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LIMITE

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Interinstitutional File: 2017/0113(COD)

WORKING DOCUMENT

From:	General Secretariat of the Council
То:	Delegations
No. Cion doc.:	ST 9669/17
Subject:	Proposal for a Directive of the European Parliament and of the Council amending Directive 2006/1/EC on the use of vehicles hired without drivers for the carriage of goods by road
	 Four column table

In view of the Land transport working party meeting on 20 September 2021, delegations find attached a four column document, revised in column 4 to show compromise suggestions and notes from the meetings with the parliament.

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Proposal for a Directive of the European Parliament and of the Council amending Directive 2006/1/EC on the use of vehicles hired without

drivers for the carriage of goods by road - 2017/0113(COD)

4 column-document

	COM proposal, COM(2017)	European Parliament/	Council general approach, doc.	Compromise/notes
	0282 final	Plenary vote 1st reading	ST 9398/21	
		P8_TA(2019)0006		
1.	THE EUROPEAN PARLIAMENT	AND THE COUNCIL OF THE EUR	OPEAN UNION,	
	Having regard to the Treaty on the l	Functioning of the European Union, an	nd in particular Article 91(1) thereof,	
	Having regard to the proposal from	the European Commission,		
	After transmission of the draft legis	lative act to the national parliaments,		
	Having regard to the opinion of the	European Economic and Social Comm	nittee ¹ ,	
	Having regard to the opinion of the	Committee of the Regions ² ,		
	Acting in accordance with the ordin	ary legislative procedure,		
	⁽¹⁾ OJ C , , p			
	⁽²⁾ OJ C , , p			
2.	Whereas:			
3.	(1) Directive 2006/1/EC of the		(1) Directive 2006/1/EC of the	(1) Directive 2006/1/EC of the
	European Parliament and of		European Parliament and of	European Parliament and of
	the Council ³ provides for a		the Council ³ provides for a	the Council ³ provides for a
	minimum level of the market		minimum level of the market	minimum level of the market
	opening for the use of		opening for the use of vehicles	opening for the use of vehicles
	vehicles hired without drivers		hired without drivers for the	hired without drivers for the

2

JL/el

LIMITE

	COM p 0282 fi	proposal, COM(2017) nal	Plei	ropean Parliament/ nary vote 1st reading TA(2019)0006		ıncil general approach, doc. 9398/21	Con	npromise/notes
	(3) Din Eu the 200 hir car (cc	the carriage of goods by d. rective 2006/1/EC of the ropean Parliament and of council of 18 January 06 on the use of vehicles ed without drivers for the riage of goods by road odified version) (OJ L 33, 2.2006, p. 82).			(3)	carriage of goods by road. Directive 2006/1/EC of the European Parliament and of the Council of 18 January 2006 on the use of vehicles hired without drivers for the carriage of goods by road (codified version) (OJ L 33, 4.2.2006, p. 82).	(3)	carriage of goods by road. Directive 2006/1/EC of the European Parliament and of the Council of 18 January 2006 on the use of vehicles hired without drivers for the carriage of goods by road (codified version) (OJ L 33, 4.2.2006, p. 82).
4.				Amendment 1 Recital 2				
5.	rec und on hir sar op the inc and	e use of hired vehicles can luce the costs of dertakings carrying goods their own account or for e and reward and at the ne time increase their erational flexibility. It can prefore contribute to an erease in the productivity d competitiveness of the dertakings concerned.	(2)	Such use of hired vehicles can reduce the costs of undertakings carrying goods on their own account or for hire and reward whilst increasing their operational flexibility. That use of hired vehicles can therefore contribute to an increase in the productivity and competitiveness of the	(2)	The use of hired vehicles can reduce the costs of undertakings carrying goods on their own account or for hire and reward and at the same time increase their operational flexibility. It can therefore contribute to an increase in the productivity and competitiveness of the undertakings concerned.	A Com (2)	<i>promise proposal:</i> The use of hired vehicles can reduce the costs of undertakings carrying goods on their own account or for hire and reward and at the same time increase their operational flexibility. It can therefore contribute to an increase in the productivity



	COM proposal, COM(2017)	European Parliament/	Council general approach, doc.	Compromise/notes
	0282 final	Plenary vote 1st reading	ST 9398/21	
		P8_TA(2019)0006		
	Moreover, as hired vehicles	undertakings concerned.	Moreover, as hired vehicles	and competitiveness of the
	tend to be younger than the	Moreover, since hired vehicles	tend to be younger than the	undertakings concerned.
	average fleet, they are also	tend to be younger than the	average fleet, they are also	Moreover, as hired vehicles
	safer and less polluting.	average fleet, they may often	safer and less polluting.	tend to be younger than the
		be safer and less polluting.		average fleet, they are <i>on</i>
				average also safer and less
				polluting.
6.		Amendment 2		
		Recital 3		
7.	(3) Directive 2006/1/EC does not	(3) Directive 2006/1/EC does not	(3) Directive 2006/1/EC does not	А
	enable undertakings to fully	enable undertakings to fully	enable undertakings to fully	GA provisionally acceptable
	benefit from the advantages	benefit from the advantages of	benefit from the advantages	(3) Directive 2006/1/EC does not
	of using hired vehicles. That	using hired vehicles. That	of using hired vehicles. That	enable undertakings to fully
	Directive allows Member	Directive allows Member	Directive allows Member	benefit from the advantages
	States to restrict the use by	States to restrict the use, by the	States to restrict the use by	of using hired vehicles. That
	their undertakings of hired	undertakings established	undertakings established on	Directive allows Member
	vehicles with a maximum	within their territories, of	their respective territories	States to restrict the use by
	permissible laden weight of	hired vehicles with a	of hired vehicles with a	undertakings established on
	more than six tonnes for own	maximum permissible laden	maximum permissible laden	their respective territories
	account operations.	weight of more than six tonnes	weight of more than six	of hired vehicles with a
	Moreover, Member States are	for own account operations.	tonnes for own account	maximum permissible laden
	not required to allow the use	Moreover, Member States are	operations. Moreover,	weight of more than six
	of a hired vehicle on their	not required to allow the use	Member States are not	tonnes for own account
	respective territories if the	on their respective territories	required to allow the use of a	operations. Moreover,
	vehicle has been registered or	of a hired vehicle that has been	hired vehicle on their	Member States are not



