

Brussels, 15 October 2021 (OR. en)

12743/21

LIMITE

TRANS 593 CODEC 1307

Interinstitutional File: 2017/0113(COD)

REPORT

From:	General Secretariat of the Council
To:	Permanent Representatives Committee (Part 1)
No. Cion doc.:	ST 9669/17 + ADD 1-4
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
	 Preparation for the trilogue

I. <u>INTRODUCTION</u>

- The <u>Commission</u> presented its proposal to amend Directive 2006/1/EC on the use of vehicles hired without drivers for the carriage of goods by road in May 2017 as part of the Mobility Package I.
- 2. Directive 2006/1/EC codifies earlier rules and provides for a minimum level of market opening for the use of vehicles hired without drivers for the carriage of goods by road between Member States, both for undertakings established in their territories and undertakings established in another Member State. However, the Directive:
 - allows a Member State to restrict the use of hired vehicles by undertakings established
 on its territory to those which are registered in that Member State, and in addition
 allows to prohibit the use of hired vehicles with a total permissible laden mass above six
 tonnes for own-account operations;

12743/21 JL/el 1
TREE.2.A **LIMITE EN**

- is limited, in respect of undertakings established in another Member State, to hiring vehicles registered in that same Member State for the purpose of traffic between Member States.
- 3. The Commission proposes to amend Directive 2006/1/EC mainly to remove the existing restrictions and to establish a clear and uniform regulatory framework, giving transport operators across the EU equal access to the market for hired vehicles.
- 4. The European Parliament's Committee on Transport and Tourism (TRAN) appointed Ms Cláudia Monteiro de Aguiar (EPP, PT) as rapporteur. The TRAN Committee voted on her report on 24 May 2018, and the European Parliament adopted its first reading position, containing 15 amendments, on 15 January 2019.
- 5. The <u>European Economic and Social Committee</u> and the <u>European Committee of the Regions</u> adopted their opinions on 6 December 2017 and 1 February 2018, respectively.

II. WORK WITHIN THE COUNCIL

6. The Working Party on land transport met first under the Maltese, then regularly under the Estonian, Bulgarian, Romanian and Croatian Presidencies in order to discuss the proposal and to work on compromise texts. After three attempts to move the file towards negotiations, the Council on 3 June 2021 reached a general approach under the Portuguese Presidency.²

III. NEGOTIATIONS WITH THE EUROPEAN PARLIAMENT

7. The first trilogue, organised under the current Presidency on 15 July 2021, served to compare positions, identify main issues of divergence and organise the work during the negotiations. While many of the amendments on both sides were considered to be of a political nature, the key issues were the options for Member States to restrict the access to the market of hiring goods vehicles.

12743/21 JL/el TREE.2.A LIMITE EN

¹ See doc. ST 5386/19.

² See doc. ST 9398/21.

8. During technical meetings on 10 September and 7 October 2021, the negotiating teams prepared compromise proposals on all secondary issues and also on a number of political ones. The <u>Presidency</u> consulted the <u>Working Party</u> on 20 September, and 4 and 11 October 2021. The Parliament accepted most of the Council's amendments and compromise proposals, including those that are related to the monitoring and control of hired vehicles in the fleets of haulage undertakings (Article 3a of the amended Directive, lines 50 to 56). The compromise texts can be found in the 4-column table set out in <u>annex</u> to this report.³

IV. MAIN OPEN ISSUES

9. The remaining political issues consist of the formulation of options for Member States to restrict the access to the hired vehicles market (Article 3(2), lines 43 to 46).

a) Limitation of the hire in the fleet

- 10. As regards the <u>possible limitation of the number of vehicles in the overall fleet</u> of an undertaking established in the Member State which adopts the measure (line 44 and part of recital line 13), the Presidency considers that the positions of the Council and the European Parliament are quite close already. The general approach should be maintained because it offers more clarity. However, in case a compromise is needed to dispel remaining concerns, an alternative formulation in Article 3(2) b), line 44, could read⁴:
 - "...the Member State of establishment of the road transport undertaking may limit the number of hired vehicles that can be used by an undertaking engaged in the carriage of goods by road for hire or reward, provided that they allow the use of at least a number of vehicles corresponding to 25% of the undertaking's vehicle fleet for transport of goods pursuant to point (g) of Article 5(1) of Regulation (EC) No 1071/2009 either on 31 December of the year preceding the use of the hired vehicle or on the day when the undertaking begins to use the hired vehicle, as determined by the Member State. For this purpose, the vehicle fleet for transport of goods corresponds only to vehicles registered or put into circulation in conformity with the legislation of that Member State;".

