AMENDMENTS
1 - 96

Draft opinion
Josianne Cutajar
(PE648.502v02-00)

Digital Services Act: Improving the functioning of the Single Market
(2020/2018(INL))
AM_Com_NonLegOpinion
Amendment 1  
Cláudia Monteiro de Aguiar

Draft opinion
Recital A

Draft opinion

A. whereas the framework in the e-Commerce Directive pre-dates the digital economy era and thus does not reflect the technical, economic and social reality of today’s online services in the transport and tourism sector;

Amendment

A. whereas the framework in the e-Commerce Directive pre-dates the digital economy era and thus does not reflect the technical, economic and social reality of today’s online services in the transport and tourism sector and consider the interaction with national and local regulation that is not typically harmonised at EU level;

Or. en

Amendment 2  
Leila Chaibi

Draft opinion
Recital A

Draft opinion

A. whereas the framework in the e-Commerce Directive pre-dates the digital economy era and thus does not reflect the technical, economic and social reality of today’s online services in the transport and tourism sector;

Amendment

A. whereas the framework in the e-Commerce Directive pre-dates the digital economy era and thus does not reflect the technical, economic and social reality of today’s online services in the transport and tourism sector; labour and social reality of today’s online services in the transport and tourism sector;

Or. en

Amendment 3  
Josianne Cutajar, Sara Cerdas, Isabel García Muñoz, István Ujhelyi, Marianne Vind, Maria Grapini

Draft opinion
Recital A a (new)

Draft opinion

3/48

Amendment

PE650.671v01-00
A a. whereas throughout the transport and tourism online platform ecosystem, a limited number of companies dominate the market, functioning as gatekeepers which set high entry to market barriers stifling competition and thereby limiting options for consumer;

Or. en

Amendment 4
Josianne Cutajar, Sara Cerdas, Isabel García Muñoz, István Ujhelyi, Marianne Vind, Maria Grapini

Draft opinion
Recital A b (new)

Draft opinion

A b. whereas digital online platforms in the transport sector are labour intensive and typically rely on a non-standard workforce whose conditions of employment, representation and social protection remain unclear and disadvantaged; whereas policy responses to this issue has remained so far unsatisfactory both at EU and Member State level;

Or. en

Amendment 5
Carles Puigdemont i Casamajó

Draft opinion
Recital A a (new)

Draft opinion

A a. whereas the digitalisation of the economy has developed new services and products, also in transport industries, together with new forms of labour which tend to be under unequal labour rights than off-line sectors, or even
under precarious job contracts both in terms of time worked and salary; whereas the COVID–19 pandemic has increased the exposure of these workers to the disease, increasing such inequality;

Amendment 6
Kosma Złotowski

Draft opinion
Recital A a (new)

Draft opinion

Amendment

A a. having regard to the positive impact of the functioning of digital platforms on the accessibility of transport and tourism services, as well as their important contribution to the development of intelligent transport system technologies, particularly in the area of autonomous vehicles;

Amendment 7
Jörgen Warborn, Henna Virkkunen

Draft opinion
Recital A a (new)

Draft opinion

Amendment

Aa. Stressing the many positive effects that the increased digitisation of the transport and tourism sectors has had, in the form of increased freedom of choice, better use of resources and easier exchanges between people and businesses;

Draft opinion
Amendment 8
Jörgen Warborn, Henna Virkkunen
Draft opinion
Recital A b (new)

Draft opinion

Amendment

Ab. Drawing attention to the great opportunities that exist to further accelerate the digitisation of the transport industry, and whereas, in the light of this, future regulation must be so designed as to facilitate technological development rather than hampering it, at the same time as promoting competition on equal terms;

Or. sv

Amendment 9
Carles Puigdemont i Casamajó
Draft opinion
Recital A b (new)

Draft opinion

Amendment

A b. whereas the Union is not yet reaping all the benefits of interoperability, particularly due to shortcomings in standard-setting, public procurement and coordination between national competent authorities;

Or. en

Amendment 10
Jörgen Warborn, Henna Virkkunen
Draft opinion
Recital A c (new)

Draft opinion

Amendment

Ac. Stressing the need for substantial investment in IT infrastructure in order to
be able to host the digital services that will build future prosperity in Europe;

Amendment 11
Josianne Cutajar, Sara Cerdas, Isabel García Muñoz, István Ujhelyi, Marianne Vind, Maria Grapini

Draft opinion
Paragraph -1 (new)

Draft opinion  Amendment
-1. Takes note of the important role played in the past two decades by the e-Commerce Directive in helping develop transport and tourism platforms in the European Digital Single Market;

Amendment 12
Cláudia Monteiro de Aguiar

Draft opinion
Paragraph 1

Draft opinion  Amendment
1. Notes that the scope of the definition of information society services provided for in the e-Commerce directive has been subject to a rich case-law by the European Court of Justice, especially regarding online platforms in the transport and short-rentals sectors, and hence needs to be clarified; notes that encouraging proactive measures by platforms ensure greater trust, security and safety for users;

Amendment 13

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Josianne Cutajar, Sara Cerdas, Isabel García Muñoz, István Ujhelyi, Marianne Vind, Maria Grapini, Patrizia Toia

Draft opinion
Paragraph 1

1. Notes that the scope of the definition of information society services provided for in the e-Commerce directive has been subject to a rich case-law by the European Court of Justice, especially regarding online platforms in the transport and short-rentals sectors, and hence needs to be clarified;
Draft opinion

1 a. Points out that online platforms in the transport and tourism sectors have been widely welcomed by users and triggered an increase in demand, which led to efficiency improvements in the way those services are provided; notes on the other hand that the developments in the market have resulted in legal, economic, and social questions.