	COM proposal, COM(2017)	European Parliament/	Cour	icil general approach, doc.	Com	promise/notes
	0282 final	Plenary vote 1st reading	ST 9	398/21		
		P8_TA(2019)0006				
	put into circulation in	registered or put into		respective territories if the		required to allow the use of a
	compliance with the laws in a	circulation in compliance with		vehicle has been registered or		hired vehicle on their
	Member State other than the	the laws in a Member State		put into circulation in		respective territories if the
	one of establishment of the	other than the one of		compliance with the laws in a		vehicle has been registered or
	undertaking hiring it.	establishment of the		Member State other than the		put into circulation in
		undertaking hiring it.		one of establishment of the		compliance with the laws in a
				undertaking hiring it.		Member State other than the
						one of establishment of the
						undertaking hiring it.
8.	(4) In order to enable		(4)	In order to enable	(4)	In order to enable
	undertakings to benefit to a			undertakings to benefit to a		undertakings to benefit to a
	greater extent from the			greater extent from the		greater extent from the
	advantages of using hired			advantages of using hired		advantages of using hired
	vehicles, it should be possible			vehicles, it should be possible		vehicles, it should be possible
	for them to use vehicles hired			for them to use vehicles hired		for them to use vehicles hired
	in any Member State, not			in any Member State, not		in any Member State, not
	only the one of their			only the one of their		only the one of their
	establishment. That would			establishment. That would		establishment. That would
	make it easier for them to			make it easier for them to		make it easier for them to
	meet in particular short-term,			meet in particular short-term,		meet in particular short-term,
	seasonal or temporary			seasonal or temporary		seasonal or temporary
	demand peaks or to replace			demand peaks or to replace		demand peaks or to replace
	defective or damaged			defective or damaged		defective or damaged
	vehicles.			vehicles.		vehicles.



	COM proposal, COM(2017)	European Parliament/	Council general approach, doc.	Compromise/notes
	0282 final	Plenary vote 1st reading	ST 9398/21	
		P8_TA(2019)0006		
9.		Amendment 3		
		Recital 4 a (new)		
10.		(4a) Member States should not	(4a) Member States should not	В
		be allowed to restrict the	be allowed to restrict the	Link to line 33
		use on their respective	use on their respective	Proposal for possible compromise:
		territories of a vehicle	territories of a vehicle hired	In the condition (for free
		hired by an undertaking	by an undertaking	circulation), that the vehicle
		duly established on the	established on the territory	is registered or put into
		territory of another	of another Member State,	circulation in compliance
		Member State, provided	provided that the vehicle is	with the laws of any Member
		that the vehicle is	registered or put into	State, the "operating
		registered and complies	circulation in compliance	standards and safety
		with operating standards	with the laws of any	requirements" might me
		and safety requirements, or	Member State and, if it is a	mentioned as an example.
		put into circulation in	vehicle requiring a certified	However, a common
		compliance with the laws	true copy of the Community	understanding of what the
		of any Member State and	licence in accordance with	operating standards entail
		authorised to be operated	Regulation (EC) No	needs to be found.
		by the Member State of	1072/2009, authorised to be	
		establishment of the	used by the Member State	
		undertaking responsible.	of establishment of the	
			undertaking by means of	
			this certified true copy.	
11.			(4b) In order to simplify the	В
			provision of relevant	GA provisionally acceptable



	COM proposal, COM(2017) 0282 final	European Parliament/ Plenary vote 1st reading	Council general approach, doc. ST 9398/21	Compromise/notes
		P8_TA(2019)0006		
			evidence, documents in electronic form should be recognised as means of proving compliance with Directive 2006/1/EC.	(4b) In order to simplify the provision of relevant evidence, documents in electronic form should be recognised as means of proving compliance with Directive 2006/1/EC.
12.		Amendment 4		
		Recital 5		
13.	(5) The level of road transport	(5) The level of road transport	(5) The level of road transport	C – dependent on agreement in line
	taxation still differs	taxation still differs	taxation still differs	44
	considerably within the	considerably within the Union.	considerably within the	
	Union. Therefore, certain	Therefore, certain restrictions,	Union. Therefore, certain	
	restrictions, which also	which also indirectly affect the	restrictions, which also	
	indirectly affect the freedom	freedom to provide vehicle	indirectly affect the freedom	
	to provide vehicle hiring	hiring services, remain	to provide vehicle hiring	
	services, remain justified in	justified for the purpose of	services, remain justified in	
	order to avoid fiscal	avoiding fiscal distortions.	order to avoid fiscal	
	distortions. Consequently,	Consequently, Member States	distortions. Consequently,	
	Member States should have	should have the option to limit,	Member States should have	
	the option to limit the length	subject to the conditions laid	the option to limit the length	
	of time a vehicle hired in a	down in this Directive and	of time undertakings	
	Member State other than the	within their respective	established on their	
	one of establishment of the	territories, the length of time	respective territories may	
	undertaking hiring it can be	an established undertaking	use a hired vehicle	



