructure should contribute, taking full account of all existing transport taxes, charges and negative environmental and health impacts; stresses the importance in the case of road transport of internalising negative externalities and earmarking revenues for the use of transport infrastructure, including cross-border; recognises, nevertheless, that this might pose specific problems for small businesses, including those in the outermost regions, which must be taken into account as a priority;
22. Recalls that the EFSI was established in order to contribute to highly innovative market-based projects, and therefore sees it as an essential instrument to help SMEs in the transport sector develop new mobility solutions; calls on the Commission and the Member States to speed up its implementation and to increase assistance to SMEs and start-ups

when preparing such projects;

23. Calls on the Commission and the Member States to take appropriate action to combat anti-competitive practices by large integrated groups in order to tackle discrimination and market access restrictions, regardless of size or type of enterprise, especially regarding new business models; urges for dialogue and improved relations, especially in new and potential markets, between carriers and ordering parties, as well as a solution to the problem of bogus self-employed persons;
24. Calls for SMEs to be included in the plans for European integrated ticketing; notes that the effectiveness of such a system will depend on including as many transport service undertakings and operators as possible; notes that the exchange of information and experience between large operators and SMEs can produce highly beneficial synergies for designing an effective transport network in Europe;
25. Calls, with a view to greater transparency, for the review and harmonisation of the rules on access to regulated occupations and activities in Europe and of checks on those occupations, so as to enable new operators and services linked to digital platforms and the collaborative economy to develop in a business-friendly environment, including greater transparency with regard to legislative changes, and to coexist with incumbent operators within an environment of healthy competition; notes the positive effects of sharing economy operators in terms of creating new jobs for young people entering the labour market and self-employed workers;
26. Calls on the Commission to publish, without further delay, a roadmap for freeing up data on public-funded transport and introducing harmonised standards for transport data and programming interfaces, in order to boost data-intensive innovations and the provision of new transport services;
27. Takes the view, given the development of the collaborative economy, that the solution is neither sector-specific regulation nor regulation aimed solely at platforms, and that in future the mobility system needs to be addressed as a whole; calls for the establishment of a modernised multimodal regulatory framework that fosters innovation and competitiveness as well as the protection of consumers and their data, safeguarding workers' rights and ensuring a level playing field for different operators; draws attention, with this in mind, to the importance of interoperability in the transport sector, given that it offers small businesses single solutions;
28. Calls on the Member States to assess the need to bring their national labour law up to date with the digital age, taking into account the features of collaborative economy models and each country's individual labour laws;
29. Considers that this objective requires a convergence of models which is based on a clear, consistent and non-overlapping definition of 'intermediaries' and 'service providers'; calls for a distinction to be made between those intermediation platforms which generate no profits for their users and those which connect a service provider (for-profit) and a customer, with or without an employer-employee relationship between service provider and platform; suggests that, in order to facilitate compliance by all parties with their tax and social security obligations, as well as to guarantee that service providers using the platforms are competent and duly qualified (so as to ensure consumer protection), national authorities should be enabled to ask for the information they deem necessary from the

intermediation platforms; stresses that already existing feedback and rating systems also help intermediaries to build a relationship of trust with consumers, and that the data generated should be processed in accordance with Directive 95/46/EC of the European Parliament and of the Council;