The table is identical to the one in doc. 10252/2/21 REV 2.

⁴ See document ST 12287/21, page 5.

b) Limitation of the hire for own account

11. As regards the possible limitation of the access of own account operators to the hired vehicles market (Article 3(2) c), line 46 and recital line 18), the Presidency considers that the Parliament's amendment in this regard should not be accepted. The work in the Council has shown that a limitation in respect of vehicles registered in the Member State where also the own account operator is established, is no longer necessary, and that a distinction of vehicles according to their weight is too difficult to enforce. The Presidency will therefore try to convince the Parliament to accept the general approach, which provides an option for a limiting measure with a smaller scope.

c) Limitation in time

- 12. As regards the <u>possible limitation of the period of use of a vehicle hired</u> by an undertaking established in the Member State which adopts the measure (line 43 and recitals lines 13 and 14), the negotiations have shown that the Council needs to make a move toward the Parliament. However, this part of the compromise was also particularly difficult for achieving a general approach.
- 13. The <u>Presidency</u> has suggested two different options for developing a compromise, one building on a distinction according to national vehicle registration rules, the other building on *ex ante* authorisation in case that an undertaking wants to extend the period of use.
- 14. According to the <u>first option</u>, the generally guaranteed minimum period of hire would be [two consecutive months] per calendar year (instead of 30 consecutive days in the general approach). However, the Member State explicitly retains the right to have vehicle registration rules in place that require the vehicle's registration after 30 days of use by one of its undertakings. Thus, in case the Member State goes this way of regulating through its national registration law, it can ensure that the effective use of the vehicle carrying a foreign number plate does not go beyond 30 days. In case the Member State does not go this way, it can still limit the time of the individual use of hire (but not to less than [two months]) or it may maintain its more liberal approach. A formulation in Article 3(2), line 43, could read as follows (and the corresponding recital would have to be enlarged by a justification for differentiation):

- "...the Member State of establishment of the road transport undertaking may: a) limit the time of use of such vehicles on its respective territory provided that it allows the use of the hired vehicle by the same road transport undertaking for a period of at least [two consecutive months] in any given calendar year; in that case, the contract of hire may be required not to last longer than the time limit set by the Member State;
- new b) require that such vehicles be registered in accordance with its laws after a period of no less than 30 days; the contract of hire may in that case be required not to last longer than the period of circulation prior to the registration requirement;..."
- 15. The <u>second option</u> could be an alternative to the above. In order to find a compromise between the two positions as regards the minimum guaranteed use (30 consecutive days in the general approach *versus* four consecutive months in the EP position), a limitation would still be possible down to 30 consecutive days, but always with a possibility of two consecutive months if it is justified by the operational needs. A formulation in Article 3(2) a), line 43, could read as follows:
 - "...If the Member State limits the time of use to a period shorter than two consecutive months in any given calendar year, it shall allow the road transport undertaking to request an extension of that period to at least two months; the extension may be made subject to evidence that operational needs require the continued use of the vehicle;..." OR
 - "...If the Member State limits the time of use to a period shorter than two consecutive months in any given calendar year, it shall provide the road transport undertaking with the alternative to use the vehicle for at least two consecutive months upon request; this alternative may be made subject to evidence that operational needs require the use over that period;..."

The operational needs would then be specified in the recital.⁵

12743/21 JL/el
TREE.2.A **LIMITE E**I

⁵ E.g. by saying: "If Member States opt for a strict time limit, they should nevertheless provide the undertaking with a certain flexibility to cater for operational needs linked to the use of a vehicle, which is registered or put into circulation in another Member State, such as seasonal needs or the continued unavailability of a wrecked vehicle."

16. Several <u>delegations</u> still have scrutiny reservations on the various compromise texts. The first option has received more support among delegations at technical level than the second option, in particular for concerns about the administrative work involved when following the latter. A few delegations have reiterated their position that they cannot show any flexibility.

