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NOTE

From:	General Secretariat of the Council
To:	Delegations
Subject:	Proposal for a Directive of the European Parliament and of the Council establishing the European Disability Card and the European Parking Card for persons with disabilities

Delegations will find attached the four-column table containing the negotiation mandates of the two co-legislators on the above proposal.

Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing the European Disability Card and the European Parking Card for persons with disabilities (Text with EEA relevance)
2023/0311(COD)

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Formula				
1	2023/0311 (COD)		2023/0311 (COD)	
Proposal Title				
2	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing the European Disability Card and the European Parking Card for persons with disabilities (Text with EEA relevance)		Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing the European Disability Card and the European Parking Card for persons with disabilities (Text with EEA relevance)	
Formula				
3	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,		THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	
Citation 1				
4	Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 53(1) and		Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 53(1) and	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	62, Article 91 and Article 21(2) TFEU thereof,		62, Article 91 and Article 21(2) TFEU thereof,	
Citation 2				
5	Having regard to the proposal from the European Commission,		Having regard to the proposal from the European Commission,	
Citation 3				
6	After transmission of the draft legislative act to the national parliaments,		After transmission of the draft legislative act to the national parliaments,	
Citation 4				
7	Having regard to the opinion of the European Economic and Social Committee ¹ , <u>1. OJ C , , p. .</u>		Having regard to the opinion of the European Economic and Social Committee ¹ , <u>1. OJ C , , p. .</u>	
Citation 5				
8	Having regard to the opinion of the Committee of the Regions ¹ , <u>1. OJ C , , p. .</u>		Having regard to the opinion of the Committee of the Regions ¹ , <u>1. OJ C , , p. .</u>	
Citation 6				
9	Acting in accordance with the		Acting in accordance with the	


	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	ordinary legislative procedure,		ordinary legislative procedure,	
Formula				
10	Whereas:		Whereas:	
Recital 1				
11	(1) The European Union is founded on the values of human dignity, freedom, and respect of human rights and committed to combating discrimination, including on the grounds of disability, as set out in the Treaty on European Union (TEU), the Treaty on the Functioning of the European Union (TFEU) and the Charter of Fundamental Rights of the European Union (the ‘Charter’).	(1) The European Union is founded on the values of human dignity, freedom, <u>equality</u> and respect of human rights and <u>is</u> committed to combating discrimination, including on the grounds of disability, as set out in the Treaty on European Union (TEU), the Treaty on the Functioning of the European Union (TFEU) and , the Charter of Fundamental Rights of the European Union (the ‘Charter’) <u>as well as the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD)^{1a}</u> . <u>^{1a.} Council Decision 2010/48/EC of 26 November 2009 concerning the conclusion, by the European Community, of the United Nations Convention on the Rights of Persons with Disabilities (OJ L 23, 27.1.2010, p. 35).</u>	(1) The European Union is founded on the values of human dignity, freedom, and respect of human rights and committed to combating discrimination, including on the grounds of disability, as set out in the Treaty on European Union (TEU), the Treaty on the Functioning of the European Union (TFEU) and the Charter of Fundamental Rights of the European Union (the ‘Charter’).	
Recital 2				
12				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(2) In Article 26 of the Charter, the Union recognises and respects the right of persons with disabilities to benefit from measures designed to ensure their independence, social and occupational integration and participation in the life of the community.		(2) In Article 26 of the Charter, the Union recognises and respects the right of persons with disabilities to benefit from measures designed to ensure their independence, social and occupational integration and participation in the life of the community.	
Recital 3				
13	(3) Every citizen of the Union has the fundamental right to move and reside freely within the territory of the Member States, subject to the limitations and conditions laid down in the Treaties and by the measures adopted to give effect to them.	(3) Every citizen of the Union has the fundamental right to move and reside freely within the territory of the Member States, subject to the limitations and conditions laid down in the Treaties and by the measures adopted to give effect to them. <u>Article 18 of the UNCRPD also recognises the rights of persons with disabilities to liberty of movement and to freedom to choose their residence on an equal basis with others.</u>	(3) Every citizen of the Union has the fundamental right to move and reside freely within the territory of the Member States, subject to the limitations and conditions laid down in the Treaties and by the measures adopted to give effect to them.	
Recital 4				
14	(4) According to the Court of Justice of the European Union, citizenship of the Union is destined to be the fundamental status of nationals of the Member States when exercising the right to move and reside within the territory of the Member States, enabling those who	(4) According to the Court of Justice of the European Union, citizenship of the Union is destined to be the fundamental status of nationals of the Member States when exercising the right to move and reside within the territory of the Member States, enabling those who	(4) According to the Court of Justice of the European Union, citizenship of the Union is destined to be the fundamental status of nationals of the Member States when exercising the right to move and reside within the territory of the Member States, enabling those who	

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	find themselves in the same situation to enjoy, within the scope <i>ratione materiae</i> of the TFEU, the same treatment in law irrespective of their nationality, subject to such exceptions as are expressly provided for.	find themselves in the same situation to enjoy, within the scope <i>ratione materiae</i> of the TFEU, the same treatment in law irrespective of their nationality, subject to such exceptions as are expressly provided for. <u>The right to free movement should also apply to third country-nationals who have legal residence in a Member State and a recognised disability in that Member State, in the interest of equal treatment. This Directive is therefore complemented by a separate legal act which is to bridge the legal gap between Union citizens and third-country nationals who are legally residing in the Union in this regard and which is to provide for more legal certainty.</u>	find themselves in the same situation to enjoy, within the scope <u>ratione materiae</u> ratione materiae of the TFEU, the same treatment in law irrespective of their nationality, subject to such exceptions as are expressly provided for.	
Recital 5				
15	<p>(5) The Union is a Party to the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD)¹, and is bound by its provisions which are an integral part of the Union legal order to the extent of its competences. All the Member States are Parties to the UNCRPD and are bound by it also to the extent of their competences.</p> <p><small>1. Council Decision 2010/48/EC of 26 November 2009 concerning the conclusion, by the European Community, of the United</small></p>	<p>(5) The Union is a Party to the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD)¹, and is bound by its provisions which are an integral part of the Union legal order to the extent of its competences. All the Member States are Parties to the UNCRPD and are bound by it also to the extent of their competences. <u>While the Union and all its Member States have signed and ratified the UNCRPD there are significant differences in its implementation.</u></p>	<p>(5) The Union is a Party to the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD)¹, and is bound by its provisions which are an integral part of the Union legal order to the extent of its competences. All the Member States are Parties to the UNCRPD and are bound by it also to the extent of their competences.</p> <p><small>1. Council Decision 2010/48/EC of 26 November 2009 concerning the conclusion, by the European Community, of the United</small></p>	

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	Nations Convention on the Rights of Persons with Disabilities, OJ L 23, 27.1.2010, p. 35.	<p><u><i>There is a need to make progress on equality for persons with disabilities both for the Union itself as well as in all Member States, for example through investments in infrastructure, capacity building, training and awareness raising campaigns. The Union and all Member States should also ratify the Optional Protocol of the UNCRPD.</i></u></p> <p><i>1. Council Decision 2010/48/EC of 26 November 2009 concerning the conclusion, by the European Community, of the United Nations Convention on the Rights of Persons with Disabilities, OJ L 23, 27.1.2010, p. 35.</i></p>	Nations Convention on the Rights of Persons with Disabilities, OJ L 23, 27.1.2010, p. 35.	
Recital 6				
16	(6) The purpose of the UNCRPD is to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect of their inherent dignity, thus ensuring their full and effective participation and inclusion in society on an equal basis with others. The UNCRPD also recognises the importance of the need to take appropriate measures to ensure accessibility to persons with disabilities.	(6) <u><i>The UNCRPD recognises that persons with disabilities include persons who have long-term physical, mental, intellectual or sensory impairments which in interaction with various environmental, administrative, technological and societal barriers can result in discriminatory treatment.</i></u> The purpose of the UNCRPD is <u><i>therefore</i></u> to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect of their inherent dignity, <u><i>individual autonomy including the</i></u>	(6) The purpose of the UNCRPD is to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities <u><i>without discrimination of any kind</i></u> , and to promote respect of their inherent dignity, thus ensuring their full and effective participation and inclusion in society on an equal basis with others. The UNCRPD also recognises the importance of the need to take appropriate measures to ensure accessibility to persons with disabilities. <u><i>The UNCRPD states that women and girls with</i></u>	

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		<p><u>freedom to make one's own choices, and independence of persons,</u> thus ensuring their full and effective participation and inclusion in society on an equal basis with others. The UNCRPD also recognises the importance of <u>respect for difference and acceptance of persons with disabilities as part of human diversity and humanity and</u> the need to take appropriate measures to ensure <u>equality of opportunity and</u> accessibility to persons with disabilities.</p>	<p><u>disabilities are subject to multiple forms of discrimination, and therefore State Parties shall take measures to ensure the full and equal enjoyment by them of all human rights and fundamental freedoms.</u></p>	
Recital 6a				
16a		<p><u>(6a) The UNCRPD also recognises the difficult conditions faced by persons with disabilities who are subject to multiple or aggravated forms of discrimination on the basis of race, colour, sex, language, religion, political or other opinion, national, ethnic, indigenous or social origin, property, birth, age or other status. In particular, it recognises the principle of gender equality, that women and girls with disabilities are often at greater risk and subject to multiple and intersectional discrimination and that State Parties should take adequate measures to ensure the full and equal enjoyment by them of all human rights and fundamental</u></p>		