Amendment 16
Josianne Cutajar, Sara Cerdas, Isabel García Muñoz, István Ujhelyi, Marianne Vind, Maria Grapini, Patrizia Toia

Draft opinion
Paragraph 1 b (new)

Draft opinion

1 b. Highlights that the unprecedented crisis trigged by the Covid-19 pandemic has greatly increased the demand for digital services and reinforced the need for the EU to strengthen its digital sovereignty; believes in this regard that the new regulatory framework should play a key role in this new context and strike the right balance between small and big platforms, for the former to become more digital and for the latter to become more responsible.

Amendment 17
Josianne Cutajar, Sara Cerdas, Isabel García Muñoz, István Ujhelyi, Marianne Vind, Maria Grapini, Patrizia Toia

Draft opinion
Paragraph 1 c (new)
1 c. **Recalls that the absence of clear, transparent and up-to-date rules for online platforms in the field of transport and tourism has resulted in market fragmentation and uncertainty which damages businesses and constitutes a deterrent for newcomers entering the market;**

Or. en

Amendment 18
Pierre Karleskind, Nicola Danti, Petras Aušrevičius, Ondřej Kovařík, Jan-Christoph Oetjen, Izaskun Bilbao Barandica

Draft opinion
Paragraph 2

2. **Calls on the Commission to clarify the liability of Transport and Tourism platforms; invites the Commission to set a uniform obligation for platforms to verify the legality of the service offered and the service provider and to act on illegal content, through a legally binding Notice and Action procedure.**

Or. en

Amendment 19
Elżbieta Katarzyna Łukacijewska
2. Calls on the Commission to clarify the liability of Transport and Tourism platforms; invites the Commission to set a uniform obligation for platforms to verify the legality of the service offered and the service provider and to act on illegal content, through a legally binding Notice and Action procedure.

Amendment
20
Patrizia Toia, Alessandra Moretti, Giuseppe Ferrandino

2. Calls on the Commission to clarify the liability of Transport and Tourism platforms; invites the Commission to set a uniform obligation for platforms to verify the legality of the service offered and the service provider and to act on illegal content, through a legally binding Notice and Action procedure; calls on the Commission to require service providers to verify the information and identity of the business partners with whom they have a contractual commercial relationship, and to ensure that the information they provide is accurate and up-to-date;

Or. en

Amendment
21

2. Calls on the Commission to clarify the liability of Transport and Tourism platforms; invites the Commission to set a uniform obligation for platforms to verify the legality of the service offered and the service provider and to act on illegal content, through a legally binding Notice and Action procedure. Generally, the introduction of due diligence protocols, urges the Commission to act on illegal content, through a legally binding Notice and Action procedure.

Or. en
2. Calls on the Commission to clarify the liability of Transport and Tourism platforms; invites the Commission to set a uniform obligation for platforms to verify the legality of the service offered and the service provider and to act on illegal content, through a legally binding Notice and Action procedure.

Amendment 22
Cláudia Monteiro de Aguiar

2. Calls on the Commission to clarify the liability of Transport and Tourism platforms, depending on the business model employed in each case; invites the Commission to set a uniform obligation for platforms to verify the legality of the service offered and the service provider and to act on illegal content, once a competent authority has provided with information to constitute actual knowledge of an illegality, through a legally binding Notice and Action procedure.
Amendment 23
Kosma Zlotowski

Draft opinion
Paragraph 2

2. Calls on the Commission to clarify the liability of Transport and Tourism platforms; invites the Commission to set a uniform obligation for platforms to verify the legality of the service offered and the service provider and to act on illegal content, through a legally binding Notice and Action procedure.

Amendment

2. Calls on the Commission to clarify the scope of liability of Transport and Tourism platforms, in particular by drawing a clear line between the liability of the platform and of the user; points out that the issue of civil liability is one of the greatest challenges for the full exploitation of the potential of artificial intelligence in the area of autonomous mobility;

Or. pl

Amendment 24
Tomasz Frankowski

Draft opinion
Paragraph 2

2. Calls on the Commission to clarify the liability of Transport and Tourism platforms; invites the Commission to set a uniform obligation for platforms to verify the legality of the service offered and the service provider and to act on illegal content, through a legally binding Notice and Action procedure.

2. Calls on the Commission to clarify the liability of Transport and Tourism platforms; invites the Commission to set a uniform obligation for platforms to verify the legality of the service offered and the service provider and to act on illegal content effectively, including through a legally binding Notice and Action procedure.

Or. en

Amendment 25
Maria Grapini

Draft opinion
Paragraph 2
2. Calls on the Commission to clarify the liability of Transport and Tourism platforms; invites the Commission to set a uniform obligation for platforms to verify the legality of the service offered and the service provider and to act on illegal content, through a legally binding Notice and Action procedure.

**Amendment**

2. Calls on the Commission to clarify the liability of Transport and Tourism platforms; invites the Commission to set a uniform obligation for platforms to verify the legality and veracity of the service offered and the service provider and to act on illegal content, through a legally binding Notice and Action procedure.

**Amendment 26**

**Jörgen Warborn, Henna Virkkunen**

**Draft opinion**

**Paragraph 2**

2. Calls on the Commission to clarify the liability of Transport and Tourism platforms; invites the Commission to set a uniform obligation for platforms to verify the legality of the service offered and the service provider and to act on illegal content, through a legally binding Notice and Action procedure.

**Draft opinion**

2. Calls on the Commission to clarify the liability of Transport and Tourism platforms; invites the Commission to set a uniform obligation for platforms to verify the legality of the service offered and the service provider and to act on illegal content, through a legally binding Notice and Action procedure.