	COM proposal, COM(2017) 0282 final	European Parliament/ Plenary vote 1st reading	Council general approach, doc. ST 9398/21	Compromise/notes
		P8_TA(2019)0006		
	used within their respective	can use a hired vehicle	registered or put into	
	territories.	registered or put into	circulation in another	
		circulation in another	Member State. They should	
		Member State. They should	also be allowed to limit the	
		also be allowed to limit the	number of such vehicles	
		number of such vehicles being	being hired by an	
		hired by an undertaking established within their	undertaking established on	
		territories.	their respective territories. That limit should not be	
		lerritories.	lower than a certain share	
			of the number of vehicles at	
			the disposal of the	
			undertaking calculated	
			exclusive of vehicles hired	
			in another Member State	
			and not registered in the	
			Member State of	
			establishment of the	
			undertaking.	
14.			(5a) In order to improve the	C - dependent on agreement in line
			enforcement of a restriction	43
			on the use of a hired vehicle	
			that is registered or put into	
			circulation in compliance	
			with the laws of a Member	



COM proposal, COM(2017)	European Parliament/	Council general approach, doc.	Compromise/notes
0282 final	Plenary vote 1st reading	ST 9398/21	
	P8_TA(2019)0006		
		State other than the one	
		where the undertaking	
		hiring it is established, a	
		Member State should be	
		allowed to require that the	
		duration of the contract of	
		hire does not exceed the	
		length of the time allowed	
		for using the vehicle	
		concerned. In addition, the	
		validity of certified true	
		copies of the Community	
		licence issued in accordance	
		with Regulation (EC) No	
		1072/2009 may be limited to	
		the period corresponding to	
		the length of the contract of	
		hire. Moreover, the	
		registration number of the	
		hired vehicle may be	
		indicated on these certified	
		true copies.	



	COM proposal, COM(2017)	European Parliament/	Council general approach, doc.	Compromise/notes
	0282 final	Plenary vote 1st reading	ST 9398/21	
		P8_TA(2019)0006		
15.		Amendment 5		
		Recital 5 a (new)		
16.		(5a) In order to enforce these	(5b) The circulation of hired	С
		measures, the information	vehicles should not hamper	GA provisionally acceptable
		on the registration number	the monitoring and control	(5b) The circulation of hired
		of the hired vehicle should	of the legality of operations	vehicles should not hamper
		be provided in the Member	carried out by operators in	the monitoring and control
		States' national electronic	Member States other than	of the legality of operations
		registers as established by	their Member State of	carried out by operators in
		Regulation (EC) No	establishment. In	Member States other than
		1071/2009.* Competent	accordance with Regulation	their Member State of
		authorities of the Member	(EC) No 1071/2009 of the	establishment. In
		State of establishment that	European Parliament and	accordance with Regulation
		are being informed of the	of the Council ⁴ , national	(EC) No 1071/2009 of the
		use of a vehicle which the	electronic registers have to	European Parliament and
		operator has hired and	contain the registration	of the Council ⁴ , national
		which is registered or put	numbers of vehicles at the	electronic registers have to
		into circulation in	disposal of a transport	contain the registration
		compliance with the laws in	undertaking. This	numbers of vehicles at the
		another Member State	information should also	disposal of a transport
		should inform the competent	cover vehicles hired in a	undertaking. This
		authorities of that other	Member State other than	information should also
		Member State thereof.	the Member State of	cover vehicles hired in a
		Member States should use	establishment of the	Member State other than
		the Internal Market	undertaking. Regulation	the Member State of

COM proposal, COM(2017)	European Parliament/	Council general approach, doc.	Compromise/notes
0282 final	Plenary vote 1st reading	ST 9398/21	
	P8_TA(2019)0006		
	Information System (IMI) to	(EC) No 1071/2009 also	establishment of the
	that end.	provides for the	undertaking. Regulation
	*Regulation (EC) No	accessibility of data	(EC) No 1071/2009 also
	1071/2009 of the European	contained in national	provides for the
	Parliament and of the	registers by authorities of	accessibility of data
	Council of 21 October 2009	other Member States; the	contained in national
	establishing common rules	national electronic registers	registers by authorities of
	concerning the conditions to	should allow for targeted	other Member States; the
	be complied with to pursue	search in respect of vehicles	national electronic registers
	the occupation of road	with a registration number	should allow for targeted
	transport operator and	other than those issued by	search in respect of vehicles
	repealing Council Directive	the Member States of	with a registration number
	96/26/EC (OJ L 300,	establishment.	other than those issued by
	14.11.2009, p. 51).		the Member States of
		⁴ Regulation (EC) No	establishment.
		1071/2009 of the European	
		Parliament and of the	⁴ Regulation (EC) No
		Council of 21 October 2009	1071/2009 of the European
		establishing common rules	Parliament and of the
		concerning the conditions	Council of 21 October 2009
		to be complied with to	establishing common rules
		pursue the occupation of	concerning the conditions
		road transport operator	to be complied with to
		and repealing Council	pursue the occupation of
		Directive 96/26/EC (OJ L	road transport operator