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		<u>freedoms. Therefore, the European Disability Card and European Parking Card for persons with disabilities must have a clear gender equality perspective and contribute to improving free movement, especially for women and girls with disabilities. The Convention on Preventing and Combating Violence against Women and Domestic Violence, to which the Union is party, should also guide the establishment and implementation of the European Disability Card and the European Parking Card for persons with disabilities in this context.</u>		
Recital 7				
17	(7) The European Pillar of Social Rights, proclaimed by the European Parliament, the Council and the European Commission at Gothenburg on 17 November 2017 ¹ provides that everyone, inter alia regardless of disability, has the right to equal treatment and opportunities regarding, among others, access to goods and services available to the public (principle 3). In addition, the European Pillar of Social Rights recognises that persons with disabilities have the right to services that enable them to participate in society (principle 17).	(7) The European Pillar of Social Rights, proclaimed by the European Parliament, the Council and the European Commission at Gothenburg on 17 November 2017 ¹ provides that everyone, inter alia regardless of disability, has the right to equal treatment and opportunities regarding <u>employment, social protection, education, and</u> among others, access to goods and services available to the public <u>and that equal opportunities of under-represented groups are to be fostered</u> (principle 3). In addition, the European Pillar of Social Rights	(7) The European Pillar of Social Rights, proclaimed by the European Parliament, the Council and the European Commission at Gothenburg on 17 November 2017 ¹ provides that everyone, <u>inter alia</u> inter alia regardless of disability, has the right to equal treatment and opportunities regarding, among others, access to goods and services available to the public (principle 3). In addition, the European Pillar of Social Rights recognises that persons with disabilities have the right to services that enable them to participate in society (principle 17).	

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	<p>1. Interinstitutional Proclamation on the European Pillar of Social Rights, OJ C 428, 13.12.2017, p. 10.</p>	<p>recognises that persons with disabilities have the right to <u>income support that ensures living in dignity</u>, services that enable them to participate in society <u>and a work environment adapted to their needs</u> (principle 17).</p> <p>1. Interinstitutional Proclamation on the European Pillar of Social Rights, OJ C 428, 13.12.2017, p. 10.</p>	<p>1. Interinstitutional Proclamation on the European Pillar of Social Rights, OJ C 428, 13.12.2017, p. 10.</p>	
Recital 8				
18	<p>(8) Directive (EU) 2019/882 of the European Parliament and the Council¹ (the ‘European Accessibility Act’) aims to improve access to products and services by eliminating and preventing barriers arising from divergent accessibility requirements in the Member States, thus contributing to increasing the availability of accessible products and services in the internal market, including access to websites and mobile device based service of certain public services², and improve the accessibility of relevant information. In addition, Union law also guarantees the right to non-discrimination in access to transport and other rights such as the right to receive assistance free of charge for passengers with disabilities and reduced mobility travelling by air³,</p>		<p>(8) Directive (EU) 2019/882 of the European Parliament and the Council¹ (the ‘European Accessibility Act’) aims to improve access to products and services by eliminating and preventing barriers arising from divergent accessibility requirements in the Member States, thus contributing to increasing the availability of accessible products and services in the internal market, including access to websites and mobile device based service of certain public services², and improve the accessibility of relevant information. In addition, Union law also guarantees the right to non-discrimination in access to transport and other rights such as the right to receive assistance free of charge for passengers with disabilities and reduced mobility travelling by air³;</p>	

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	<p>rail⁴, waterborne means of transport⁵, or bus and coach⁶. Union law also enables the Member States to provide for reduced fees or user charges for toll roads/bridges/tunnels as well as exemptions from the obligation to pay such fees or user charges for or any vehicle used or owned by persons with disabilities as concerns the roads subject to road charging⁷.</p> <p>1. Directive (EU) 2019/882 of the European Parliament and of the Council of 17 April 2019 on the accessibility requirements for products and services, (OJ L 150, 7.6.2019, p. 70).</p> <p>2. In addition, Directive (EU) 2016/2102 on the accessibility of the websites and mobile applications of public sector bodies, aims to improve the accessibility of public sector bodies websites and their mobile apps.</p> <p>3. Regulation (EC) No 1107/2006 of the European Parliament and of the Council of 5 July 2006 concerning the rights of disabled persons and persons with reduced mobility when travelling by air, OJ L 204, 26.7.2006, p. 1.</p> <p>4. Regulation (EU) 2021/782 of the European Parliament and of the Council of 29 April 2021 on rail passengers' rights and obligations OJ L 172, 17.5.2021, p. 1.</p> <p>5. Regulation (EU) No 1177/2010 of the European Parliament and of the Council of 24 November 2010 concerning the rights of passengers when travelling by sea and inland waterway and amending Regulation (EC) No 2006/2004, OJ L 334, 17.12.2010, p. 1.</p> <p>6. Regulation (EU) No 181/2011 of the European Parliament and of the Council of 16 February 2011 concerning the rights of passengers in bus and coach transport and</p>		<p>rail⁴, waterborne means of transport⁵, or bus and coach⁶. Union law also enables the Member States to provide for reduced fees or user charges for toll roads/bridges/tunnels as well as exemptions from the obligation to pay such fees or user charges for or any vehicle used or owned by persons with disabilities as concerns the roads subject to road charging⁷.</p> <p>1. Directive (EU) 2019/882 of the European Parliament and of the Council of 17 April 2019 on the accessibility requirements for products and services, (OJ L 150<u>151</u>, 7.6.2019, p. 70).</p> <p>2. In addition, Directive (EU) 2016/2102 on the accessibility of the websites and mobile applications of public sector bodies, aims to improve the accessibility of public sector bodies websites and their mobile apps.</p> <p>3. Regulation (EC) No 1107/2006 of the European Parliament and of the Council of 5 July 2006 concerning the rights of disabled persons and persons with reduced mobility when travelling by air, OJ L 204, 26.7.2006, p. 1.</p> <p>4. Regulation (EU) 2021/782 of the European Parliament and of the Council of 29 April 2021 on rail passengers' rights and obligations OJ L 172, 17.5.2021, p. 1.</p> <p>5. Regulation (EU) No 1177/2010 of the European Parliament and of the Council of 24 November 2010 concerning the rights of passengers when travelling by sea and inland waterway and amending Regulation (EC) No 2006/2004, OJ L 334, 17.12.2010, p. 1.</p> <p>6. Regulation (EU) No 181/2011 of the European Parliament and of the Council of 16 February 2011 concerning the rights of</p>	

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	amending Regulation (EC) No 2006/2004 (OJ L 55, 28.2.2011, p. 1). 7. European Parliament and Council, Directive (EU 1999/62/EC and European Parliament and Council Directive (EU) 2022/362 amending Directives 1999/62/EC, 1999/37/EC and (EU) 2019/520, as regards the charging of vehicles for the use of certain infrastructures.		passengers in bus and coach transport and amending Regulation (EC) No 2006/2004 (OJ L 55, 28.2.2011, p. 1). 7. European Parliament and Council, Directive (EU 1999/62/EC and European Parliament and Council Directive (EU) 2022/362 amending Directives 1999/62/EC, 1999/37/EC and (EU) 2019/520, as regards the charging of vehicles for the use of certain infrastructures.	
Recital 8a				
18a		<u>(8a) The Strategy for the Rights of Persons with Disabilities 2021-2030 is intended to tackle the diverse challenges that persons with disabilities face and progress in all areas of the UNCRPD, both at Union and national level.</u>		
Recital 8a				
18b			<u>(8a) In addition, Union law also guarantees the right to non-discrimination in access to transport and other rights. Such rights may include, but are not limited to, the right to receive assistance free of charge for passengers with disabilities and reduced mobility travelling by air¹, rail², waterborne means of transport³, or bus and coach⁴. Union law also enables the Member States to provide for reduced fees or user charges for toll</u>	