**Amendment**

2. Calls on the Commission to clarify the liability of Transport and Tourism platforms; invites the Commission to set a uniform obligation for platforms to identify the service provider and to act on illegal content, through a legally binding Notice and Action procedure.

**Amendment 27**

**Sara Cerdas**

**Draft opinion**

**Paragraph 2**

2. Calls on the Commission to clarify the liability of Transport and Tourism platforms; invites the Commission to set a uniform obligation for platforms to verify the legality of the service offered and the service provider and to act on illegal content, through a legally binding Notice and Action procedure.

**Draft opinion**

2. Calls on the Commission to clarify the liability of Transport and Tourism platforms; invites the Commission to set a uniform obligation for platforms to verify the legality of the service offered and the service provider and to act on illegal content, through a legally binding Notice and Action procedure.

**Amendment**

2. Calls on the Commission to clarify the liability of Transport and Tourism platforms; invites the Commission to set a uniform obligation for platforms to verify the legality of the service offered and the service provider and to act on illegal content, through a legally binding Notice and Action procedure.
service provider and to act on *illegal content*, through a legally binding Notice and Action procedure.

service provider and to act on *irregularities*, through a legally binding Notice and Action procedure.

Or. pt

Amendment 28
Josianne Cutajar, Sara Cerdas, Isabel García Muñoz, István Ujhelyi, Marianne Vind, Maria Grapini

Draft opinion
Paragraph 2 a (new)

*Draft opinion*

2 a. *Draws attention to the very specific nature of content on transport and tourism platforms compared to other sectors, which needs to be compliant with precise criteria. Calls for a sector-specific EU-coordinated effort involving all stakeholders to agree on sets of criteria, in line with Single Market rules, necessary to offer a service on a platform with the objective of facilitating cooperation and boosting business opportunities.*

Or. en

Amendment 29
Kosma Złotowski

Draft opinion
Paragraph 2 a (new)

*Draft opinion*

2 a. *Calls on the Commission to establish a legal obligation for digital platforms to verify that the services they offer are legal and that their providers have all the permits, licences and certificates required under national or European law; stresses that the issue of insecurity in using transport and tourism services offered by digital*
platforms represents a major challenge and a significant barrier to their further development;

Amendment 30
Henna Virkkunen
Draft opinion
Paragraph 8 a (new)

8 a. Stresses the need for extended liability for the online marketplaces, when these marketplaces are facilitating the sale of goods or services to a consumer on the European market and when there is no manufacturer, importer or distributor established in the EU that can be held liable.

Amendment 31
Cláudia Monteiro de Aguiar
Draft opinion
Paragraph 2 a (new)

2 a. Invites the Commission to set up an EU-wide principles to clarify the highly fragmented notice and action processes, depending on the type of digital service offered and actors involved; believes that different services come with different responsibilities and the approach to regulate harmful content should take this principle into consideration;

Or. pl
Or. en
Amendment 32
Pierre Karleskind, Izaskun Bilbao Barandica, Petras Aušrevičius, Ondřej Kovařík, Nicola Danti, Jan-Christoph Oetjen

Draft opinion
Paragraph 2 a (new)

Draft opinion

Amendment

2 a. **Calls on the Commission to establish a set of information obligations for short-term rental platforms, in order to keep their service providers informed about any related relevant national, regional and local legislation in force;**

Or. en

Amendment 33
Jörgen Warborn, Henna Virkkunen

Draft opinion
Paragraph 2 a (new)

Draft opinion

Amendment

2a. **Calls on the Commission to devote particular attention to the situation of SMEs and to design future legislation in such a way as to improve conditions for these undertakings.**

Or. sv

Amendment 34
Pierre Karleskind, Izaskun Bilbao Barandica, Petras Aušrevičius, Ondřej Kovařík, José Ramón Bauzá Díaz, Caroline Nagtegaal, Nicola Danti, Jan-Christoph Oetjen

Draft opinion
Paragraph 2 b (new)

Draft opinion

Amendment

2 b. **Highlights the importance of collaborative economy platforms in the Transport and Tourism sectors, on which**
services are provided by both individuals and professionals; stresses the importance of avoiding imposing disproportionate information obligations and unnecessary administrative burden on peer-to-peer providers of services;

Or. en

Amendment 35
Kosma Złotowski

Draft opinion
Paragraph 2 b (new)

Draft opinion

2 b. Calls on the Commission to create a legal framework for the development of technologies that make use of artificial intelligence and big data in the transport sector; stresses that the mobility of the future will be based on autonomous vehicles and intelligent infrastructure that communicate with each other in real time;

Or. pl

Amendment 36
Jörgen Warborn, Henna Virkkunen

Draft opinion
Paragraph 2 b (new)

Draft opinion

2b. Stresses that future legislation must reduce the total administrative burden on SMEs, as one way of increasing their competitiveness.

Or. sv
Amendment 37
Markus Ferber

Draft opinion
Paragraph 3

Draft opinion

3. **Stresses the importance of** establishing a European Authority tasked with overseeing the online platform market, with offices for Transport and Tourism.

Amendment

3. **deleted**

Or. en

Amendment 38
Pierre Karleskind, Izaskun Bilbao Barandica, Petras Aušrevičius, Ondřej Kovařík, José Ramón Bauzá Díaz, Caroline Nagtegaal, Jan-Christoph Oetjen

Draft opinion
Paragraph 3

Draft opinion

3. **Stresses** the importance of establishing a European Authority tasked with overseeing the online platform market, **with offices for** Transport and Tourism.