	COM proposal, COM(2017)	European Parliament/	Council general approach, doc.	Compromise/notes
	0282 final	Plenary vote 1st reading P8_TA(2019)0006	ST 9398/21	
			300, 14.11.2009, p. 51).	and repealing Council
				Directive 96/26/EC (OJ L
				300, 14.11.2009, p. 51).
17.			(5c) In order to ensure that the	В
			obligation to provide	GA provisionally acceptable
			information on a hired	(5c) In order to ensure that the
			vehicle's registration	obligation to provide
			number in the national	information on a hired
			electronic register is	vehicle's registration
			fulfilled in a uniform	number in the national
			manner, implementing	electronic register is
			powers should be conferred	fulfilled in a uniform
			on the Commission relating	manner, implementing
			to the minimum	powers should be conferred
			requirements for the data to	on the Commission relating
			be entered in the national	to the minimum
			electronic register. Those	requirements for the data to
			powers should be exercised	be entered in the national
			in accordance with	electronic register. Those
			Regulation (EU) No	powers should be exercised
			182/2011 of the European	in accordance with
			Parliament and of the	Regulation (EU) No
			Council ⁵	182/2011 of the European
				Parliament and of the
			⁵ Regulation (EU) No	Council ⁵



	COM proposal, COM(2017)	European Parliament/	Council general approach, doc.	Compromise/notes
	0282 final	Plenary vote 1st reading P8 TA(2019)0006	ST 9398/21	
			182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers, OJ L 55, 28.2.2011, p. 13	 ⁵ Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers, OJ L 55, 28.2.2011, p. 13
18.	 (6) In order to allow own account transport operations to be conducted more efficiently, Member States should no longer be allowed to restrict the possibility to use hired vehicles for such operations. 		 (6) In order to allow own account transport operations to be conducted more efficiently, Member States should no longer be allowed to restrict the possibility to use hired vehicles for such operations. However, to avoid potential fiscal issues, this possibility should be maintained if the vehicle is registered outside the Member State of 	C – dependent on agreement in line 46



	COM proposal, COM(2017)	European Parliament/	Council general approach, doc.	Compromise/notes
	0282 final	Plenary vote 1st reading	ST 9398/21	
		P8_TA(2019)0006		
			establishment of the	
			undertaking using it.	
19.		Amendment 6		
		Recital 6 a (new)		
20.		(6 a) In order to maintain		С
		operational standards,		EP open towards new formulation,
		meet safety requirements		insists on highlighting the
		and ensure decent working		importance of high operation and
		conditions for drivers, it is		safety standards and good working
		important for carriers to		conditions for drivers
		have guaranteed access to		
		assets and direct support		
		infrastructure in the		
		country in which they are		
		performing their		
		operations.		
21.		Amendment 7		
		Recital 7		
22.	(7) The implementation and	(7) The implementation and	(7) The implementation and	C – linked to line 59
	effects of this Directive	effects of this Directive should	effects of Directive	Pres compromise proposal :
	should be monitored by the	be monitored by the	2006/1/EC should be	(7) The implementation and
	Commission and be	Commission and be	monitored by the	effects of Directive
	documented by it in a report.	documented by it in a report at	Commission and be	2006/1/EC should be
	Any future action in this area	the latest three years after the	documented by it in a report.	monitored by the
	should be considered in light	date of transposition of this	That report should pay	Commission and be



COM proposal, COM(2017)	European Parliament/	Council general approach, doc.	Compromise/notes
0282 final	Plenary vote 1st reading	ST 9398/21	
	P8_TA(2019)0006		
of that report.	Directive. The report should	special attention to whether	documented by it in a report
	take due account of the	this Directive has resulted	at the latest <u>four</u> years after
	impact on road safety, on tax	in the increased usage of	the date of transposition of
	revenues and on the	older vehicles or certain	this Directive. The report
	environment. The report	types of vehicles and	should take due account of
	should also assess all	thereby has had an effect on	the <u>possible</u> impact on road
	infringements of this	road safety, whether it has	safety and on the
	Directive, including cross-	entailed difficulties in	environment through
	border infringements. The	relation to enforcement,	increased usage of older
	need for future action in this	including the enforcement	vehicles, and <i>on tax</i>
	area should be considered in	of cabotage rules, and to the	revenues. The report should
	light of that report.	effects on tax revenues of	also assess whether its
		the Member States. The	implementation has entailed
		compilation of that report	difficulties in relation to
		would be facilitated by	enforcement, including the
		Member States providing,	enforcement of cabotage
		on a voluntary basis,	rules. The need for future
		relevant information on tax	action in this area should be
		revenues to the	considered in light of that
		Commission. Any future	report.
		action in this area should be	
		considered in light of that	
		report.	



	COM proposal, COM(2017)	European Parliament/	Cou	ncil general approach, doc.	Compromise/notes
	0282 final	Plenary vote 1st reading	ST 9	398/21	
		P8_TA(2019)0006			
23.	(8) Since the objectives of this		(8)	Since the objectives of this	А
	Directive cannot be			Directive cannot be	GA provisionally acceptable
	sufficiently achieved by the			sufficiently achieved by the	(8) Since the objectives of this
	Member States alone but can			Member States but can rather,	Directive cannot be
	rather, by reason of the cross-			by reason of the cross-border	sufficiently achieved by the
	border nature of road			nature of road transport and	Member States but can
	transport and of the issues			of the issues this Directive is	rather, by reason of the cross-
	this Directive is intended to			intended to address, be better	border nature of road
	address, be better achieved at			achieved at Union level, the	transport and of the issues
	Union level, the Union may			Union may adopt measures,	this Directive is intended to
	adopt measures, in line with			in accordance with the	address, be better achieved at
	the principle of subsidiarity			principle of subsidiarity as set	Union level, the Union may
	as set out in Article 5 of the			out in Article 5 of the Treaty	adopt measures, in
	Treaty on European Union.			on European Union. In	accordance with the
	In line with the principle of			accordance with the	principle of subsidiarity as
	proportionality, this Directive			principle of proportionality as	set out in Article 5 of the
	does not go beyond what is			set out in this Article, this	Treaty on European Union.
	necessary in order to achieve			Directive does not go beyond	In accordance with the
	those objectives.			what is necessary in order to	principle of proportionality
				achieve those objectives.	as set out in this Article, this
					Directive does not go beyond
					what is necessary in order to
					achieve those objectives.