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			<p><u>roads/bridges/tunnels as well as exemptions from the obligation to pay such fees or user charges for or any vehicle used or owned by persons with disabilities as concerns the roads subject to road charging⁵.</u></p> <p><u>1. Regulation (EC) No 1107/2006 of the European Parliament and of the Council of 5 July 2006 concerning the rights of disabled persons and persons with reduced mobility when travelling by air, OJ L 204, 26.7.2006, p. 1.</u></p> <p><u>2. Regulation (EU) 2021/782 of the European Parliament and of the Council of 29 April 2021 on rail passengers' rights and obligations OJ L 172, 17.5.2021, p. 1.</u></p> <p><u>3. Regulation (EU) No 1177/2010 of the European Parliament and of the Council of 24 November 2010 concerning the rights of passengers when travelling by sea and inland waterway and amending Regulation (EC) No 2006/2004, OJ L 334, 17.12.2010, p. 1.</u></p> <p><u>4. Regulation (EU) No 181/2011 of the European Parliament and of the Council of 16 February 2011 concerning the rights of passengers in bus and coach transport and amending Regulation (EC) No 2006/2004 (OJ L 55, 28.2.2011, p. 1).</u></p> <p><u>5. Directive (EU) 2022/362 of the European Parliament and of the Council of 24 February 2022 amending Directives 1999/62/EC, 1999/37/EC and (EU) 2019/520, as regards the charging of vehicles for the use of certain infrastructures (OJ L 69/1, 4.3.2022, p.1).</u></p>	
Recital 9				
19				


	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>(9) Persons with disabilities may apply to competent authorities in the Member State in which they reside for the recognition of disability status as this is a matter within their competence. Each Member State and its respective competent authorities have a disability assessment procedure which differs from Member State to Member State. Where the competent authorities recognise the disability status of an applicant, they issue a disability certificate, a disability card or other formal document recognising the applicant's disability status.</p>		<p>(9) Persons with disabilities may apply to competent authorities <u>or bodies</u> in the Member State in which they reside for the recognition of disability status as this is a matter within their competence. Each Member State and its respective competent authorities have a <u>has</u> disability assessment procedure <u>procedures</u> which differs <u>differ</u> from Member State to Member State. Where the competent authorities <u>or bodies</u> recognise the disability status of an applicant, they <u>may</u> issue a disability certificate, a disability card or other formal document recognising the applicant's disability status. <u>Some Member States do not have a single definition of a disability status, which may lead to recognition of different levels of disability. In those Member States, entitlements to specific services based on a disability or other criteria may be used when services or benefits are granted to persons with disabilities.</u></p>	
Recital 10				
20	<p>(10) Due to the lack of recognition of disability status between Member States, persons with disabilities may face specific difficulties when exercising their fundamental rights of free movement.</p>	<p>(10) Due to the lack of <u>mutual</u> recognition of disability status between Member States, persons with disabilities may often face specific <u>and significant</u> difficulties <u>and barriers</u> when exercising their</p>	<p>(10) Due to the lack of recognition of disability status between Member States, persons with disabilities may face specific difficulties when exercising their fundamental rights of free movement. <u>This is</u></p>	

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		<p>fundamental rights of <u>equal treatment, non-discrimination and free movement</u>. <u>The social model of disability recognises that discrimination and social exclusion experienced by persons with disabilities result from the environmental, systemic and attitudinal barriers in society, rather than by their impairment, as defined in the UNCRPD and in this Directive. Member States are encouraged to ensure that their national procedures for assessing disability status are in accordance with the provisions of the UNCRPD.</u></p>	<p><u>particularly the case for short stays or visits to another Member State within the meaning of Article 6 of Directive 2004/38/EC, which provides that Union citizens and their family members should have the right to reside in another Member State for a period up to three months without being subject to any conditions or any formalities other than the requirement to hold a valid identity card or passport. For periods longer than three months, Article 7 of Directive 2004/38/EC requires additional conditions to be met and, in this case, the host Member State may require Union citizens to register with the relevant authorities.</u></p>	
Recital 11				
21	<p>(11) Persons with disabilities moving for longer periods to other Member States for employment, study or other purposes, except where otherwise provided by law or agreed among Member States, may have their disability status assessed and formally recognised by the competent authorities in the other Member State and may receive a disability certificate, a disability card or any other formal document recognising their disability status in accordance with applicable rules of</p>	<p>(11) <u>Where</u> persons with disabilities moving<u>move</u> for longer periods to other Member States for employment<u>work</u>, study or other purposes, except where otherwise provided by law or agreed among Member States, may have<u>in the context of participation in an EU mobility programme such as ERASMUS+ and the European Solidarity Corps, the European Disability Card should serve as temporary recognition of</u> their disability status assessed and</p>	<p>(11) Persons with disabilities moving for longer periods to other Member States for employment, study or other purposes, except where otherwise provided by law or agreed among Member States, may have their disability status assessed and formally recognised by the competent authorities <u>or bodies</u> in the other Member State and may receive a disability certificate, a disability card, or any other formal document recognising their disability status <u>or a decision on the</u></p>	

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	that Member State.	formally recognised <u>until a formal decision has been taken regarding assessment and formal recognition of the status</u> by the competent authorities in the other Member State, by means of <u>and may receive</u> a disability certificate, a disability card or any other formal document recognising their disability status in accordance with applicable rules of that Member State.	<u>entitlement to specific services based on a disability</u> in accordance with applicable rules of that Member State.	
Recital 12				
22	(12) However, persons with recognised disability status travelling to or visiting for a short period of time a Member States other than the Member State in which they reside, may encounter significant difficulties, if their disability status is not recognised in the Member State they travel to or visit and if they do not hold a certificate, disability card or any other formal document recognising their disability status in the host Member State, in order to benefit from special conditions and/or preferential treatment offered there.	(12) However, persons with recognised disability status travelling to or visiting for a short period of time a Member States <u>State</u> other than the Member State in which they reside, may <u>regularly</u> encounter significant difficulties and barriers , if their disability status is not recognised in the Member State they travel to or visit and if they do not hold a certificate, disability card or any other formal document recognising their disability status in the host Member State, in order to benefit from special conditions and/or preferential treatment offered there. <u>Persons with non-visible disabilities in particular often face specific difficulties when asked to prove their disability while travelling.</u>	(12) However, persons with recognised disability status <u>or entitlement to specific services based on a disability</u> travelling to or visiting for a short period of time a Member States <u>State</u> other than the Member State in which they reside, may encounter significant difficulties, if their disability status <u>or entitlement to specific services based on a disability</u> is not recognised in the Member State they travel to or visit and if they do not hold a certificate, disability card or any other formal document recognising their disability status <u>or entitlement to specific services based on a disability</u> in the host Member State, in order to benefit from special conditions and/or preferential treatment offered there.	

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Recital 13				
23	(13) In this case, persons with disabilities travelling to or visiting another Member State are put at a disadvantage when exercising their free movement rights as compared to persons with disabilities holding a disability certificate, a disability card or any other formal document recognising their disability status in the Member State they travel to or visit.	(13) In this case, persons with disabilities travelling to or visiting another Member State are put at a <u>severe</u> disadvantage when exercising their free movement rights as compared to <u>persons without disabilities as well as</u> persons with disabilities holding a disability certificate, a disability card or any other formal document recognising their disability status in the Member State they travel to or visit.	(13) In this case, persons with disabilities travelling to or visiting another Member State are put at a disadvantage when exercising their free movement rights as compared to persons with disabilities holding a disability certificate, a disability card or any other formal document recognising their disability status <u>or entitlement to specific services based on a disability</u> in the Member State they travel to or visit.	
Recital 13a				
23a		<p><u>(13a) Union citizens have expressed concerns in a number of petitions delivered to the European Parliament and transmitted to the Commission relating to the introduction of a Union-wide recognised European Disability Card, European Parking Card for persons with disabilities and the mutual recognition of disability across Member States^{1a}.</u></p> <p><u>^{1a} Petition 0756-2019 by P.T. (German), on an EU-wide disability card, Petition 1124-2019 by R.Z. (German), on behalf of the self-help group 'Amputee - what next?', signed by one other person, on the disability card in Germany, Petition</u></p>		

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		<u>1342/2021 by Rufino Casares Durán (Spanish), bearing one other signature, on equal recognition of the degree of disability in the European Union, Petition 0822/2022 by Maria Pindado Galan (Spanish), on behalf of Confederación Autismo España, asking for the European Disability Statute to contemplate the rights of people with autism</u>		
Recital 14				
24	(14) Furthermore, not knowing whether and, if so, to what extent their disability status and formal documents recognising this status may be recognised when travelling to or visiting another Member State, creates uncertainty for them. Ultimately, persons with disabilities may be deterred from exercising their rights of free movement.	(14) Furthermore, not knowing whether and, if so, to what extent, their disability status and formal documents recognising this status may be recognised when travelling to or visiting another Member State, creates <u>huge</u> uncertainty for them. <u>Moreover, limited availability of online information regarding their specific rights and available advantages exacerbates this problem.</u> Ultimately, persons with disabilities may be deterred from exercising their rights of free movement <u>and full and effective participation and inclusion in society.</u>	(14) Furthermore, not knowing whether and, if so, to what extent their disability status <u>or entitlement to specific services based on a disability</u> and formal documents recognising this status may be recognised when travelling to or visiting another Member State, creates uncertainty for them. Ultimately, persons with disabilities may be deterred from exercising their rights of free movement.	
Recital 14a				
24a		<u>(14a) In view of both demographic</u>		