Amendment

3. **Recalls** the importance of ensuring an effective implementation and enforcement of the rules affecting the online platform market by existing EU institutions, agencies and bodies; stresses the importance and the particularities of the Transport and Tourism online platform market, which require a sector-specific approach and special attention in that matter;

Or. en

Amendment 39
Marianne Vind

Draft opinion
Paragraph 3

Draft opinion

Amendment
3. Stresses the importance of establishing a European Authority tasked with overseeing the online platform market, with offices for Transport and Tourism.

3. Stresses the importance of establishing a European Authority tasked with overseeing the online platform market, with offices for Transport and Tourism. **Emphasizes the importance of regulating and overseeing the underlying algorithms of platform companies to avoid discrimination, misinformation and exploitation of workers.**

**Amendment 40**
Josianne Cutajar, Sara Cerdas, Isabel García Muñoz, István Ujhelyi, Marianne Vind, Maria Grapini

**Draft opinion**
**Paragraph 3**

**Draft opinion**

3. Stresses the importance of establishing a European Authority tasked with overseeing the online platform market, with offices for Transport and Tourism.

**Amendment**

3. Stresses the importance of establishing a European Authority tasked, **among other things**, with overseeing the online platform market and facilitating data sharing and redress for consumers, with offices for transport and tourism.

**Amendment 41**
Kosma Zlotowski

**Draft opinion**
**Paragraph 3**

**Draft opinion**

3. Stresses the importance of establishing a European Authority tasked with overseeing the online platform market, with offices for Transport and Tourism.

**Amendment**

3. Stresses the importance of establishing a European Authority tasked with overseeing the online platform market, with offices for Transport and Tourism, **which collaborates closely with the competent authorities in the Member States.**
Amendment 42
Jörgen Warborn, Henna Virkkunen

Draft opinion
Paragraph 3

3. Stresses the importance of establishing a European Authority tasked with overseeing the online platform market, with offices for Transport and Tourism.

Amendment
Paragraph 3

3. Stresses the importance of overseeing the online platform market at European level.

Amendment 43
Cláudia Monteiro de Aguiar

Draft opinion
Paragraph 3 a (new)

Draft opinion

3 a. Asks the EC to further clarify how the country of origin principle works, including the possible derogations, to guarantee legal certainty across the EU;

Amendment

3 a. Asks the EC to further clarify how the country of origin principle works, including the possible derogations, to guarantee legal certainty across the EU;

Amendment 44
Pierre Karleskind, Izaskun Bilbao Barandica, Petras Auštreivičius, Ondřej Kovařík, José Ramón Bauzá Díaz, Caroline Nagtegaal, Nicola Danti, Jan-Christoph Oetjen

Draft opinion
Paragraph 4

Draft opinion

4. Calls on the Commission to enhance the relationship between stakeholders and local authorities in the

Amendment

4. Calls on the Commission to enhance the relationship between stakeholders and local authorities in the
Short-Term Rental market and mobility services; believes that the Digital Services Act should aim at ensuring legal certainty and clarity by creating a governance framework formalising the cooperation between short-term rental and mobility platforms and national, regional and local authorities;

Amendment 45
Sara Cerdas

Draft opinion
Paragraph 4

Draft opinion

4. Calls on the Commission to enhance the relationship between stakeholders and local authorities in the Short-Term Rental market and mobility services.

Amendment

4. Calls on the Commission to enhance the relationship between stakeholders and local authorities in the Short-Term Rental market and mobility services by means of clear and specific recommendations applicable across the board to the various EU Member States;

Amendment 46
Josianne Cutajar, Sara Cerdas, Isabel García Muñoz, István Ujhelyi, Marianne Vind, Maria Grapini, Patrizia Toia

Draft opinion
Paragraph 4

Draft opinion

4. Calls on the Commission to enhance the relationship between stakeholders and local authorities in the Short-Term Rental market and mobility services.

Amendment

4. Calls on the Commission to enhance the relationship between stakeholders and local authorities in the Short-Term Rental market and mobility services, with the objective of sharing best practices to improve the ease of doing business in the EU.
Draft opinion
Paragraph 5

5. Draws attention to the importance of data access in the platform economy; highlights the vital role data plays for local governments in enforcing and developing policies in the fields of Transport and Tourism;

Amendment 47
Patrizia Toia, Alessandra Moretti, Giuseppe Ferrandino

Draft opinion
Paragraph 5

5. Draws attention to the importance of data access in the platform economy; highlights the vital role data plays for local governments in enforcing and developing policies in the fields of Transport and Tourism; welcomes the Communication of the European Commission on a European data strategy, in particular the development of common European data spaces in strategic economic sectors, such as transport and mobility, in compliance with data protection rules; invites therefore the Commission to carefully work on a Common European mobility data space as detailed in the roadmap.

1 European Commission, Communication from the Commission to the European Parliament, the Council, the European Social and Economic Committee and the Committee of the Regions on a European data strategy, 19.02.2020, COM(2020) 66 final

Amendment 48
Carles Puigdemont i Casamajó

Draft opinion
Paragraph 5

5. Draws attention to the importance of data access in the platform economy; highlights the vital role data plays for local governments in enforcing and developing policies in the fields of Transport and Tourism;
of data access in the platform economy; highlights the vital role data plays for local
governments in enforcing and developing policies in the fields of Transport and
Tourism;

Amendment 49
Julie Lechanteux

Draft opinion
Paragraph 5

5. Draws attention to the importance
of data access in the platform economy;
highlights the vital role data plays for local
governments in enforcing and developing policies in the fields of Transport and
Tourism;

Amendment 50
Henna Virkkunen

Draft opinion
Paragraph 5

5. Draws attention to the importance
of data access in the platform economy;
highlights the vital role data plays for local
governments in enforcing and developing policies in the fields of Transport and
Tourism; stresses the need for the
authorities to have access to these data in
order to transpose virtual ordering into
the technical, economic and social reality
of online services, with a view to
protecting the consumer and combating
social fraud and unfair competition in the
transport and tourism sectors;
5. Draws attention to the importance of data access in the platform economy; highlights the vital role data plays for local governments in enforcing and developing policies in the fields of Transport and Tourism;

5. Draws attention to the importance of data access, data portability and transparent data governance in the platform economy; highlights the vital role data plays for local governments in enforcing and developing policies in the fields of Transport and Tourism, as well as in creating new innovate services that contribute to Europe's competitiveness; highlights the need for enhanced access to data for SMEs in the Transport and Tourism sector.

