



**2018/0140(COD)**

17.4.2020

**\*\*\*II**

## **DRAFT RECOMMENDATION FOR SECOND READING**

on the Council position at first reading with a view to the adoption of a regulation of the European Parliament and of the Council on electronic freight transport information  
(05142/1/2020 – C9-0103/2020 – 2018/0140(COD))

Committee on Transport and Tourism

Rapporteur: Andor Deli

### ***Symbols for procedures***

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

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

### ***Amendments to a draft act***

#### **Amendments by Parliament set out in two columns**

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

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

#### **Amendments by Parliament in the form of a consolidated text**

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

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

## CONTENTS

	<b>Page</b>
DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION .....	5
SHORT JUSTIFICATION .....	7



## DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

**on the Council position at first reading with a view to the adoption of a regulation of the European Parliament and of the Council on electronic freight transport information (05142/1/2020 – C9-0103/2020 – 2018/0140(COD))**

**(Ordinary legislative procedure: second reading)**

*The European Parliament,*

- having regard to the Council position at first reading (05142/1/2020 – C9-0103/2020),
  - having regard to the opinion of the Commission (COM(2020)0118),
  - having regard to the opinion of the European Economic and Social Committee of 17 October 2018<sup>1</sup>,
  - after consulting the Committee of the Regions,
  - having regard to its position at first reading<sup>2</sup> on the Commission proposal to Parliament and the Council (COM(2018)0279),
  - having regard to Article 294(7) of the Treaty on the Functioning of the European Union,
  - having regard to the provisional agreement approved by the committee responsible under Rule 74(4) of its Rules of Procedure,
  - having regard to the opinion of the Committee on Legal Affairs on the proposed legal basis,
  - having regard to Rule 67 and 40 of its Rules of Procedure,
  - having regard to the recommendation for second reading of the Committee on Transport and Tourism (A9-0000/2020),
1. Approves the Council position at first reading;
  2. Notes that the act is adopted in accordance with the Council position;
  3. Instructs its President to sign the act with the President of the Council, in accordance with Article 297(1) of the Treaty on the Functioning of the European Union;
  4. Instructs its Secretary-General to sign the act, once it has been verified that all the procedures have been duly completed, and, in agreement with the Secretary-General of the Council, to arrange for its publication in the *Official Journal of the European Union*;
  5. Instructs its President to forward its position to the Council, the Commission and the

---

<sup>1</sup> OJ C 62, 15.2.2019, p. 265.

<sup>2</sup> Texts adopted of 12.3.2019, P8\_TA(2019)0139.

national parliaments.

## **SHORT JUSTIFICATION**

### **1. The need for electronic freight transport information**

The overlarge majority of freight transport operations in the EU still require the use of paper documents. In fact, almost 99% of all cross-border transport operations in the EU still involve paper-based documents at one stage of the operation or another. This leads to inefficiencies for market players in the transport and logistic chains and to an unnecessary environmental burden. Since total freight transport movements are expected to grow by more than 50% up to 2050, this will become an even serious issue in the coming years. Parliament has been calling several times in the past for a stronger push towards paperless transport and urged for a more simplified, paperless, seamless, transparent, secured and trusted information flow between businesses, customers and authorities in this sector.

### **2. The Commission proposal**

The Commission identified two main causes for the slow uptake of electronic transport documentation: a lack of recognition of the legal equivalence of e-documents by competent authorities and a fragmented IT environment without well-established and interoperable systems with generally applicable and binding rules on electronic transport documents.

The Commission proposal of 17 May 2018 required competent authorities to accept regulatory information (for certain legal acts) in electronic form, and set up a framework of certified platforms and service providers (by conformity assessment bodies).

### **3. Interinstitutional negotiations**

Following the adoption of Parliament's first reading position on 12 March 2019, interinstitutional negotiations (aimed at an early second reading agreement) took place, from September to November 2019, under the Finnish Presidency of the Council. After three rounds of trilogues, Parliament's negotiating team reached a provisional agreement with the Council Presidency on 26 November 2019.

The text of the provisional agreement was presented to the Committee on Transport and Tourism (TRAN) and confirmed on 21 January 2020. On the basis of the Committee's approval, the Chair of the TRAN Committee, in her letter to the Chair of the Committee of Permanent Representatives (COREPER I), indicated that she would recommend to the Plenary to approve the Council's position without amendments, provided that it is in conformity with the provisional agreement reached between the two institutions. Following legal-linguistic verification, the Council on 7 April 2020 (by written procedure) formally adopted its position in accordance with the provisional agreement.

### **4. Main elements of the agreement**

The overall agreement that Parliament reached with the Council aimed at further strengthening the proposed system. In particular, the following was achieved:

- Minimising costs for economic operators and competent authorities, by, among others, base the certification system on existing international standards, models and agreements and ensure that certification is done in an independent manner;
- Gaining and keeping the trust of operators and competent authorities in the safety and the security of the system by enhancing the procedure for the setting of the precise standards, specifications and access rules, with the proper involvement of the co-legislators and of all relevant stakeholders;
- Encouraging all communication, including any follow-up requests, between the competent authorities and operators to take place electronically, where possible;
- Clarifying the scope: indicating exactly what type of regulatory freight transport information, if sent in electronic form by the economic operator concerned through a certified platform, needs to be accepted by the competent authorities. After the system is up and running, the Commission is required to assess whether the scope could be further enlarged to include other relevant regulatory information in the field of transport, for example those relating to the vehicle or driver;
- Towards a complete digitalisation: while competent authorities are under this system required to accept regulatory freight transport information, when sent electronically, economic operators are still free to decide whether they “go digital” or not. However, it is clarified that the use of electronic means should become the predominant way to exchange regulatory information between the economic operators and competent authorities. Therefore, the Commission has to assess possible initiatives in order to establish in the future an obligation for economic operators to use electronic means to make regulatory information available to competent authorities;
- Making the use of this system as attractive as possible for economic operators, by, inter alia, encouraging existing IT systems to certify themselves as platform and by ensuring interoperability;
- Timing: while the setting up of a certification system needs to be done carefully, the different deadlines were set in such a way that the system is up and running as soon as possible, so that the market uptake could follow soon.

## **5. Recommendation**

As Council’s position is in conformity with the provisional agreement reached during the interinstitutional negotiations, the Rapporteur recommends endorsing it without amendments.