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		<u>changes and the need to facilitate the mobility of persons with disabilities, Member States should increase measures aiming to improve the accessibility of public spaces and infrastructure, in particular public transport, and to adjust them to the requirements of persons with disabilities.</u>		
Recital 15				
25	<p>(15) Alongside physical and other barriers in accessing both public and private spaces, high expenses are a key factor discouraging many persons with disabilities from travel¹, because they have specific needs and may also require person(s) accompanying or assisting them including those recognised as personal assistant(s) in accordance with national legislation or practices, making their travel costs higher than for persons without disabilities². The lack of recognition of disability status in other Member States might limit their access to special conditions, such as free access or reduced tariffs, or preferential treatment and has an impact on their travel costs, lives and choices.</p> <p><small>1. Findings from Final Report based on Survey targeted at EU-level CSOs; Shaw and Coles, ‘Disability, holiday making and the</small></p>	<p>(15) Alongside <u>various visible and invisible</u>, physical, <u>social</u> and other barriers in accessing both public and private spaces <u>and services</u>, high expenses are a key factor discouraging many persons with disabilities from travel¹, because they have specific needs <u>resulting in additional expenses related to their disability</u> and may also require person(s) accompanying or assisting them including those recognised as personal assistant(s) in accordance with national legislation or practices, making their travel costs higher than for persons without disabilities². The lack of recognition of disability status in other Member States might limit their access to special conditions, such as free access or reduced tariffs, <u>priority seating on public transport, reserved parking spaces</u> or preferential treatment and has an impact on their travel costs,</p>	<p>(15) Alongside physical and other barriers in accessing both <u>barriers and limitations in accessibility in</u> public and private spaces, high expenses are a key factor discouraging many persons with disabilities from travel¹, because they have specific needs and may also require person(s) accompanying or assisting them including those recognised as personal assistant(s) in accordance with national legislation or practices, <u>or making use of assistance animals</u>, making their travel costs higher than for persons without disabilities². The lack of recognition of disability status <u>or entitlement to specific services based on a disability</u> in other Member States might limit their access to special conditions, such as free access or reduced tariffs, or preferential treatment and has an impact on their travel costs, lives</p>	

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	<p>tourism industry in the UK: a preliminary survey', 25(3) Tourism Management (2004) 397-403; Eugénia Lima Devile and Andreia Antunes Moura (2021), Travel by People With Physical Disabilities: Constraints and Influences in the Decision-Making Process.</p> <p>2. McKercher and Darcy (2018), Re-conceptualizing barriers to travel by people with disabilities, Tourism Management Perspectives, 59-66. [More for Explanatory Memorandum?]</p>	<p>lives, <u>social and economic integration and personal autonomy</u>. <u>Furthermore, the widespread lack of knowledge of psychosocial, cognitive, physical or sensorial accessibility policies can result in discriminatory behaviour</u> and <u>choices</u>.</p> <p>1. Findings from Final Report based on Survey targeted at EU-level CSOs; Shaw and Coles, 'Disability, holiday making and the tourism industry in the UK: a preliminary survey', 25(3) Tourism Management (2004) 397-403; Eugénia Lima Devile and Andreia Antunes Moura (2021), Travel by People With Physical Disabilities: Constraints and Influences in the Decision-Making Process.</p> <p>2. McKercher and Darcy (2018), Re-conceptualizing barriers to travel by people with disabilities, Tourism Management Perspectives, 59-66. [More for Explanatory Memorandum?]</p>	<p>and choices.</p> <p>1. Findings from Final Report based on Survey targeted at EU-level CSOs; Shaw and Coles, 'Disability, holiday making and the tourism industry in the UK: a preliminary survey', 25(3) Tourism Management (2004) 397-403; Eugénia Lima Devile and Andreia Antunes Moura (2021), Travel by People With Physical Disabilities: Constraints and Influences in the Decision-Making Process.</p> <p>2. McKercher and Darcy (2018), Re-conceptualizing barriers to travel by people with disabilities, Tourism Management Perspectives, 59-66. [More for Explanatory Memorandum?]</p>	
Recital 16				
26	<p>(16) Preferential treatment (such as personal assistance, priority access, etc.) offered with or without remuneration may be important for persons with disabilities to be able to access various services, activities or facilities and to better experience them. However, due to the lack of recognition, in the Member State they visit or travel to, of their disability status and of formal documents recognising this status</p>	<p>(16) Preferential treatment (such as personal assistance, priority access, etc.) offered with or without remuneration may be <u>is often</u> important for persons with disabilities to be able to access various services, activities or facilities and to better <u>experience</u> <u>fully benefit from</u> them. However, due to the lack of <u>mutual</u> recognition, in the Member State they visit or travel to, of their</p>	<p>(16) Preferential treatment (such as personal assistance, priority access, <u>the possibility to not wait in line</u>, etc.) offered with or without remuneration may be important for persons with disabilities to be able to access various services, activities or facilities and to better experience them. However, due to the lack of recognition, in the Member State they visit or travel to, of their disability status <u>or entitlement to</u></p>	

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	issued in other Member States, persons with disabilities may not be able to benefit from the special conditions or preferential treatment offered by private operators or public authorities in that Member State to holders of a disability certificate, disability card or any other formal document recognising their disability status issued there.	disability status and of formal documents recognising this status issued in other Member States, persons with disabilities may not be able to benefit from the special conditions or preferential treatment offered by private operators or public authorities in that Member State to holders of a disability certificate, disability card or any other formal document recognising their disability status issued there.	<u>specific services based on a disability</u> and of formal documents recognising this status issued in other Member States, persons with disabilities may not be able to benefit from the special conditions or preferential treatment offered by private operators or public authorities in that Member State to holders of a disability certificate, disability card or any other formal document recognising their disability status <u>or entitlement to specific services based on a disability</u> issued there.	
Recital 17				
27	<p>(17) The Pilot Project on the EU Disability card launched in 2016 and carried out in eight Member States, demonstrated the advantages for persons with disabilities in accessing services in the areas of culture, leisure, sport, and, in some cases, transport, and supporting their cross-border movement in the EU for a short period¹. In addition, it included other examples of services, activities and facilities which offer special conditions or preferential treatment to persons with disabilities.</p> <p>¹. See also the Final Report of the Study assessing the implementation of the pilot action on the EU Disability Card and</p>	<p>(17) <u>While voluntary in nature and limited in scope</u>, the Pilot Project on the EU Disability card launched in 2016 and carried out in eight Member States, demonstrated that <u>that facilitating mutual recognition of disability status between Member States provided</u> advantages for persons with disabilities in accessing <u>benefits and</u> services in the areas of culture, leisure, sport, and, in some cases, transport, and supporting their cross-border movement in the EU for a short period¹ <u>and shows that the card's objectives continue to be relevant to the current needs of persons with disabilities</u>. In</p>	<p>(17) The Pilot Project on the EU Disability Card launched in 2016 and carried out in eight Member States, demonstrated the advantages for persons with disabilities in accessing services in the areas of culture, leisure, sport, and, in some cases, transport, and supporting their cross-border movement in the EU for a short period¹. In addition, it included other examples of services, activities and facilities which offer special conditions or preferential treatment to persons with disabilities.</p> <p>¹. See also the Final Report of the Study assessing the implementation of the pilot</p>	