Or. en

Amendment 51
Josianne Cutajar, Sara Cerdas, Isabel García Muñoz, István Ujhelyi, Marianne Vind

Draft opinion
Paragraph 5

Draft opinion

5. Draws attention to the importance of data access in the platform economy; highlights the vital role data plays for local governments in enforcing and developing policies in the fields of Transport and Tourism;

Amendment

5. Draws attention to the importance of data access in the platform economy; highlights the vital role data plays for local governments in enforcing and developing policies in the fields of Transport and tourism; Welcomes the Commission’s mobility data space proposal and its data strategy for the public good;

Or. en

Amendment 52
Maria Grapini

Draft opinion
Paragraph 5

Draft opinion

5. Draws attention to the importance

Amendment

5. Draws attention to the importance
of data access in the platform economy; highlights the vital role data plays for local governments in enforcing and developing policies in the fields of Transport and Tourism;

Draft opinion
Paragraph 5

5. Draws attention to the importance of data access in the platform economy; highlights the vital role data plays for local governments in enforcing and developing policies in the fields of Transport and Tourism; stresses the need to respect privacy while using data;

Amendment 54
Pierre Karleskind, Izaskun Bilbao Barandica, Petras Auštreivičius, Ondřej Kovařík, José Ramón Bauzá Díaz, Caroline Nagtegaal, Nicola Danti, Jan-Christoph Oetjen

Draft opinion
Paragraph 5 a (new)

5 a. Welcomes the Commission’s agreement with certain platforms of the short-term rental sector on data sharing reached in March 2020; believes that this agreement will enable local authorities to better understand the development of collaborative economy and will allow for a reliable and continuous data sharing, therefore supporting an evidence-based policy making; calls on the Commission
to undertake further steps by initiating a more comprehensive data sharing framework for short-term rental online platforms, following consultations of all relevant stakeholders, and to establish an obligation for systemic platforms to share their data accordingly\(^b\), with Eurostat and the national statistics office of the country where the service providers operate;


\(^b\) In full compliance with Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data.

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Amendment 55
Isabel García Muñoz, Josianne Cutajar

Draft opinion
Paragraph 5 a (new)

\(\textit{Draft opinion} \quad \text{Amendment}\)

5a. Stresses the need to promote data exchanges, digitisation and big data on transport and logistics platforms in the interests of greater efficiency in the organisation and management of freight and passenger flows and in the use of infrastructures and resources; calls on the Commission to coordinate these platforms at EU level to improve supply chain visibility, real-time traffic management and cargo flows, as well as simplifying and reducing TEN-T administrative
formalities, especially along cross-border sections;

Amendment 56
Jörgen Warborn

Draft opinion
Paragraph 5 a (new)

5a. Draws attention to the importance of data for the transport industry, to support the technical development of AI and 5G and connected and automated mobility; considers that the Commission should facilitate businesses' innovation and trading in data, in full compliance with EU law on privacy and data protection; takes the view that data needs to flow freely between vehicles and services, between Member States and between the EU and third countries; to this end, data localisation requirements must be avoided, data must be covered by the EU's free trade agreements, and work on decisions on adequacy with various countries must be accelerated.

Amendment 57
Josianne Cutajar, Sara Cerdas, Isabel García Muñoz, István Ujhelyi, Marianne Vind, Maria Grapini

Draft opinion
Paragraph 5 a (new)

5 a. Urges the Commission to devise a data sharing policy that is secure for all stakeholders and preserves competition across the transport market. Highlights
the work of the Digital Transport Logistics Forum on "Federated Platforms" focused on identifying the needs of both the public and private sector. Underlines the essential role data sharing will have in supporting European SME’s development and their innovation drive, and in deploying a Europe wide Intelligent Transport System (ITS) network aligned with road safety and environmental objectives of the Union;

Amendment 58
Kosma Złotowski

Draft opinion
Paragraph 5 a (new)

Draft opinion

5 a. Stresses that the development of a data-based economy must not take place at the expense of protecting users’ personal data; notes that so-called raw data, i.e. unprocessed and non-personal data, generated by platforms operating in the field of transport can serve important social purposes; calls on the Commission to create a legal framework and a system of incentives to make raw data available to third parties for the purposes of research and cooperation between platforms in the area of interoperability;

Amendment 59
Karima Delli

Draft opinion
Paragraph 5 a (new)

Draft opinion

Amendment
5 a. Calls on the Commission to ensure that competitive access to in vehicle data for the purpose of maintenance and repair, as well as for mobility startups, is being enhanced in the upcoming legislation, while ensuring the highest standard of data protection.

Amendment 60
Josianne Cutajar, Sara Cerdas, Isabel García Muñoz, István Ujhelyi, Marianne Vind, Maria Grapini

Draft opinion
Paragraph 5 b (new)

5 b. Draws attention to the potential Mobility as a Service (MaaS) platforms hold in digitalizing, automating and decarbonizing EU mobility. Calls on the Commission to evaluate the deployment of balanced MaaS systems and allow for a degree of control by local governments on such systems to prevent monopolies and guarantee the enforcement of relevant laws and policies.