V. <u>CONCLUSION</u>

- 17. The Permanent Representatives Committee is invited to
 - endorse the compromise proposals as regards technical and secondary political issues,
 set out in the fourth column of the table annexed, and
 - examine the open political issues summarised under part IV. above, indicate
 flexibility/preference concerning the options presented under point c), and endorse the
 way forward in view of the forthcoming second trilogue.
- 18. The second trilogue is scheduled for 26 October 2021 (Council premises).

12743/21 JL/el TREE.2.A **LIMITE EN**

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	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				
	OJC, p.				
2.					
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	

	COM proposal, COM(2017) 0282 final	European Parliament/	Council general approach, doc. ST 9398/21	Compromise/notes
	0202 111121	Plenary vote 1st reading P8_TA(2019)0006	51 9390/21	
	opening for the use of vehicles hired without drivers for the carriage of goods by road.		opening for the use of vehicles hired without drivers for the carriage of goods by road.	opening for the use of vehicles hired without drivers for the carriage of goods by road.
	(3) 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).		Oirective 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).	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.	(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	(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	(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	A Compromise proposal: (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

	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		
	and competitiveness of the	productivity and	and competitiveness of the	therefore contribute to an
	undertakings concerned.	competitiveness of the	undertakings concerned.	increase in the productivity
	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	A
	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 <i>established</i>	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

	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		
	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
	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	TM 7 Oct: compromise
	undertakings to benefit to a		undertakings to benefit to a	:incorporating main content
	greater extent from the		greater extent from the	from line 20:
	advantages of using hired		advantages of using hired	(4) In order to enable
	vehicles, it should be possible		vehicles, it should be possible	undertakings to benefit to a
	for them to use vehicles hired		for them to use vehicles hired	greater extent from the
	in any Member State, not		in any Member State, not	advantages of using hired
	only the one of their		only the one of their	vehicles, it should be possible
	establishment. That would		establishment. That would	for them to use vehicles hired
	make it easier for them to		make it easier for them to	in any Member State, not
	meet in particular short-term,		meet in particular short-term,	only the one of their
	seasonal or temporary		seasonal or temporary	establishment. That would
	demand peaks or to replace		demand peaks or to replace	make it easier for them to
	defective or damaged		defective or damaged	meet in particular short-term,

	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		
	vehicles.		vehicles.	seasonal or temporary
				demand peaks or to replace
				defective or damaged
				vehicles, while ensuring
				compliance with the
				necessary safety
				requirements and ensuring
				adequate working conditions
				for drivers.
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	Compromise TM 7 October:
		territories of a vehicle	territories of a vehicle hired	(4a) Member States should not be
		hired by an undertaking	by an undertaking	allowed to restrict the use on
		duly established on the	established on the territory	their respective territories of a
		territory of another	of another Member State,	vehicle hired by an
		Member State, provided	provided that the vehicle is	undertaking established on the
		that the vehicle is	registered or put into	territory of another Member
		registered and complies	circulation in compliance	State, if the vehicle has been
		with operating standards	with the laws of any	registered or put into
		and safety requirements, or	Member State and, if it is a	circulation in accordance with
		put into circulation in	vehicle requiring a certified	the applicable laws, safety
		compliance with the laws	true copy of the Community	requirements and other

	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 any Member State and authorised to be operated by the Member State of	licence in accordance with Regulation (EC) No 1072/2009, authorised to be	mandatory standards of a Member State and, if it is a vehicle requiring a certified
		establishment of the	used by the Member State	true copy of the Community
		undertaking responsible.	of establishment of the	licence in accordance with
			undertaking by means of	Regulation (EC) No
			this certified true copy.	1072/2009, has been
				authorised to be used by the
				Member State of
				establishment of the
				undertaking by means of such certified true copy.
11.			(4b) In order to simplify the	В
			provision of relevant	GA provisionally acceptable
			evidence, documents in	(4b) In order to simplify the
			electronic form should be	provision of relevant
			recognised as means of	evidence, documents in
			proving compliance with	electronic form should be
			Directive 2006/1/EC.	recognised as means of
				proving compliance with
				Directive 2006/1/EC.