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	<p>associated benefits, published in May 2021, https://op.europa.eu/en/publication-detail/-/publication/4adbe538-0a02-11ec-b5d3-01aa75ed71a1/language-en.</p>	<p>addition, it included other examples of services, activities and facilities which offer special conditions or preferential treatment to persons with disabilities.</p> <p>1. See also the Final Report of the Study assessing the implementation of the pilot action on the EU Disability Card and associated benefits, published in May 2021, https://op.europa.eu/en/publication-detail/-/publication/4adbe538-0a02-11ec-b5d3-01aa75ed71a1/language-en.</p>	<p>action on the EU Disability Card and associated benefits, published in May 2021, https://op.europa.eu/en/publication-detail/-/publication/4adbe538-0a02-11ec-b5d3-01aa75ed71a1/language-en.</p>	
Recital 18				
28	<p>(18) On the basis of their disability status, persons with disabilities may apply for a parking card to competent authorities in the Member State in which they reside for the issuance of a parking card for person with disabilities which recognises the right to certain parking conditions and facilities reserved for persons with disabilities. Each Member State has in place an application procedure, be it at local, regional or national level, to obtain a parking card for person with disabilities (or person(s) accompanying or assisting them including personal assistant(s)) and criteria which must be fulfilled in order to be eligible.</p>		<p>(18) On the basis of their disability status <u>or entitlement to specific services based on a disability</u>, persons with disabilities may apply for a parking card to competent authorities <u>or bodies</u> in the Member State in which they reside for the issuance of a parking card for person with disabilities which recognises the right to certain parking conditions and facilities reserved for persons with disabilities. Each Member State has in place an application procedure, be it at local, regional or national level, to obtain a parking card for person with disabilities (or person(s) accompanying or assisting them including personal assistant(s)) and criteria which must be fulfilled in order to be eligible.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Recital 19				
29	<p>(19) Council Recommendation 98/376/EC¹ has provided for a European model of a parking card for persons with disabilities, which has facilitated the recognition of the parking card across Member States. However, its implementation and the inclusion of national specific additions or deviations from the recommended model have led to a variety of different cards. This hinders the cross-border recognition of the cards across Member States, hampering the access of persons with disabilities to parking conditions provided and facilities reserved for persons with disabilities who are holders of a parking card in other Member States. Moreover, the Council Recommendation has not been updated to reflect ongoing technological and digitalisation developments. Member States also experience problems with fraud and forgery of the cards, as the format is usually quite simple and easily forged and in practice different in each Member States, which makes it difficult to verify.</p> <p><small>1. Council Recommendation of 4 June 1998 on a parking card for people with disabilities (OJ L 167, 12.6.1998, p. 25), as adapted by</small></p>	<p>(19) Council Recommendation 98/376/EC¹ has provided for a European model of a parking card for persons with disabilities, which has facilitated the recognition of the parking card across Member States. However, <u>given its non-binding nature the its implementation of that Recommendation</u> and the inclusion of national specific additions or deviations from the recommended model have led to a variety of different <u>parking</u> cards. This hinders the cross-border recognition of the cards across Member States, hampering the access of persons with disabilities to <u>specific</u> parking conditions provided and facilities reserved for persons with disabilities who are holders of a parking card in other Member States. Moreover, the Council Recommendation has not been updated to reflect ongoing technological and digitalisation developments. Member States <u>have also experienced</u> also experience problems with fraud and forgery of the cards, as the format is usually quite simple and easily forged and in practice different in each Member States, which makes it difficult to verify.</p>	<p>(19) Council Recommendation 98/376/EC¹ has provided for a European model of a parking card for persons with disabilities, which has facilitated the recognition of the parking card across Member States. However, its implementation and the inclusion of national specific additions or deviations from the recommended model have led to a variety of different cards. This hinders the cross-border recognition of the cards across Member States, hampering the access of persons with disabilities to parking conditions provided and facilities reserved for persons with disabilities who are holders of a parking card in other Member States. Moreover, the Council Recommendation has not been updated to reflect ongoing technological and digitalisation developments. Member States also experience problems with fraud and forgery of the cards, as the format is usually quite simple and easily forged and in practice different in each Member States, which makes it difficult to verify. <u>As the co-legislators adopt legally binding rules which are more detailed in this field, the Council Recommendation is no longer</u></p>	

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	<p>Council Recommendation of 3 March 2008 by reason of accession of the Republic of Bulgaria, the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, Romania, the Republic of Slovenia and the Slovak Republic OJ L 63/43,7.3.2008.</p>	<p>1. Council Recommendation of 4 June 1998 on a parking card for people with disabilities (OJ L 167, 12.6.1998, p. 25), as adapted by Council Recommendation of 3 March 2008 by reason of accession of the Republic of Bulgaria, the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, Romania, the Republic of Slovenia and the Slovak Republic OJ L 63/43,7.3.2008.</p>	<p><u>achieving these objectives.</u> <u>Consequently, Member States may allow cards issued before the date of application of this Directive, in accordance with the Council Recommendation on parking cards for persons with disabilities, to have the same effect as the European Parking Card in their territory.</u></p> <p>1. Council Recommendation of 4 June 1998 on a parking card for people with disabilities (OJ L 167, 12.6.1998, p. 25), as adapted by Council Recommendation of 3 March 2008 by reason of accession of the Republic of Bulgaria, the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, Romania, the Republic of Slovenia and the Slovak Republic OJ L 63/43,7.3.2008.</p>	
Recital 20				
30	<p>(20) In order to facilitate the access by persons with disabilities to special conditions or preferential treatment related to services, activities and facilities, including when provided not for remuneration, in other Member States, remaining barriers and difficulties in travelling to or visiting another Member State due to the lack of recognition of their disability status and of formal documents recognising this status issued in other Member States and</p>	<p>(20) In order to facilitate the access by persons with disabilities to special conditions or preferential treatment related to services <u>including passenger transport services</u>, activities and facilities, <u>including also</u> when provided not for remuneration, in other Member States, remaining barriers and difficulties in travelling to or visiting another Member State due to the lack of <u>mutual</u> recognition of their disability status and of formal</p>	<p>(20) In order to facilitate the access by persons with disabilities to special conditions or preferential treatment related to services, activities and facilities, including when provided not for remuneration, in other Member States, remaining barriers and difficulties in travelling to or visiting another Member State due to the lack of recognition of their disability status <u>or entitlement to specific services based on a disability</u> and of formal documents</p>	

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	parking rights should be removed.	documents recognising this <u>that</u> status issued in other Member States and parking rights should be removed.	recognising this status issued in other Member States and parking rights should be removed.	
Recital 21				
31	(21) Therefore, in view of facilitating the exercise by persons with disabilities when travelling to or visiting another Member State for a short period, of the rights to access special conditions or preferential treatment offered by private operators or public authorities without discrimination on grounds of nationality on the same basis as persons with disabilities in that Member State, and in view of facilitating the use of transport and benefiting from parking conditions and facilities reserved for persons with disabilities on the same basis as in that Member State, it is necessary to establish the framework, rules and common conditions, including a common standardised model, for a European Disability Card as proof of recognised disability status and for a European Parking Card for persons with disabilities, as proof of their recognised right to parking conditions and facilities reserved for persons with disabilities.	(21) Therefore, in view of facilitating the exercise by persons with disabilities when travelling to or visiting another Member State for a short period , of the rights to access special conditions or preferential treatment offered by private operators or public authorities <u>when travelling to or visiting another Member State for a short period</u> , without discrimination on grounds of nationality on the same basis as persons with disabilities in that Member State, and in view of facilitating the use <u>of all means</u> of transport and benefiting from parking conditions and facilities reserved for persons with disabilities on the same basis as in that Member State, it is necessary to establish the framework, rules and common conditions, including a common standardised model, for a European Disability Card as proof of recognised disability status and for a European Parking Card for persons with disabilities, as proof of their recognised right to parking conditions and facilities reserved for	(21) Therefore, in view of facilitating the exercise by persons with disabilities when travelling to or visiting another Member State for a short period <u>stay</u> , of the rights to access special conditions or preferential treatment offered by private operators or public authorities without discrimination on grounds of nationality on the same basis as persons with disabilities in that Member State, and in view of facilitating the use of transport and benefiting from parking conditions and facilities reserved for persons with disabilities on the same basis as in that Member State, it is necessary to establish the framework, rules and common conditions, including a common standardised model, for a European Disability Card as proof of recognised disability status <u>or of the entitlement to specific services based on a disability</u> and for a European Parking Card for persons with disabilities, as proof of their recognised right to parking conditions and facilities reserved for persons with disabilities. <u>Member</u>	


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		persons with disabilities.	<u>States may also decide to apply the provisions of this Directive to persons with a recognised disability status or entitlement to specific services based on a disability for periods longer than a short stay, including in the context of EU mobility programmes.</u>	
Recital 22				
32	(22) Mutual recognition of the European Disability Card and the European Parking Card for persons with disabilities should facilitate and guarantee persons with recognised disability status in a Member State, access to special conditions or preferential treatment offered by private operators or public authorities in a variety of services, activities and facilities, including when not provided for remuneration, as well as access to parking conditions and facilities reserved for persons with disabilities, on equal terms and conditions as those provided for on the basis of national certificates, disability cards or other formal documents recognising disability status and parking cards for persons with disabilities issued by the competent authorities in the host country.	(22) Mutual recognition of the European Disability Card and the European Parking Card for persons with disabilities should facilitate and guarantee persons with recognised disability status in a Member State, access to special conditions or preferential treatment offered by private operators or public authorities <u>including hospitals, health care institutions and emergency services</u> in a variety of services, activities and facilities, including when not provided for remuneration, as well as access to parking conditions and facilities reserved for persons with disabilities <u>and, where applicable, persons accompanying or assisting them including personal assistants</u> , on equal terms and conditions as those provided for on the basis of national certificates, disability cards or other formal documents recognising disability status and parking cards	(22) Mutual recognition of the European Disability Card and the European Parking Card for persons with disabilities should facilitate and guarantee persons with recognised disability status <u>or entitlement to specific services based on a disability</u> in a Member State, access to special conditions or preferential treatment offered by private operators or public authorities in a variety of services, activities and facilities, including when not provided for remuneration, as well as access to parking conditions and facilities reserved for persons with disabilities, on equal terms and conditions as those provided for on the basis of national certificates, disability cards or other formal documents recognising disability status, <u>where such formal documents exist</u> , and parking cards for persons with disabilities issued by the competent authorities <u>or</u>	