	COM proposal, COM(2017)	European Parliament/	Council general approach, doc.	Compromise/notes
	0282 final	Plenary vote 1st reading	ST 9398/21	
		P8_TA(2019)0006		
24.	(9) Directive 2006/1/EC should		(9) Directive 2006/1/EC should	(9) Directive 2006/1/EC should
	therefore be amended		therefore be amended	therefore be amended
	accordingly,		accordingly,	accordingly,
25.	HAVE ADOPTED THIS DIRECT	IVE:		
26.	Article 1		Article 1	Article 1
27.	Directive 2006/1/EC is amended		Directive 2006/1/EC is amended as	Directive 2006/1/EC is amended as
	as follows:		follows:	follows:
28.	(1) Article 2 is amended as		(1) Article 2 is amended as	(1) Article 2 is amended as
	follows:		follows:	follows:
29.	(a) paragraph 1 is amended		(a) paragraph 1 is amended as	(a) paragraph 1 is amended as
	as follows:		follows:	follows:
30.	i) the introductory		(i) the introductory part is	А
	sentence is replaced		replaced by the	GA provisionally acceptable
	by the following:		following:	(i) the introductory part is
	"Each Member State		"Each Member State	replaced by the following:
	shall allow the use		shall allow the use	"Each Member State shall
	within its territory of		within its territory of	allow the use within its
	vehicles hired by		vehicles hired by	territory of vehicles hired
	undertakings		undertakings established	by undertakings established
	established on the		on the territory of	on the territory of another
	territory of another		another Member State	Member State provided
	Member State		provided that:";	that:";
	provided that:";			
31.	ii) point (a) is replaced		(ii) point (a) is replaced by	(ii) point (a) is replaced by the
	by the following:		the following:	following:



	COM proposal, COM(2017)	European Parliament/	Council general approach, doc.	Compromise/notes
	0282 final	Plenary vote 1st reading	ST 9398/21	
		P8_TA(2019)0006		
32.		Amendment 8		
		Article 1 - paragraph 1-		
		point 1 - point a - point ii		
33.	"(a) the vehicle is	"(a) the vehicle is	"(a) the vehicle is	В
	registered or put into	registered or put into	registered or put into	Possible compromise (see below):
	circulation in	circulation in	circulation in	To mention EP additions in the
	compliance with the	compliance with the	compliance with the	recital line 10 as examples of the
	laws of a Member	laws of <i>any</i> Member	laws of any Member	applied laws, but for this a better
	State;";	State, <i>including</i>	State and used in	understanding of the term
		operating standards and	compliance with the	"operating standards" is needed.
		safety requirements;"	provisions of	EP might insist that likewise the
			Regulations (EC) No	reference to Regulations 1071/09
			1071/2009 and (EC) No	and 1072/09 will only be
			1072/2009 in the	mentioned in recital
			Member State of	
			establishment of the	"(a) the vehicle is registered
			undertaking using it, if	or put into circulation in
			applicable.".	compliance with the laws of any
				Member State and, if
				applicable, used in compliance
				with the provisions of
				Regulations (EC) No
				1071/2009 and (EC) No
				1072/2009;"

	COM proposal, COM(2017)	European Parliament/	Council general approach, doc.	Compromise/notes
	0282 final	Plenary vote 1st reading P8_TA(2019)0006	ST 9398/21	
34.		Amendment 9 Article 1 – paragraph 1 – point 1 – point b		
35.	 (b) the following paragraph la is inserted: "1a. Where the vehicle is not registered or put into circulation in compliance with the laws of the Member State where the undertaking hiring the vehicle is established, Member States may limit the time of use of the hired vehicle within their respective territories. However, Member States shall in such a case allow its use for at least four months in any given calendar year." 	deleted	deleted	Deleted.
36.			(b) in paragraph 2, the introductory part is replaced by the following:	В

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	COM proposal, COM(2017)	European Parliament/	Council general approach, doc.	Compromise/notes
	0282 final	Plenary vote 1st reading P8_TA(2019)0006	ST 9398/21	
37.			"Proof of compliance with the conditions referred to in paragraph 1, points (a) to (d) shall be provided by the following documents, which must be on board the vehicle and shall be presented in paper or electronic form:";	B <i>GA provisionally acceptable</i> "Proof of compliance with the conditions referred to in paragraph 1, points (a) to (d) shall be provided by the following documents, which must be on board the vehicle and shall be presented in paper or electronic form:";
38.		Amendment 10 Article 1 – paragraph 1 – point 2 Article 3 – paragraph 1		
39.	(2) Article 3 is replaced by the following:		(2) Article 3 is replaced by the following:	(2) Article 3 is replaced by the following:
40.	<i>"Article 3</i> Member States shall take the necessary measures to ensure that their undertakings may use hired vehicles for the carriage of goods by road under the same conditions as vehicles owned by them, provided that the conditions laid down in Article	<i>"Article 3</i> <i>I.</i> Member States shall take the necessary measures to ensure that undertakings <i>established</i> <i>within their territories</i> may use hired vehicles for the carriage of goods by road under the same conditions as vehicles owned by them,	 <i>"Article 3</i> Member States shall take the necessary measures to ensure that undertakings established on their respective territories may use hired vehicles for the carriage of goods by road under the same conditions as vehicles owned by them, 	 A <i>GA provisionally acceptable</i> <i>"Article 3</i> 1. Member States shall take the necessary measures to ensure that undertakings established on their respective territories may use hired