	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		
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
	taxation still differs	taxation still differs	taxation still differs	lines 43/44
	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	
	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	undertaking established on	

	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		
		established within their	their respective territories.	
		territories.	That limit should not be	
			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	
			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	

	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		
			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.	
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

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		
	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
	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

	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		
		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
			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

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		
		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
		182/2011 of the European	
		Parliament and of the	5 Regulation (EU) No
		Council of 16 February	182/2011 of the European
		2011 laying down the rules	Parliament and of the
		and general principles	Council of 16 February
		concerning mechanisms for	2011 laying down the rules
		control by Member States	and general principles
		of the Commission's	concerning mechanisms for
		exercise of implementing	control by Member States
		powers, OJ L 55, 28.2.2011,	of the Commission's

	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
			p. 13	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 establishment of the undertaking using it.	C – dependent on agreement in line 46
19.		Amendment 6 Recital 6 a (new)		
20.		(6 a) In order to maintain operational standards, meet safety requirements and ensure decent working conditions for drivers, it is important for carriers to		C TM 7 October: first part incorporated in line 8, second part dropped

	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		
		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	Compromise TM 7 October :
	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
	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 impact <u>of this Directive</u>
		infringements of this	road safety, whether it has	on road safety and on the
		Directive, including cross-	entailed difficulties in	environment through
		border infringements. The	relation to enforcement,	changes in the age and type
		<i>need for</i> future action in this	including the enforcement	composition of the vehicle

	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			
		area should be considered in		of cabotage rules, and to the	fleets, and on tax revenues,
		light of that report.		effects on tax revenues of	with particular regard to
				the Member States. The	the justification of
				compilation of that report	restrictions provided for in
				would be facilitated by	this Directive [refer to
				Member States providing,	Article 3(2)]. The report
				on a voluntary basis,	should also assess whether
				relevant information on tax	its implementation has
				revenues to the	entailed difficulties in
				Commission. Any future	relation to enforcement,
				action in this area should be	including the enforcement
				considered in light of that	of cabotage rules. The need
				report.	<i>for</i> future action in this area
					should be considered in light
					of that report.
23.	(8) Since the objectives of this		(8)	Since the objectives of this	A
	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

	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		
	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.
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,

	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		
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	A
	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	TM 7 October: together with a
	circulation in	circulation in	circulation in	compromise on line 10 the
	compliance with the	compliance with the	compliance with the	Presidency compromise is
	laws of a Member	laws of any Member	laws of any Member	acceptable:
	State;";	State, including	State and used in	"(a) the vehicle is registered
		operating standards and	compliance with the	or put into circulation in
		safety requirements;"	provisions of	compliance with the laws of any
			Regulations (EC) No	Member State and, if
			1071/2009 and (EC) No	applicable, used in compliance
			1072/2009 in the	with the provisions of
			Member State of	Regulations (EC) No
			establishment of the	1071/2009 and (EC) No
			undertaking using it, if	1072/2009;"
			applicable.".	

	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		
34.		Amendment 9		
		Article 1 – paragraph 1 – point 1 –		
		point b		
35.	(b) the following paragraph	deleted	deleted	Deleted.
	1a 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."			

	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
36.			(b) in paragraph 2, the introductory part is replaced by the following:	В
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 GA provisionally acceptable "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.	"Article 3 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	 "Article 3 1. Member States shall take the necessary measures to ensure that undertakings established within their territories may use hired vehicles for the 	"Article 3 1. Member States shall take the necessary measures to ensure that undertakings established on their respective territories may use hired vehicles for the	A GA provisionally acceptable "Article 3 1. Member States shall take the necessary measures to ensure

	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		
	conditions as vehicles owned by them, provided that the conditions laid down in Article 2 are satisfied."	carriage of goods by road under the same conditions as vehicles owned by them, provided that the conditions laid down in Article 2 are satisfied."	carriage of goods by road under the same conditions as vehicles owned by them, provided that the conditions laid down in Article 2 are satisfied.	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, 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 registered or put into circulation in compliance with the laws of another Member State of establishment of the undertaking may:	2. Where the hired vehicle is registered or put into circulation in compliance with the laws of another Member State, the Member State of establishment of the undertaking may:	2. Where the hired vehicle is registered or put into circulation in compliance with the laws of another Member State of establishment of the undertaking may:
43.		(a) limit the time of use of the hired vehicle within its respective territory provided that it allows the use of the hired vehicle for at least four consecutive months any	a) limit the time of use of the hired vehicle on its respective territory provided that it allows the use of the hired vehicle by the same undertaking for a period of	С