Amendment 61
Josianne Cutajar, Sara Cerdas, Isabel García Muñoz, István Ujhelyi, Marianne Vind, Maria Grapini

Draft opinion
Paragraph 6

6. Stresses the need to build on the P2B Regulation to limit the dominance of market giants in the Transport and Tourism sector; stresses the urgency for the
Commission to establish well defined criteria regarding "size" of platforms. Denounces the worrying problem of preferencing and self-preferencing on online search engines for the tourism platform market, which creates a shopping bias and can lead to monopolies in the sector.


Amendment 62
Jörgen Warborn, Henna Virkkunen

Draft opinion
Paragraph 6

Draft opinion

6. Stresses the need to build on the P2B Regulation to limit the dominance of market giants in the Transport and Tourism sector; stresses the urgency for the Commission to establish well defined criteria regarding “size” of platforms.

Amendment

6. Stresses the need to build on the P2B Regulation to limit the dominance of market giants in the Transport and Tourism sector, with the aim of preserving a diversity of actors, ensuring satisfactory competition and preventing the emergence of monopolies.

Amendment 63
Pierre Karleskind, Izañkun Bilbao Barandica, Petras Aušrevičius, Ondřej Kovařík, José Ramón Bauzá Díaz, Caroline Nagtegaal, Nicola Danti, Jan-Christoph Oetjen

Draft opinion
Paragraph 6

Draft opinion

Amendment
6. Stresses the need to build on the P2B Regulation to limit the dominance of market giants in the Transport and Tourism sector; stresses the urgency for the Commission to establish **well defined** criteria regarding “size” of platforms.

Amendment 64
Sara Cerdas

Draft opinion
Paragraph 6

**Draft opinion**

6. Stresses the need to build on the P2B Regulation to limit the dominance of market giants in the Transport and Tourism sector; stresses the urgency for the Commission to establish **clear and objective** criteria regarding “size” of platforms.

Amendment

6 a. **Emphasises the need for the Commission to address the current regulatory Internal Market fragmentation; stresses the need in ensuring that no free rider effect takes place in platform’s investment; Underlines the urgency of reviewing the current framework conditions, particularly in the area of competition law**
to avoid oligopolistic market situations and ensuring that the pricing interface between platforms to consumer and business to platforms is fair. Supports ecosystems that promote a level playing field for innovators, businesses, and new market entrants, in particular SMEs and start-ups.

Or. en

Amendment 66
Kosma Złotowski

Draft opinion
Paragraph 6 a (new)

Draft opinion
Amendment

6 a. Stresses that limited competition in the market for digital services in transport and tourism creates a significant barrier for small and medium-sized enterprises; recommends that the Commission's planned legislation should take into account the differences in potential between operators in the single market in terms of the administrative or financial burdens that they face;

Or. pl

Amendment 67
Pierre Karleskind, Nicola Danti, Petras Auštreivičius, Ondřej Kovařík, Jan-Christoph Oetjen, Izaskun Bilbao Barandica

Draft opinion
Paragraph 6 a (new)

Draft opinion
Amendment

6 a. Acknowledges that the digital economy, particularly platforms, can have a significant impact on long-established regulated business models in many strategic sectors such as transportation

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and hospitality; stresses the need to foster a level-playing field between online platforms and traditional enterprises operating in the transport and tourism sectors;

Amendment 68
Jörgen Warborn, Henna Virkkunen

Draft opinion
Paragraph 7

Draft opinion
Amendment

7. Calls on the Commission to come up with a comprehensive framework to align the working conditions of platform workers with those of regular employees; deleted

Amendment 69
Josianne Cutajar, Sara Cerdas, Isabel Garcia Muñoz, István Ujhelyi, Marianne Vind, Johan Danielsson, Maria Grapini, Patrizia Toia

Draft opinion
Paragraph 7

Draft opinion
Amendment

7. Calls on the Commission to come up with a comprehensive framework to align the working conditions of platform workers in line with those of regular/standard workers to benefit fully from job creation and innovation opportunity of platform work in the transport sector; welcomes in this regard the new Directive on Transparent and Predictable Working Conditions2a and the Council Recommendation on Access to social protection for workers and the self-employed2b; calls on the Commission to closely monitor the enforcement of the
Draft opinion
Paragraph 7

7. Calls on the Commission to come up with a comprehensive framework to align the working conditions of platform workers with those of regular employees;

Amendment 71
Carles Puigdemont i Casamajó

Draft opinion

7. Calls on the Commission to come up with a comprehensive framework directive to guarantee fair working conditions for platform workers, including the right to exercise the freedom of association and collective bargaining, the right to strike, having a say in the functioning of applications and rating mechanisms, compliance with health and safety regulations and the rules on maximum working periods, and the provision of obligatory training and education as well as any required protection gear at the expense of the platform;

Or. en
Draft opinion
Paragraph 7

7. Calls on the Commission to come up with a comprehensive framework to align the working conditions of platform workers with those of regular employees;

Amendment

7. Calls on the Commission to come up with a comprehensive framework, with the aim of becoming a single rulebook, to align the working conditions and setting standards of platform workers with those of regular employees; stresses that these standards should help at enhancing the modernisation and renovation of economies, offering re-skilling programs to workers who may be left behind, and empowering citizens;

Or. en

Amendment 72
Kosma Złotowski

Draft opinion
Paragraph 7

7. Calls on the Commission to come up with a comprehensive framework to align the working conditions of platform workers with those of regular employees;