	COM proposal, COM(2017)	European Parliament/	Council general approach, doc.	Compromise/notes
	0282 final	Plenary vote 1st reading	ST 9398/21	
		P8_TA(2019)0006		
	2 are satisfied."	provided that the conditions	provided that the conditions	vehicles for the carriage of
		laid down in Article 2 are	laid down in Article 2 are	goods by road under the same
		satisfied."	satisfied.	conditions as vehicles owned
				by them, provided that the
				conditions laid down in
				Article 2 are satisfied.
41.		Amendment 11		
		Article 1 – paragraph 1 – point 2		
		Article 3 – paragraph 1 a (new)		
42.		"1a. Where the vehicle is	2. Where the hired vehicle is	2. Where the vehicle is
		registered or put into	registered or put into	registered or put into
		circulation in compliance	circulation in compliance	circulation in compliance
		with the laws of another	with the laws of another	with the laws of another
		Member State, the Member	Member State, the Member	Member State, the Member
		State of establishment of the	State of establishment of the	State of establishment of the
		undertaking may:	undertaking may:	undertaking may:
43.		(a) limit the time of use of the	a) limit the time of use of the	С
		hired vehicle within its	hired vehicle on its respective	EP insists on seasonal needs longer
		respective territory provided	territory provided that it	than 30 days.
		that it allows the use of the	allows the use of the hired	EP considers that more work is
		hired vehicle for at least	vehicle by the same	needed also technically: this line
		four consecutive months any	undertaking for a period of	seems to cover all undertakings in
		given calendar year; in	30 consecutive days in any	the MS, not only haulage
		which case the contract of	given calendar year; in that	companies; it should also be
		hire may be required not to	case the contract of hire may	made more clear that the period to



	COM proposal, COM(2017)	Euro	opean Parliament/	Cou	uncil general approach, doc.	Compromise/notes
	0282 final	Plen	ary vote 1st reading	ST	9398/21	
		P8_]	ГА(2019)0006			
			last longer than the time		be required not to last longer	be agreed on is a guaranteed
			limit set by the Member		than the time limit set by the	minimum (see EP text, "at least")
			State;		Member State;	
44.		<i>(b)</i>	limit the number of hired	b)	limit the number of hired	С
			vehicles that can be used by		vehicles that can be used by	EP notes the disadvantages
			any undertaking, provided		an undertaking provided	associated with "owned"; might
			that they allow the use of at		that it allows the use of a	consider a compromise which
			least a number of vehicles		minimum number of	clearly ensures that the short hires
			corresponding to 25% of the		vehicles. This minimum	from abroad are not part of
			overall goods vehicle fleet		number shall be at least	calculating the overall fleet
			owned by the undertaking		25% of the goods vehicle	
			on 31 December of the year		fleet which is at the disposal	
			preceding the request for		of the undertaking pursuant	
			authorisation; in which case		to point (g) of Article 5(1) of	
			an undertaking that has an		Regulation (EC) No	
			overall fleet of more than		1071/2009 either on 31	
			one and less than four		December of the year	
			vehicles, shall be allowed to		preceding the use of the	
			use at least one such hired		hired vehicle or on the day	
			vehicle."		when the undertaking begins	
					to use the hired vehicle, as	
					determined by the Member	
					State. In case of an	
					undertaking having an	



	COM proposal, COM(2017) 0282 final	European Parliament/ Plenary vote 1st reading P8_TA(2019)0006	Council general approach, doc. ST 9398/21	Compromise/notes
			overall fleet of more than one and less than four vehicles, it shall be allowed to use at least one such hired vehicle.The minimum share in accordance with this point refers to the goods vehicle fleet at the disposal of the undertaking on the basis of the vehicles registered or put into circulation in conformity with the legislation of that Member State;	
45.		Amendment 28 and 34 Article 1 - paragraph 1 - point 2 Article 3 paragraph 1b (new)		
46.		"1b. Member States may exclude from the provisions of paragraph 1 own account transport operations carried out by vehicles with a total permissible laden weight of more than 6 tonnes."	c) limit the use of such vehicles for own account transport operations."	C

47	COM proposal, COM(2017) 0282 final	European Parliament/ Plenary vote 1st reading P8_TA(2019)0006	Council general approach, doc. ST 9398/21	Compromise/notes
47.		Amendment 12 Article 1 – paragraph 1 – point 2 a (new) Article 3 a (new)		
48.		(2a) the following Article 3a is inserted "Article 3a	(2a) the following Article 3a is inserted: <i>"Article 3a</i>	(2a) the following Article 3a is inserted "Article 3a
50.		1. The information on a hired vehicle's registration number shall be entered in the national electronic register as defined in Article 16 of Regulation (EC) 1071/2009*. *Referring to Article 16 of Regulation (EC) No 1071/2009 taking into account the extension of the information to be recorded as proposed by the Commission.	1.Member States shall take the necessary measures to ensure that the registration number of a hired vehicle at the disposal of a road transport undertaking to which Regulation (EC) No 1071/2009 applies, where this vehicle is registered or put in circulation in compliance with the laws of a Member State other than the Member State of establishment of the undertaking hiring the vehicle, is entered in the national electronic register referred to in Article 16 of	B - depends on the solution in line 44 ("at the disposal"), otherwise the substance is the same Pres compromise solution: Member States shall take the necessary measures to ensure that the registration number of a hired vehicle is entered in the national electronic register referred to in Article 16 of Regulation (EC) 1071/2009.