	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		
		given calendar year; in	30 consecutive days in any	
		which case the contract of	given calendar year; in that	
		hire may be required not to	case the contract of hire may	
		last longer than the time	be required not to last longer	
		limit set by the Member	than the time limit set by the	
		State;	Member State;	
44.		(b) limit the number of hired	b) limit the number of hired	С
		vehicles that can be used by	vehicles that can be used by	
		any undertaking, provided	an undertaking provided	
		that they allow the use of at	that it allows the use of a	
		least a number of vehicles	minimum number of	
		corresponding to 25% of the	vehicles. This minimum	
		overall goods vehicle fleet	number shall be at least	
		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	

	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	determined by the Member	
			determined by the Member State. In case of an	
			undertaking having an 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	
			<u>-</u>	
			undertaking on the basis of the vehicles registered or put	
			into circulation in	
			conformity with the	
			legislation of that Member	
45.		Amendment 28 and 34	State;	
43.				
		Article 1 - paragraph 1 - point 2		
46.		Article 3 paragraph 1b (new)	c) limit the use of such	C
40.		"1b. Member States may exclude	c) limit the use of such vehicles for own account	
		from the provisions of		
		paragraph 1 own account	transport operations."	
		transport operations carried		
		out by vehicles with a total		

47.	COM proposal, COM(2017) 0282 final	European Parliament/ Plenary vote 1st reading P8_TA(2019)0006 permissible laden weight of more than 6 tonnes." Amendment 12 Article 1 – paragraph 1 – point 2 a (new)	Council general approach, doc. ST 9398/21	Compromise/notes
48.		Article 3 a (new) (2a) the following Article 3a is inserted	(2a) the following Article 3a is inserted:	(2a) the following Article 3a is inserted
49. 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	B Compromise TM 7 October : Member States shall take the necessary measures to ensure that the registration number of a hired vehicle used by an operator which engages in the carriage of goods by road for hire and reward is entered in the national electronic register referred to in Article 16 of Regulation (EC) 1071/2009.

	COM proposal, COM(2017) 0282 final	European Parliament/ Plenary vote 1st reading P8_TA(2019)0006	Council general approach, doc. ST 9398/21 national electronic register	Compromise/notes
			referred to in Article 16 of	
			Regulation (EC) No	
			1071/2009.	
51.		2. Competent authorities of the		С
		Member State of		Compromise TM 7 October:
		establishment of an operator		2. Competent authorities of the
		that are informed of the use of		Member States shall cooperate
		a vehicle which that operator		closely and shall swiftly provide
		has hired and which is		one another with mutual
		registered or put into		assistance and with any other
		circulation in compliance		relevant information in order to
		with the laws of another		facilitate the implementation and
		Member State shall inform		enforcement of this Directive.
		the competent authorities of		For this purpose, Member States
		that other Member State		shall designate a national contact
		thereof.		point responsible for the
52.		3. The administrative		exchange of information with the
		cooperation provided for in		other Member States.
		paragraph 2 shall be by		2a. The exchange of information
		means of the Internal market		referred to in paragraph 1 shall
		Information System (IMI),		take place through the message
		established by Regulation		exchange system, namely the
		(EU) No 1024/2012**.		European Registers of Road
				Transport Undertakings (ERRU)

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		
	** OJ L 316, 14.11.2012, p.1."		as specified by Commission
			Regulation (EU) 2016/480.
			2b. Member States shall ensure
			that the information transmitted
			to them pursuant to this Article
			is used only in respect of the
			matters for which it was
			requested. Any processing of
			personal data shall be carried out
			solely for the purposes of
			complying with this Regulation
			and shall be in accordance with
			Regulation (EU) 2016/679 of the
			European Parliament and of the
			Council.
			2c. Mutual administrative
			cooperation and assistance shall
			be provided free of charge.
			2d. A request for information
			shall not preclude the competent
			authorities from taking measures
			in line with the relevant national
			and Union law to investigate and
			prevent alleged breaches of rules
			resulting from the transposition

	COM proposal, COM(2017) 0282 final	European Parliament/ Plenary vote 1st reading P8_TA(2019)0006	Counci ST 939	il general approach, doc. 08/21	Compromise/notes
					of this Directive.
53.			tl ea o tl tl w tl in o 1 se A	Member States shall take he necessary measures to insure that the processing of the data referred to in he first subparagraph of his paragraph complies with the requirements for he information referred to in point (g) of Article 16(2) of Regulation (EC) No 071/2009 as specificed in subparagraphs 3 and 5 of Article 16(2), and in Article 6(3) and (4) of that Regulation.	Member States shall take the necessary measures to ensure that the processing of the data referred to in paragraph one 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.			a in co cs a so	No later than 14 months fter the adoption of an implementing act on a common formula for alculating the risk rating is referred to in Article 9(1) in the subparagraph 2 of Directive 1006/22/EC of the European	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)

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		
		Parliament and the	subparagraph 2 of
		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

	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	
				Regulation (EC) 1071/2009.
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).