Amendment

7. Stresses that the functioning of digital platforms in the field of transport and tourism has played a positive role in creating new jobs, especially for young people and unskilled workers; calls on the Commission to come up with a comprehensive framework to align the working conditions of platform workers with those of regular employees;

Or. pl

Amendment 73
Johan Danielsson

Draft opinion
Paragraph 7
7. Calls on the Commission to come up with a comprehensive framework to align the working conditions of platform workers with those of regular employees;

7. Calls on the Commission to come up with a comprehensive framework to align the working conditions of platform workers with those of regular employees, while fully respecting the autonomy of social partners and national labour market models;

Or. en

Amendment 74
Leila Chaibi

Draft opinion
Paragraph 7

Draft opinion

7. Calls on the Commission to come up with a comprehensive framework to align the working conditions of platform workers with those of regular employees;

7. Calls on the Commission to come up with a binding comprehensive framework to align the working conditions of platform workers with those of regular employees;

Or. en

Amendment 75
Henna Virkkunen

Draft opinion
Paragraph 7 a (new)

Draft opinion

7 a. highlights that the era of digital economy should not be characterized by job insecurity and disparity between the self-employed and those in traditional employment; encourages the Member States and the European Commission to assess the adequacy of national employment rules and the provisions of EU labour law, especially considering the needs of self-employed and freelance
workers in the digital world, as well as the innovative business models in the Transport and Tourism sector.

Amendment 76
Josianne Cutajar, Sara Cerdas, Isabel García Muñoz, István Ujhelyi, Marianne Vind, Johan Danielsson, Maria Grapini, Patrizia Toia

Draft opinion
Paragraph 7 a (new)

Draft opinion

Amendment

7 a. Notes the International Labour Organisation’s call for the establishment of an international governance system requiring platform holders to respect certain minimum rights and protections and regulating the use of data and algorithmic accountability in the world of work. Recalls the fundamental right for workers of all categories enshrined in the EU Charter of Fundamental Rights to take collective action to defend their interests.

Amendment 77
Josianne Cutajar, Sara Cerdas, Isabel García Muñoz, István Ujhelyi, Marianne Vind

Draft opinion
Paragraph 8

Draft opinion

Amendment

8. Emphasizes the need for transparency in Transport and Tourism platforms, specifically on algorithms affecting service, pricing, and advertising.

8. Emphasizes the need for transparency on transport and tourism platforms, specifically on algorithms affecting service, pricing, and advertising. Calls for the implementation of the existing acquis and for further and clearer rules, in transport and tourism platforms on compulsory information to consumers on the rationale behind the
personalization of prices and offers, especially when made by automatic decision making software, and the reasons behind the ranking of services they are presented with, for them not to be misled or have information omitted.

Amendment 78
Jörgen Warborn, Henna Virkkunen

Draft opinion
Paragraph 8

Draft opinion

Amendment

8. Emphasizes the need for transparency in Transport and Tourism platforms, specifically on algorithms affecting service, pricing, and advertising.

8. Emphasizes the need for transparency in Transport and Tourism platforms, specifically on algorithms affecting service, pricing, and advertising, but at the same time observes that the degree of transparency must be weighed up against the right to protect vital trade secrets.

Amendment 79
Pierre Karleskind, Nicola Danti, Petras Auštreivičius, Ondřej Kovařík, Izaskun Bilbao Barandica

Draft opinion
Paragraph 8

Draft opinion

Amendment

8. Emphasizes the need for transparency in Transport and Tourism platforms, specifically on algorithms affecting service, pricing, and advertising.

8. Emphasizes the need for transparency in Transport and Tourism platforms, specifically on algorithms affecting service, pricing, advertising, and digital trust building mechanisms such as ratings and reviews;
Draft opinion

Paragraph 8

8. Emphasizes the need for transparency in Transport and Tourism platforms, specifically on algorithms affecting service, pricing, and advertising.

Amendment

8. Emphasizes the need to guarantee transparency in the internal rules of Transport and Tourism platforms, as well as their compliance with European consumer rights protection standards;

Or. pl

Draft opinion

Paragraph 8

8. Emphasizes the need for transparency in Transport and Tourism platforms, specifically on algorithms affecting service, pricing, and advertising.

Amendment

8. Emphasizes the need for transparency in Transport and Tourism platforms, specifically on algorithms affecting service quality, pricing, and advertising.

Or. ro

Draft opinion

Paragraph 8

8. Emphasizes the need for transparency in Transport and Tourism platforms, specifically on algorithms affecting service, pricing, and advertising.

Amendment

8. Emphasizes the need for transparency on availability, service, pricing, and advertising in Transport and Tourism platforms, specifically on
algorithms.

Amendment 83
Elżbieta Katarzyna Łukacijewska

Draft opinion
Paragraph 8 a (new)

Draft opinion

Amendment

8 a. Considers that consumers should be properly informed and their rights should be effectively guaranteed when they interact with automated decision-making systems and other innovative digital services or applications used by transport and tourism platforms; believes that it should be possible for consumers to request checks and corrections of possible mistakes resulting from automated decisions, as well as to seek redress for any damage related to the use of automated decision-making systems;

Or. en

Amendment 84
Kosma Złotowski

Draft opinion
Paragraph 8 a (new)

Draft opinion

Amendment

8 a. Calls for full transparency in the operation of digital platforms in the transport and tourism sectors, especially as regards those registered in third countries, in terms of the algorithms affecting the availability of services, the prices offered or user profiling for advertising;

Or. pl
Amendment 85
Pierre Karleskind, Nicola Danti, Petras Auštreivičius, Ondřej Kovařík, Jan-Christoph Oetjen, José Ramón Bauzá Díaz, Izaskun Bilbao Barandica

Draft opinion
Paragraph 9

Draft opinion

9. Highlights the need for online platforms in Transport and Tourism to promote sustainability, also in line with the European Green Deal.