	COM proposal, COM(2017)	European Parliament/	Council general approach, doc.	Compromise/notes
	0282 final	Plenary vote 1st reading	ST 9398/21	
		P8_TA(2019)0006		
			Regulation (EC) No	
			1071/2009.	
51.		2. Competent authorities of the		С
		Member State of		Pres compromise proposal: to
		establishment of an operator		make a link with art 18 of
		that are informed of the use of		Regulation 1071/09 (administrative
		a vehicle which that operator		cooperation)
		has hired and which is		
		registered or put into		
		circulation in compliance		
		with the laws of another		
		Member State shall inform		
		the competent authorities of		
		that other Member State		
		thereof.		
52.		3. The administrative		C
		cooperation provided for in		See previous line
		paragraph 2 shall be by		
		means of the Internal market		
		Information System (IMI),		
		established by Regulation		
		(EU) No 1024/2012**.		
		** 011 016 14 11 0010 1 **		
		** OJ L 316, 14.11.2012, p.1."		



	COM proposal, COM(2017) 0282 final	European Parliament/ Plenary vote 1st reading P8_TA(2019)0006		uncil general approach, doc. 9398/21	Compromise/notes
53.				Member States shall take the necessary measures to ensure that the processing of the data referred to in the first subparagraph of this paragraph complies with the requirements for the information referred to in point (g) of Article 16(2) of Regulation (EC) No 1071/2009 as specificed in subparagraphs 3 and 5 of Article 16(2), and in Article 16(3) and (4) of that Regulation.	GA acceptable, precision of the reference to be checked Member States shall take the necessary measures to ensure that the processing of the data referred to in the first subparagraph of this paragraph complies with the requirements for the information referred to in point (g) of Article 16(2) of Regulation (EC) No 1071/2009 as specificed in subparagraphs 3 and 5 of Article 16(2), and in Article 16(3) and (4) of that Regulation.
54.			2.	No later than 14 months after the adoption of an implementing act on a common formula for calculating the risk rating as referred to in Article 9(1) subparagraph 2 of Directive 2006/22/EC of the European Parliament and the	C GA provisionally acceptable 2. No later than 14 months after the adoption of an implementing act on a common formula for calculating the risk rating as referred to in Article 9(1) subparagraph 2 of



COM proposal, COM(2017)	European Parliament/	Council general approach, doc.	Compromise/notes
0282 final	Plenary vote 1st reading	ST 9398/21	
	P8_TA(2019)0006		
		Council*, the Commission	Directive 2006/22/EC of the
		shall, by means of	European Parliament and
		implementing acts, adopt	the Council*, the
		the minimum requirements	Commission shall, by
		for the data to be entered in	means of implementing
		the national electronic	acts, adopt the minimum
		register in order to facilitate	requirements for the data
		the interconnection of	to be entered in the national
		registers, and specify the	electronic register in order
		functionalities that allow for	to facilitate the
		this information to be made	interconnection of registers,
		available to the competent	and specify the
		authorities during roadside	functionalities that allow
		checks. Those minimum	for this information to be
		requirements and	made available to the
		functionalities shall	competent authorities
		conform with the	during roadside checks.
		requirements and	Those minimum
		functionalities established	requirements and
		pursuant to Article 16(6) of	functionalities shall
		Regulation (EC) 1071/2009.	conform with the
			requirements and
			functionalities established
			pursuant to Article 16(6) of
			Regulation (EC) 1071/2009.



	COM proposal, COM(2017)	European Parliament/	Council general approach, doc.	Compromise/notes
	0282 final	Plenary vote 1st reading	ST 9398/21	
		P8_TA(2019)0006		
55.			Those implementing acts	С
			shall be adopted in	GA provisionally acceptable
			accordance with the	Those implementing acts
			advisory procedure	shall be adopted in
			referred to in Article 5b(2).	accordance with the
				advisory procedure
			* Directive 2006/22/EC of the	referred to in Article 5b(2).
			European Parliament and	
			of the Council of 15 March	* Directive 2006/22/EC of the
			2006 on minimum	European Parliament and
			conditions for the	of the Council of 15 March
			implementation of Council	2006 on minimum
			Regulations (EEC) No	conditions for the
			3820/85 and (EEC) No	implementation of Council
			3821/85 concerning social	Regulations (EEC) No
			legislation relating to road	3820/85 and (EEC) No
			transport activities and	3821/85 concerning social
			repealing Council Directive	legislation relating to road
			88/599/EEC (OJ L 102,	transport activities and
			11.4.2006, p. 35).	repealing Council Directive
				88/599/EEC (OJ L 102,
				11.4.2006, p. 35).
56.			3. Member States shall ensure	С
			that the data referred to in	GA acceptable at tech level
			the first paragraph is	3. Member States shall ensure