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		for persons with disabilities issued by the competent authorities in the host country.	<u>bodies</u> in the host country.	
Recital 23				
33	(23) Beside parking conditions and facilities, the services, activities and facilities covered by this Directive concern a wide variety of ever-changing activities, including activities provided not for remuneration, by public authorities or private operators, either on a mandatory (on the basis of national/local rules or legal obligations) but often also on a voluntary basis (in particular by private operators) in a variety of policy domains, such as culture, leisure, tourism, sports, public and private transport, education.	(23) Beside parking conditions and facilities, the services, activities and facilities covered by this Directive concern a wide variety of ever-changing activities, including activities provided not for remuneration, by public authorities or private operators, either on a mandatory (on the basis of national/local rules or legal obligations) but often also on a voluntary basis (in particular by private operators) in a variety of policy domains, such as culture, leisure, tourism, sports, public and private transport, education <u>and employment</u> .	(23) Beside parking conditions and facilities, the services, activities and facilities covered by this Directive concern a wide variety of ever-changing activities, including activities provided not for remuneration, by public authorities or private operators, either on a mandatory (on the basis of national/local rules or legal obligations) but often also on a voluntary basis (in particular by private operators) in a variety of policy domains, such as culture, leisure, tourism, sports, public and private transport, education.	
Recital 24				
34	(24) Examples of special conditions or preferential treatment include free access, reduced tariffs, reduced fees or user charges for toll roads/bridges/tunnels, priority access, designated seats in parks and other public areas, accessible seating in cultural or public events, personal assistance, assistance animals,	(24) Examples of special conditions or preferential treatment include free access, reduced tariffs, reduced fees or user charges for toll roads/bridges/tunnels, priority access, <u>access to restricted traffic and pedestrian zones, priority seating on public transport</u> designated <u>and accessible</u> seats in	(24) Examples of Special conditions or preferential treatment <u>may</u> include, <u>but are not limited to</u> , free access, reduced tariffs, reduced fees or user charges for toll roads/bridges/tunnels, priority access, designated seats in parks and other public areas, accessible seating in cultural or public events, personal	

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	<p>assistance on the beach to enter the water, support (such as access to braille, audio guides, sign language interpretation), provisions of aids or assistance, loan of a wheelchair, loan of a floating wheelchair, obtaining tourist information in accessible formats, using a mobility scooter on roads or a wheelchair in bike lanes without a fine, etc. Parking conditions and facilities include extended parking or reserved parking spaces. With respect to passenger transport services, in addition to the special conditions or preferential treatment offered to persons with disabilities, in accordance with national legislation or practices, assistance animals, personal assistants or other persons accompanying or assisting persons with disabilities (or reduced mobility) may travel free of charge or be seated, where practicable next to the person with disabilities.</p>	<p><u>public transport</u>, parks and other public areas, accessible seating in cultural or public events, personal assistance, assistance animals <u>such as guide dogs or assistance dogs for persons with disabilities, including persons with visual impairments</u>, assistance on the beach to enter the water, support (such as access to braille, audio guides, sign language interpretation), provisions of aids or assistance, loan of a wheelchair, loan of a floating wheelchair, obtaining tourist information in accessible formats, using a mobility scooter on roads or a wheelchair in bike lanes without a fine, etc. Parking conditions and facilities include extended parking or reserved parking spaces. With respect to passenger transport services, in addition to the special conditions or preferential treatment offered to persons with disabilities, in accordance with national legislation or practices, assistance animals <u>such as guide dogs or assistance dogs for persons with disabilities including persons with visual impairments</u>, personal assistants or other persons accompanying or assisting persons with disabilities (or reduced mobility) may travel free of charge or be seated, where practicable next to the person with disabilities. <u>Persons accompanying or assisting persons with disabilities are</u></p>	<p>assistance, assistance animals, assistance on the beach to enter the water, support (such as access to braille, audio guides, sign language interpretation), provisions of aids or assistance, loan of a wheelchair, loan of a floating wheelchair, obtaining tourist information in accessible formats, using a mobility scooter on roads or a wheelchair in bike lanes without a fine, etc. Parking conditions and facilities <u>may include, but are not limited to, as well as access to areas where traffic is restricted to specific vehicles in accordance with national law, such as low-emission zones</u>. With respect to passenger transport services <u>by air, rail, waterborne means of transport or bus and coach¹</u>, in addition to the special conditions or preferential treatment offered to persons with disabilities, in accordance with national legislation or practices, assistance animals, personal assistants or other persons accompanying or assisting persons with disabilities (or reduced mobility) may travel free of charge or <u>at a reduced price and</u> be seated, where practicable, next to the person with disabilities. <u>1. See footnotes 7 to 10.</u></p>	

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		<u>designated by the persons with disabilities themselves or by their legal guardians and can change on an ad hoc basis depending on the requirements of the persons with disabilities.</u>		
Recital 24a				
34a		<u>(24a) Personal assistants, regardless of their nationality, accompany or assist persons with disabilities or carry out activities of daily living if need be in the framework of a contractual relationship, in accordance with national law and practice, with the objective of encouraging personal autonomy, facilitating community life and promoting independent living.</u>		
Recital 24b				
34b		<u>(24b) Member States should ensure that the operators of cross-border passenger transport services provide clear information to travellers holding a European Disability Card at the time of their purchase of a travel ticket with regard to the special conditions or preferential treatment that apply for the different parts of the operations throughout the journey, in order to</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>avoid travellers holding the European Disability Card finding themselves without a valid travel document when entering another Member State on the same transport service.</u>		
Recital 25				
35	(25) The issuance of the European Disability Card and the European Parking Card for persons with disabilities in a Member State is to be determined by this Directive together with that Member State's applicable procedures and competences for the assessment and recognition of disability status and parking rights for persons with disabilities.	(25) The issuance, <u>renewal and withdrawal</u> of the European Disability Card and the European Parking Card for persons with disabilities in a Member State is to be determined by this Directive together with that Member State's applicable <u>rules</u> , procedures and competences for the assessment and recognition of disability status and parking rights for persons with disabilities. <u>The issuance and renewal of the European Disability Card and the European Parking Card for persons with disabilities should always be free of charge.</u>	(25) The issuance of the European Disability Card and the European Parking Card for persons with disabilities in a Member State is to be determined by this Directive together with that Member State's applicable procedures and competences for the assessment and recognition of disability status <u>or entitlement to specific services based on a disability</u> , and parking rights for persons with disabilities. <u>Member States should ensure that the procedure and/or costs for the issuance or renewal of the European Disability Card and the European Parking Card for persons with disabilities do not prevent or discourage persons with disabilities from acquiring the cards.</u>	
Recital 25a				
35a		<u>(25a) Experience shows that when presenting a European Disability Card or similar national</u>		