Amendment

9. Stresses the role that digitalisation can play in enhancing the sustainability of the transport and tourism sectors, especially by favouring a more efficient use of resources and under-used spaces and by supporting areas that do not traditionally benefit from tourism; highlights the need for online platforms in Transport and Tourism to promote sustainability, also in line with the European Green Deal; recalls that well informed users are the main driver of sustainable transport and tourism; invites the European Commission to set guidelines for the Transport and Tourism online platforms, providing tools and information on how to better inform their customers and users on the environmental impact of their services;

Or. en

Amendment 86
Josianne Cutajar, Sara Cerdas, Isabel García Muñoz, István Ujhelyi, Marianne Vind, Maria Grapini, Patrizia Toia

Draft opinion
Paragraph 9

Draft opinion

9. Highlights the need for online platforms in Transport and Tourism to promote sustainability, also in line with the European Green Deal.

Amendment

9. Highlights the need for online platforms in transport and tourism to promote sustainability through their services, also in line with the European Green Deal by including environmentally friendly alternatives in their standard
9. Highlights the need for online platforms in Transport and Tourism to promote sustainability, also in line with the European Green Deal.

9. Highlights the need for online platforms in Transport and Tourism to promote sustainability in terms of services offered and functioning of the platform, also in line with the European Green Deal.

9. Highlights the need for online platforms in Transport and Tourism to promote sustainability, also in line with the European Green Deal.

9. Highlights the need for online platforms in Transport and Tourism to promote sustainability, also in line with the European Green Deal objectives.
9 a. **Highlights the role that innovative digital platforms can play in relaunching the European transport and tourism economy and driving sustainability in this sector by shifting users habits;** recalls the importance of accessibility, interoperability and exchange of up-to-date and real time travel and traffic data to foster the online offer and demand of all modes of transport, including urban transport, in line with the ITS Directive\(^2a\); calls on the European Commission to lift all unnecessary barriers preventing the emergence of an online multimodal market for urban, regional and long-distance transport services.

\(^{2a}\) Directive 2010/40/EU of the European Parliament and of the Council of 7 July 2010 on the framework for the deployment of Intelligent Transport Systems in the field of road transport and for interfaces with other modes of transport Text with EEA relevance.

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Amendment 90
Isabel García Muñoz

Draft opinion
Paragraph 9 a (new)

*Draft opinion*

9a. **Stresses that the coordination and exchange of transport and logistics data and information at EU level, between the Member States and with Commission, has been crucial for the establishment of green corridors during the COVID-19 crisis; stresses the need to uphold this cooperation to ensure the smooth functioning of EU supply chains, the continuous movement of goods at all Trans-European Transport Network (TEN-T) internal border crossings and**
the protection and safety of transport workers;

Amendment 91
Kosma Złotowski

Draft opinion
Paragraph 9 a (new)

Draft opinion

Amendment

9 a. Underlines the positive impact of digital tools in promoting sustainable urban mobility; points out that modern technological solutions can play a key role in achieving the goal of reducing to zero the number of fatalities and serious injuries resulting from road accidents by 2050; calls on the Commission to take this objective into account in the proposed legislation;

Or. pl

Amendment 92
Carles Puigdemont i Casamajó

Draft opinion
Paragraph 9 a (new)

Draft opinion

Amendment

9 a. Urges the Member States and the Commission to promote interoperability between devices, applications, data repositories, services and networks, necessary to fully benefit from the deployment of information and communication technologies (ICTs), also used in the sectors of transport and tourism;

Or. en
Amendment 93
Maria Grapini

Draft opinion
Paragraph 9 a (new)

Draft opinion

Amendment

9a. Stresses the need to help SMEs in the transport and tourism sector gain access to emerging digital platforms, given that most of them are under-capitalised and continue to have limited access to funding;

Or. ro

Amendment 94
Isabel García Muñoz

Draft opinion
Paragraph 9 b (new)

Draft opinion

Amendment

9b. Welcomes the Commission's initiative to establish a network of national contact points in the Member States and create an EU-wide platform to facilitate the supply and exchange of information on traffic flows in green corridors, the notification of national transport measures taken by Member States in response to the coronavirus and the exchange of other relevant information; stresses the need to step up cooperation on this EU platform to ensure and maintain the continuity of the EU supply chain, especially when goods, passenger and private transport operations start to pick up;

Or. es
Amendment 95
Isabel García Muñoz

Draft opinion
Paragraph 9 c (new)

Draft opinion

9c. Emphasises the need for a coordinated EU 'exit strategy' to re-establish the full continuity of the EU supply chain, harmonise the lifting of containment measures introduced with the onset of the COVID-19 crisis and ensure smooth traffic flows, especially along cross-border sections; calls on the Commission to ensure the functioning of the EU coordination platform as part of this 'exit strategy' and to establish clear and harmonised health guidelines for all modes of transport, encouraging the exchanges of data, information and good practice between Member States; recalls that failure to adopt a common EU stance could compromise the restoration of connectivity, particularly at border crossings;

Amendment

3d. Underlines the serious impact of the COVID-19 crisis on the EU tourism industry; calls on the Commission to set up an EU platform for the exchange of data and information between operators in the tourism value chain, including workers and SMEs and local, regional and national authorities, together with other European and international organisations and stakeholders at
European and international level, with the aim of establishing good EU crisis management and prevention procedures for the tourism industry and promoting sustainable, intelligent and innovative tourism;