JL/el

28

	COM proposal, COM(2017) 0282 final	European Parliament/ Plenary vote 1st reading P8_TA(2019)0006	Council general approach, doc. ST 9398/21 available to the competent	Compromise/notes that the data referred to in
			authorities during roadside checks.";	that the data referred to m the first paragraph is available to the competent authorities during roadside checks.";
57.	(3) the following Article 5a is inserted:		(3) the following Articles are inserted:	Α
58.		Amendment 13 Article 1 – paragraph 1 – point 3 Article 5 a – paragraph 1		
59.	"Article 5a By [OP: please insert the date calculated 5 years after the deadline for transposition of the Directive], the Commission shall submit a report to the European Parliament and the Council on the implementation and effects of this Directive. The report shall include information on the use of vehicles hired in a Member State other than the Member State of establishment of the undertaking hiring the vehicle.	"Article 5a By[3 years after the deadline for transposition of this amending Directive], the Commission shall submit a report to the European Parliament and the Council on the implementation and effects of this Directive. The report shall include information on the use of vehicles hired in a Member State other than the Member State of establishment of the undertaking hiring the vehicle. <i>The report</i> <i>shall pay particular attention to</i> <i>the impact on road safety, and</i>	<i>"Article 5a</i> By [5 years after the deadline for transposition of the Directive referred to in Article 2(1) of this amending Directive], the Commission shall submit a report to the European Parliament and the Council on the implementation and effects of this Directive. That report shall include information on the use of vehicles hired in a Member State other than the Member State of establishment of the undertaking hiring the vehicle. That report	<i>C</i> <i>Pres compromise proposal:</i> By [<u>4</u> years after the deadline for transposition of the Directive referred to in Article 2(1) of this amending Directive], the Commission shall submit a report to the European Parliament and the Council on the implementation and effects of this Directive. That report shall include information on the use of vehicles hired in a Member State other than the Member State of establishment of the undertaking



	COM proposal, COM(2017)	European Parliament/	Council general approach, doc.	Compromise/notes
	0282 final	Plenary vote 1st reading	ST 9398/21	
		P8_TA(2019)0006		
	On the basis of this report, the	on tax revenues, including fiscal	shall also look into the impacts	hiring the vehicle. <i>The report</i>
	Commission shall assess	distortions, and on the	on road safety, on tax revenues	shall pay particular attention to
	whether it is necessary to	enforcement of cabotage rules in	and on the enforcement of the	the impact on road safety, on
	propose additional measures."	accordance with Regulation	cabotage rules in accordance	tax revenues and on the
		(EC) No 1072/2009*. On the	with Regulation (EC) No	enforcement of the cabotage
		basis of this report, the	1072/2009. On the basis of that	rules in accordance with
		Commission shall assess whether	report, the Commission shall	Regulation (EC) No 1072/2009.
		it is necessary to propose	assess whether it is necessary to	On the basis of that report, the
		additional measures."	propose additional measures."	Commission shall assess whether
				it is necessary to propose
		* Regulation (EC) No 1072/2009		additional measures."
		of the European Parliament and		
		of the Council of 21 October		
		2009 on common rules for access to the international road		
		haulage market (OJ L 300, 14.11.2009, p. 72)		
60.		14.11.2007, p. 72)	Article 5b	
61.			The Commission shall be	С
			assisted by the Committee	<i>GA</i> could be acceptable because
			set up by Article 42(1) of	this is in line with ERRU.
			Regulation (EU) No	
			165/2014 of the European	
			Parliament and of the	
			Council.*	



	COM proposal, COM(2017) 0282 final	European Parliament/ Plenary vote 1st reading P8_TA(2019)0006	Council general approach, doc. ST 9398/21	Compromise/notes
			* Regulation (EU) No 165/2014 of the European Parliament and of the Council of 4 February 2014 on tachographs in road transport, repealing Council Regulation (EEC) No 3821/85 on recording equipment in road transport and amending Regulation (EC) No 561/2006 of the European Parliament and of the Council on the harmonisation of certain social legislation relating to road transport (OJ L 60, 28.2.2014, p. 1).	
62.			Where reference is made to this paragraph, Article 4 of	C GA could be acceptable because
			Regulation (EU) No 182/2011 of the European	this is in line with ERRU.
			Parliament and of the	



	COM proposal, COM(2017) 0282 final	European Parliament/ Plenary vote 1st reading P8_TA(2019)0006	Council general approach, doc. ST 9398/21	Compromise/notes
			Council** shall apply. ** Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13)."	
63.	Article 2	Article 2	Article 2	Article 2
64.		Amendment 14 Article 2 – paragraph 1 – subparagraph 1		
65.	 Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by [OP: please 	 Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by [20 months after the date of entry into 	 Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 21 August 2023 	C Close positions, they should indicate the landing zone. Could also accept EP proposal. EP wants to decide at final stage, notes that the file has needed



	COM proposal, COM(2017)	European Parliament/	Council general approach, doc.	Compromise/notes
	0282 final	Plenary vote 1st reading	ST 9398/21	
		P8_TA(2019)0006		
	insert the date calculated 18 months following the entry	force of this Directive].	at the latest.	much more time at Council
	into force] at the latest. They shall communicate to the Commission the text of those provisions without delay.	They shall communicate to the Commission the text of those provisions without delay.	They shall communicate to the Commission the text of those provisions without delay.	
	When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such	When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such	When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such	
66.	 reference is to be made. 2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive. 	reference is to be made.	 reference is to be made. 2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive. 	2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.



	COM proposal, COM(2017)	European Parliament/	Council general approach, doc.	Compromise/notes
	0282 final	Plenary vote 1st reading	ST 9398/21	
		P8_TA(2019)0006		
67.	Article 3		Article 3	Article 3
68.	This Directive shall enter into		This Directive shall enter into force	This Directive shall enter into force
	force on the twentieth day		on the twentieth day following that	on the twentieth day following that
	following that of its publication in		of its publication in the Official	of its publication in the Official
	the Official Journal of the		Journal of the European Union.	Journal of the European Union.
	European Union.			
69.	Article 4		Article 4	Article 4
70.	This Directive is addressed to the		This Directive is addressed to the	This Directive is addressed to the
	Member States.		Member States.	Member States.