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		<p><u>recognition of disability, due to a lack of awareness, misunderstandings or communication barriers, persons with disabilities, particularly those with invisible disabilities, do not always receive the most appropriate support and accommodation for their disability including when travelling by public transport or dealing with national authorities, as well as during emergencies. Member States should therefore provide the option to persons with disabilities, when applying for the European Disability Card to the relevant authorities, to choose to display relevant symbols on that card in order to indicate their assistance requirements. The Commission should develop guidelines for commonly recognised pictograms illustrating the different types of assistance required by persons with disabilities.</u></p>		
Recital 26				
36	<p>(26) In addition to the physical format, Member States should provide for a digital card when format and specifications have been set via delegated and implementing acts, after proposal by the Commission. Such proposal should</p>	<p>(26) In addition to the physical format, Member States should provide for a digital card when format and specifications have been set via delegated and implementing acts, after proposal by the Commission. Such proposal should</p>	<p>(26) In addition to the physical format <u>of the European Disability Card</u>, Member States should provide for a digital card, <u>and may provide for a digital</u> when format and <u>of the European Parking Card for persons with disabilities, when technical</u></p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>build on the experience of past and ongoing work at European level on digitalisation of certificates and documents, such as the EU Digital COVID Certificate set up under Regulation (EU) 2021/953 and enable the use of the European Disability Card and the European Parking Card via EU Digital Identity Wallets¹. Persons with disabilities should be given the option to use either the digital or physical one, or both.</p> <p>¹. COM(2021) 281final</p>	<p>build on the experience of past and ongoing work at European level on digitalisation of certificates and documents, such as the EU Digital COVID Certificate set up under Regulation (EU) 2021/953 and enable the use of the European Disability Card and the European Parking Card via EU Digital Identity Wallets¹. Persons with disabilities should be given the option<u>duly informed about those possibilities and be free to decide</u> to use either the digital or physical one, cards or both <u>on an equal basis and without discrimination</u>.</p> <p>¹. COM(2021) 281final</p>	<p>specifications have been set via delegated and implementing acts, after proposal by the Commission. Such proposal. <u>Such specifications</u> should build on the experience of past and ongoing work at European level on digitalisation of certificates and documents, such as the EU Digital COVID Certificate set up under Regulation (EU) 2021/953 and enable the use of the European Disability Card and the European Parking Card <u>for persons with disabilities via a via EU digital identity Wallets¹ wallet at EU level.</u> Persons with disabilities should be given the option to use either the <u>physical or the digital format of the European Disability Card or both. In Member States where the or physical one, or both version of the European Parking Card for persons with disabilities is complemented by a digital format, persons with disabilities may request the physical card and, if they so wish, both the digital and the physical card.</u></p> <p>¹. COM(2021) 281final</p>	
Recital 27				
37	<p>(27) The issuance of the European Disability Card and the European Parking Card for persons with disabilities entails the processing of</p>		<p>(27) The issuance of the European Disability Card and the European Parking Card for persons with disabilities entails the processing of</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>personal data, including in particular the data concerning the card holder's disability status, which constitutes 'data concerning health' within the meaning of Article 4(15) of Regulation (EU) 2016/679¹ and is a special category of personal data within the meaning of Article 9 of that Regulation. Any personal data processing in the context of this Directive should comply with applicable data protection legislation, in particular Regulation (EU) 2016/679. When transposing this Directive, the Member States should ensure that the national legislation include appropriate safeguards applicable to the processing of personal data, in particular special categories of personal data. The Member States should also ensure the security, integrity, authenticity and confidentiality of the data collected and stored for the purpose of this Directive</p> <p>¹. Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).</p>		<p>personal data, including in particular the data concerning the card holder's disability status, which constitutes 'data concerning health' within the meaning of Article 4(15) of Regulation (EU) 2016/679¹ and is a special category of personal data within the meaning of Article 9 of that Regulation. Any personal data processing in the context of this Directive should comply with applicable data protection legislation, in particular Regulation (EU) 2016/679. When transposing this Directive, the Member States should ensure that the national legislation include appropriate safeguards applicable to the processing of personal data, in particular special categories of personal data. The Member States should also ensure the security, integrity, authenticity and confidentiality of the data collected and stored for the purpose of this Directive.</p> <p>¹. Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).</p>	
Recital 28				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
38	<p>(28) The Member State responsible for issuing the European Disability Card or the European Parking Card for persons with disabilities should be the one where the person habitually resides within the meaning of Regulations (EC) Nos 883/2004 of the European Parliament and of the Council¹ and (EC) No 987/2009 of the European Parliament and of the Council² and received the assessment of their disability status. Holders of a European Disability Card or European Parking Card for persons with disabilities should be able to use the cards during their stay in any other Member State.</p> <p>1. Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems (OJ L 166, 30.4.2004, p. 1) 2. Regulation (EC) No 987/2009 of the European Parliament and of the Council of 16 September 2009 laying down the procedure for implementing Regulation (EC) No 883/2004 on the coordination of social security systems (OJ L 284, 30.10.2009, p. 1).</p>		<p>(28) The Member State responsible for issuing the European Disability Card or the European Parking Card for persons with disabilities should be the one where the person habitually resides within the meaning of Regulations (EC) Nos 883/2004 of the European Parliament and of the Council¹ and (EC) No 987/2009 of the European Parliament and of the Council² and received the assessment of their <u>in accordance with Union law and received the assessment of their disability status or entitlement to specific services based on a</u> disability status. Holders of a European Disability Card or European Parking Card for persons with disabilities should be able to use the cards during their stay in any other Member State.</p> <p>1. Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems (OJ L 166, 30.4.2004, p. 1) 2. Regulation (EC) No 987/2009 of the European Parliament and of the Council of 16 September 2009 laying down the procedure for implementing Regulation (EC) No 883/2004 on the coordination of social security systems (OJ L 284, 30.10.2009, p. 1);</p>	
Recital 29				
39				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>(29) In order to guarantee that workers with disabilities can effectively exercise their rights to free movement fully and also enjoy services, activities and facilities offered by Member States, including when provided not for remuneration, the European Disability Card and the European Parking Card for persons with disabilities should also be available to workers who travel to or visit another Member State for work-related purposes.</p>	<p>(29) In order to guarantee that workers <u>and participants of EU mobility programmes</u> with disabilities can effectively exercise their rights to free movement fully and also enjoy services, <u>transport infrastructure</u>, activities and facilities offered by Member States <u>to the holders of national certificates, disability cards or other formal documents recognising disability status</u>, including when provided not for remuneration, the European Disability Card and the European Parking Card for persons with disabilities should also be available to <u>also apply to workers including mobile, frontier and cross-border</u> workers <u>with disabilities or participants of EU mobility programmes with disabilities</u> who travel to or visit another Member State for <u>educational or</u> work-related purposes.</p>	<p>(29) In order to guarantee that workers with disabilities can effectively exercise their rights to free movement fully and also enjoy services, activities and facilities offered by Member States, including when provided not for remuneration, the European Disability Card and the European Parking Card for persons with disabilities should also be available to workers who travel to or visit another Member State for work-related purposes. [...]</p>	
Recital 30				
40	<p>(30) The envisaged framework for mutual recognition of the European Disability Card and the European Parking Card for persons with disabilities does not impinge on the competences of a Member State to assess and recognise the disability status and to grant special</p>	<p>(30) The envisaged framework for mutual recognition of the European Disability Card and the European Parking Card for persons with disabilities does not impinge on the competences of a Member State to assess and recognise the disability status and to grant special</p>	<p>(30) The envisaged framework for mutual recognition of the European Disability Card and the European Parking Card for persons with disabilities does not impinge on the competences of a Member State to assess and recognise the disability status <u>or entitlement to specific</u></p>	


	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>conditions, such as free access, reduced tariffs or preferential treatment for persons with disabilities and/or person(s) accompanying or assisting them including personal assistant(s). It does not cover social security benefits, social protection or social assistance covered by Article 24(2) of Directive 2004/38/EC of the European Parliament and of the Council¹.</p> <p>¹. Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States amending Regulation (EEC) No 1612/68 and repealing Directives 64/221/EEC, 68/360/EEC, 72/194/EEC, 73/148/EEC, 75/34/EEC, 75/35/EEC, 90/364/EEC, 90/365/EEC and 93/96/EEC, OJ L 158, 30.4.2004, p. 77.</p>	<p>conditions, such as free access, reduced tariffs or preferential treatment for persons with disabilities and/or person(s) accompanying or assisting them including personal assistant(s). It does not cover social security benefits, social protection or social assistance covered by Article 24(2) of Directive 2004/38/EC of the European Parliament and of the Council¹. <u>Benefits in the area of social security, social protection or employment and social assistance should be covered in certain instances, either when moving to another Member State for work or study, until disability status has been reassessed and formally recognised, or while participating in EU mobility programmes to allow for the temporary continued recognition of the disability status while persons with disabilities are undergoing the reassessment process to have their disability status recognised by another Member State. The Member State that issued the European Disability Card should be responsible for providing the benefits or assistance in those instances.</u></p> <p>¹. Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member</p>	<p><u>services based on a disability</u>, and to grant special conditions, such as free access, reduced tariffs or preferential treatment for persons with disabilities, <u>including those making use of assistance animals</u>, and/or person(s) accompanying or assisting them including personal assistant(s). It does not cover social security benefits, social protection or social assistance covered by Article 24(2) of Directive 2004/38/EC of impose an obligation to public entities or private operators to introduce special conditions or preferential treatment for persons with disabilities, nor does it create a centralised EU list of special conditions and preferential treatment for the European Parliament and of the Council¹ <u>Disability Card holders across Member States. Public authorities and private operators may also choose to offer certain special conditions and preferential treatment only to a specific group of persons with disabilities, depending on the needs of that specific group.</u></p> <p>¹. Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States amending Regulation (EEC) No 1612/68 and repealing Directives 64/221/EEC, 68/360/EEC, 72/194/EEC,</p>	