30. Believes that the high transparency potential of the collaborative economy allows for good traceability of transport service operations, in line with the aim of enforcing existing legislation; calls on the Commission to publish guidelines on how EU law applies to the various types of collaborative business models, in order to fill, where necessary, regulatory gaps in the area of employment and social security in a manner that respects national competences;
31. Stresses that transport undertakings also include operators not directly providing transport services, such as training providers, vehicle rental companies, workshops and service centres; notes that a large majority of such operators are SMEs; calls for the needs of these operators to be taken into account in the design of legal measures and investment programmes aimed at supporting the development of SMEs;
32. Encourages the Commission to support SMEs in the transport sector in forming clusters in this field, which can be joined by both consumers and other stakeholders;
33. Notes that most providers in the collaborative economy come from outside the EU; considers that the EU needs to develop more innovative start-ups in the transport sector, and encourages increased support for such companies, particularly for training young entrepreneurs in this field;
34. Regrets that the Member States' response to the development of collaborative business models has so far been very fragmented and in some cases entirely inconsistent with the potential and benefits of the development of this sector, as well as contrary to consumer expectations, and considers that a coordinated overall European-level action, covering issues for a sustainable collaborative business model, is desirable; notes the Commission's reasonable approach to this 'new business model', as set out in its recent communication emphasising the importance of the collaborative economy for future growth (COM(2016)0356);
35. Notes the huge potential of new technologies for the emergence of new forms of service provision in the goods transport sector; stresses, in particular, the enormous opportunities offered by drones, which are already a highly effective tool for working in difficult conditions; stresses that the EU should support the potential of SMEs involved in the design, production and use of drones;
36. Believes that collaborative business models constitute a major resource for the sustainable development of connections in outlying, mountainous and rural regions, and also offer indirect benefits for the tourism sector;
37. Is of the opinion that legislative requirements should be proportionate to the nature of the business and size of the company; however, raises concerns about whether there continue to be grounds for exempting light commercial vehicles (LCVs) from application of a number of European rules, given the increasing use of LCVs in the international transport of goods, and asks the Commission to present a diagnostic report on the consequent economic, environmental and safety impact;

38. Calls for the establishment of cooperation structures between small transport businesses, scientific research institutes and local and regional authorities, with a view to improving the organisation of sustainable urban and interurban mobility so as to respond effectively to the emergence of new services and products, including those offered by SMEs (e.g. the first and last stages of door-to-door transport service), while better aligning the existing public transport networks to the needs and expectations of passengers; calls for the inclusion of information on mobility services provided by small businesses in travel information and planning services;
39. Calls for the setting-up of innovation task forces, to give full effect to the ‘shareable cities’ concept and help local, regional and national institutions respond effectively to the emergence of new services and products;
40. Stresses the importance of focused training (e.g. concerning big data, integrated services, etc.) in order to help transport companies generate added value from the digital sphere; calls, therefore, for the adaptation of the way in which professionals are trained, in line with the skills and qualifications required by new business models, in particular so as to meet shortages of staff, especially of drivers;
41. Highlights that SMEs in the transport sector often refrain from expansion because of the increased risks that are involved in cross-border business thanks to the divergence between legal systems in different (Member) States; calls on the Commission, in cooperation with national, regional and local authorities in the Member States, to develop cooperation and communication platforms in order to advise and train SMEs with regard to different funding schemes, grants and internationalisation; asks the Commission to further exploit the existing support programmes for SMEs and to give them more visibility among transport sector actors, in the context of synergies between different EU funds;
42. Encourages local authorities to make an active commitment on the urban transport decarbonisation principles set out in the White Paper on transport, and urges market players to operate within the new competition and activity framework thereby benefiting from the competitive advantages of offering zero-emissions services and the progressive digitisation of their management, operations and marketing structures;
43. Calls on the Commission, the Member States and local authorities to promote innovations in the sharing economy, which will themselves be facilitated by the emergence of collaborative business models, e.g. car sharing, bicycle sharing, shared cargo transport, shared taxis, car-pooling, and buses on demand, and the interconnection of these modes of transport with public transport;
44. Calls on the Commission, by means of enhanced cooperation among its DGs, to closely monitor the development of the digital economy and the impact of the ‘Digital Agenda’ legislative initiatives on the transport sector;
45. Calls on the Commission and the Member States, in cooperation with the social partners, to assess on a regular basis the impact of digitalisation on the number and types of jobs in the transport sector, and to ensure that employment and social policies keep pace with the digitalisation of the transport labour market;
46. Recommends that collaborative economy businesses, as well as people working in the transport sector, find models for working together in pursuing shared interests, such as in

the area of insurance;

47. Welcomes the flexible working time models negotiated by the social partners in the transport sector that enable workers better to reconcile work and private life; stresses, however, the importance of monitoring compliance with mandatory rules on working hours and of driving and rest times, which should become easier as a result of the digitalisation of the transport sector;

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48. Instructs its President to forward this resolution to the Council and the Commission.