	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
56.			3. Member States shall ensure that the data referred to in the first paragraph is available to the competent authorities during roadside checks.";	C GA acceptable at tech level 3. Member States shall ensure that the data referred to in 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:	A
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	"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	"Article 5a 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	C Compromise TM 7 October: By [4 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

	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 Member State of establishment of the undertaking hiring the vehicle. On the basis of this report, the Commission shall assess whether it is necessary to propose additional measures."	hiring the vehicle. The report shall pay particular attention to the impact on road safety, and on tax revenues, including fiscal distortions, and on the enforcement of cabotage rules in accordance with Regulation (EC) No 1072/2009*. On the basis of this report, the Commission shall assess whether it is necessary to propose additional measures."	other than the Member State of establishment of the undertaking hiring the vehicle. That report shall also look into the impacts on road safety, on tax revenues and on the enforcement of the cabotage rules in accordance with Regulation (EC) No 1072/2009. On the basis of that report, the Commission shall assess whether it is necessary to propose additional measures."	vehicles hired in a Member State other than the Member State of establishment of the undertaking hiring the vehicle. The report shall pay particular attention to the impact on road safety, on the environment, on tax revenues and on the enforcement of the cabotage rules in accordance with Regulation (EC) No 1072/2009. On the basis of that report, the Commission shall assess whether
		* Regulation (EC) No 1072/2009 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)		it is necessary to propose additional measures."
60.			Article 5b	
61.			The Commission shall be	С
			assisted by the Committee	GA could be acceptable because
			set up by Article 42(1) of	this is in line with ERRU.
			Regulation (EU) No	

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.* * 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).	

	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
62.			Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 of the European Parliament and of the 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)."	C GA could be acceptable because this is in line with ERRU.

	COM proposal, COM(2017)		ll, COM(2017) European Parliament/		Cou	ncil general approach, doc.	Compromise/notes
	028	32 final	Ple	nary vote 1st reading	ST 9	9398/21	
			P8_	TA(2019)0006			
63.		Article 2		Article 2		Article 2	Article 2
64.				Amendment 14			
				Article 2 – paragraph 1 –			
				subparagraph 1			
65.	1.	Member States shall bring	1.	Member States shall bring into	2.	Member States shall bring	С
		into force the laws,		force the laws, regulations and		into force the laws,	TM 7 October: EP calculation
		regulations and		administrative provisions		regulations and	acceptable, the resulting timeline
		administrative provisions		necessary to comply with this		administrative provisions	must at least correspond to GA
		necessary to comply with this		Directive by [20 months		necessary to comply with this	date
		Directive by [OP: please		after the date of entry into		Directive by 21 August 2023	
		insert the date calculated 18		force of this Directive].		at the latest.	
		months following the entry					
		into force] at the latest. They		They shall communicate to the		They shall communicate to the	
		shall communicate to the		Commission the text of those		Commission the text of those	
		Commission the text of those		provisions without delay.		provisions without delay.	
		provisions without delay.					
		When Member States adopt		When Member States adopt		When Member States adopt	
		those provisions, they shall		those provisions, they shall		those provisions, they shall	
		contain a reference to this		contain a reference to this		contain a reference to this	
		Directive or be accompanied		Directive or be accompanied		Directive or be accompanied	
		by such a reference on the		by such a reference on the		by such a reference on the	
		occasion of their official		occasion of their official		occasion of their official	
		publication. Member States		publication. Member States		publication. Member States	
		shall determine how such		shall determine how such		shall determine how such	
		reference is to be made.		reference is to be made.		reference is to be made.	

	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		
66.	2. Member States shall		2. Member States shall	2. Member States shall
	communicate to the		communicate to the	communicate to the
	Commission the text of the		Commission the text of the	Commission the text of the
	main provisions of national		main provisions of national	main provisions of national
	law which they adopt in the		law which they adopt in the	law which they adopt in the
	field covered by this		field covered by this Directive.	field covered by this
	Directive.			Directive.
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.