	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		States amending Regulation (EEC) No 1612/68 and repealing Directives 64/221/EEC, 68/360/EEC, 72/194/EEC, 73/148/EEC, 75/34/EEC, 75/35/EEC, 90/364/EEC, 90/365/EEC and 93/96/EEC, OJ L 158, 30.4.2004, p. 77.	73/148/EEC, 75/34/EEC, 75/35/EEC, 90/364/EEC, 90/365/EEC and 93/96/EEC, OJ L 158, 30.4.2004, p. 77.	
Recital 30a				
40a		<p><u>(30a) A European Disability Card can be required as proof of disability status in order to exercise the right to equal access to any special conditions or preferential treatment with respect to services, activities or facilities, including when provided not for remuneration, offered to or reserved for persons with disabilities or persons accompanying or assisting them, including their personal assistants provided for by this Directive. However, a European Disability Card should not be required as proof of disability status by persons with disabilities or persons accompanying or assisting them, including their personal assistants or assistance animals, in order to access or exercise any rights provided for in other Union or national law, including those granting specific benefits, special conditions, or preferential treatment.</u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Recital 30a				
40b			<p><u>(30a) This Directive does not apply to social security benefits under Regulations (EC) No 883/2004 and (EC) No 987/2009, cash or in-kind benefits in the area of social protection and employment, or social assistance covered by Article 24(2) of Directive 2004/38/EC of the European Parliament and of the Council¹. As the aim of this Directive is to facilitate equal access to special conditions or preferential treatment for persons with disabilities when travelling to or visiting another Member State for a short stay, this Directive does also not apply to special benefits or preferential treatment for the long-term inclusion, habilitation or rehabilitation of persons with disabilities, and to special conditions or preferential treatment to access specific services that are provided upon the fulfilment of additional criteria, including the performance of a specific individual assessment or a specific decision on the entitlement to specific services based on a disability.</u></p> <p><u>1. Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States amending Regulation</u></p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<u>(EEC) No 1612/68 and repealing Directives 64/221/EEC, 68/360/EEC, 72/194/EEC, 73/148/EEC, 75/34/EEC, 75/35/EEC, 90/364/EEC, 90/365/EEC and 93/96/EEC, OJ L 158, 30.4.2004, p. 77.</u>	
Recital 31				
41	<p>(31) In order to raise awareness and facilitate access to special conditions or preferential treatment, while travelling to or visiting another Member State, all relevant information with respect to the conditions, rules, practices, and procedures applicable to obtain the European Disability Card and/or the European Parking Card for persons with disabilities and its subsequent use should be made publicly available in a clear, comprehensive, user-friendly manner and accessible formats for persons with disabilities respecting the relevant accessibility requirements for services established in Annex I to Directive (EU) 2019/882. Private operators or public authorities granting special conditions or preferential treatment to persons with disabilities should make such information publicly available in a clear, comprehensive, user-friendly manner and accessible formats, for persons with disabilities respecting the relevant accessibility requirements for services established in Annex I to Directive (EU)</p>	<p>(31) In order to raise awareness and facilitate access to special conditions or preferential treatment <u>for persons with disabilities</u>, while travelling to or visiting another Member State, all relevant information with respect to the conditions, rules, practices, and procedures applicable to obtain the European Disability Card and/or the European Parking Card for persons with disabilities and its subsequent use should be made publicly available <u>by Member States</u> in a clear, comprehensive, user-friendly manner and accessible formats for persons with disabilities respecting the relevant accessibility requirements for services established in Annex I to Directive (EU) 2019/882. Private operators or public authorities granting special conditions or preferential treatment to persons with disabilities should make such information publicly available in a clear, comprehensive, user-friendly manner and accessible formats <u>for persons with disabilities, including in digital formats, national and international sign</u></p>	<p>(31) In order to raise awareness and facilitate access to special conditions or preferential treatment, while travelling to or visiting another Member State, all relevant information with respect to the conditions, rules, practices, and procedures applicable to obtain the European Disability Card and/or the European Parking Card for persons with disabilities and its subsequent use should be made publicly available in a clear, comprehensive, user-friendly manner and accessible formats for persons with disabilities respecting the relevant accessibility requirements for services established in Annex I to Directive (EU) 2019/882. Private operators or public authorities granting special conditions or preferential treatment to persons with disabilities should make such information publicly available in a clear, comprehensive, user-friendly manner and accessible formats, for persons with disabilities respecting the relevant accessibility requirements for services established in Annex I to Directive</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	2019/882.	<p><u>languages and easy to read format, and upon request in assistive formats requested by, for</u> persons with disabilities respecting the relevant accessibility requirements for services established in Annex I to Directive (EU) 2019/882.</p> <p><u>Furthermore, to ensure that the relevant information is easy to access and use for persons with disabilities and the public, Member States should designate a National Contact Point as a ‘one-stop shop’ providing information and guidance on the conditions and services, facilities and activities included in the European Disability Card and the European Parking Card for persons with disabilities in its territory.</u></p>	<p>(EU) 2019/882.</p>	
Recital 31a				
41a		<p><u>(31a) The Commission should establish a single dedicated Union website, available in all official languages of the Union institutions and accessible formats, collating national information on obtaining, issuing, using, renewing and withdrawal of a European Disability Card and a European Parking Card for persons with disabilities. In order to strengthen the utility and impact of the European Parking Card for persons</u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u>with disabilities, that Union website should contain information, based on information provided by the Member States, in order to inform persons with disabilities of the different parking conditions and facilities offered for persons with disabilities in each Member State and its regions, cities, and municipalities. The Union website should further contain an accessible digital portal through which Member States' national websites comprising information on special conditions or preferential treatment offered by their public authorities can be accessed. Member States should update that information regularly, including when changes occur in accordance with national legislation. Member States should also be able to facilitate information concerning the special conditions or preferential treatment offered by private operators on their websites, where available.</u></p>		
Recital 31b				
41b		<p><u>(31b) In order to increase the number of service providers who offer special conditions or preferential treatment for persons with disabilities, Member States should support and encourage</u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u>private operators and public authorities through relevant measures including through providing information and exchanges of best practice on the different types of special conditions or preferential treatment which could be offered as well as the provision of training on disability mainstreaming and disability awareness to ensure the special conditions or preferential treatment is offered in an inclusive and accessible way. For example such training could address the recognition of relevant symbols where displayed on the European Disability Card indicating the nature of the reasonable accommodation required by persons with disabilities, the accessibility issues faced and relevant assistance required by persons with disabilities including invisible disabilities, requirements of persons with different disabilities concerning communication, respectful and safe management of equipment, use of assistive augmentative communication (AAC) and how to provide and publicise any offer of special conditions or preferential treatments in an accessibly visible way. Member States should ensure all such measures are carried out in partnership with persons with</u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>disabilities and their representative organisations to ensure that they are inclusive and effective.</u>		
Recital 31a				
41c			<u>(31a) Member States should take measures to promote the provision of special conditions or preferential treatment for persons with disabilities by public authorities or private operators. Public authorities granting special conditions or preferential treatment to persons with disabilities should make such information publicly available in a clear, comprehensive, user-friendly manner and accessible formats, including through the public authorities' official website where available, or by other suitable means, in accordance with the relevant accessibility requirements for services established in Annex I to Directive (EU) 2019/882. Private operators granting special conditions or preferential treatment to persons with disabilities should also be encouraged to make such information publicly available in a clear, comprehensive, user-friendly manner and accessible formats. In addition, the Commission will include in a website, available in all EU languages, relevant information on the European Disability Card</u>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<u>and the European Parking Card for persons with disabilities, in accessible formats. Member States are encouraged to provide the link to their national website to be included on the abovementioned website.</u>	
Recital 32				
42	(32) Member States should take all the necessary steps to avoid any risk of forgery or fraud when issuing the European Disability Card or the European Parking Card for persons with disabilities and should actively combat fraudulent use and forgery of these cards.	(32) Member States should take all the necessary steps to avoid any risk of forgery or fraud, <u>whether individual or systemic</u> , when issuing the European Disability Card or the European Parking Card for persons with disabilities and should actively combat fraudulent <u>issuance</u> , use and forgery of these cards <u>and exchange information on such cases to ensure mutual trust between Member States as the mutual recognition of disability status is the cornerstone of the European Disability Card. Member States should ensure that any measures taken to combat forgery or fraud take into account the rights of persons with disabilities and should not result in any interference with their legitimate interests in using either card or lead in any way to their stigmatisation. Member States should assess the impact of any measures on persons with disabilities and consult them and</u>	(32) <u>The</u> Member States, <u>with the support of the Commission, as appropriate and in accordance with their respective competences</u> , should take all the necessary steps to avoid <u>prevent</u> any risk of forgery or fraud when issuing <u>in relation to</u> the European Disability Card or the European Parking Card for persons with disabilities and should actively combat fraudulent use and forgery of these cards.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>their representative organisations in the design and implementation of the measures.</u>		
Recital 33				
43	(33) In order to ensure the proper application of this Directive, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission to supplement the directive to set the digital format of the European Disability Card and the European Parking Card for persons with disabilities, and to amend Annexes I and Annex II in order to modify the common features of the standardised format, adapt the format to technical developments, prevent forgery and fraud and ensure interoperability.	(33) In order to ensure the proper application of this Directive, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission to supplement the <u>this</u> Directive to set by <u>setting</u> the digital format of the European Disability Card and the European Parking Card for persons with disabilities, and to amend Annexes I and Annex II in order to modify the common features of the standardised format, and universal <u>accessibility requirements</u> adapt the format to technical developments, prevent forgery and fraud and ensure interoperability.	(33) In order to ensure the proper application of this Directive, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission to supplement the Directive to set the digital format of the European Disability Card and the European Parking Card for persons with disabilities, and to amend <u>amend Annexes I and II in order to modify the data fields of the standardised format set out in</u> Annexes I and Annex II in order to modify the common features of the standardised format, II where such modifications are necessary, in order to adapt the format to technical developments, prevent forgery and fraud <u>or to address abuse or misuse</u> and ensure interoperability.	
Recital 34				
44	(34) In order to ensure uniform conditions for the implementation of this Directive, implementing powers should be conferred on the Commission with regards to		(34) In order to ensure uniform conditions for the implementation of this Directive, implementing powers should be conferred on the Commission with regards to	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>establishing common technical specifications further specifying the respective formats of the European Disability Card and the European Parking Card for persons with disabilities, their respective security and digital features, as well as interoperability matters. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council¹.</p> <p>¹. 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).</p>		<p>establishing common technical specifications further specifying the respective formats<u>setting the accessible digital format</u> of the European Disability Card, and the <u>accessible digital format of the</u> European Parking Card for persons with disabilities <u>for Member States which decide to complement its physical version with a digital version, as well as with regards to establishing common technical specifications for the</u>their<u>respective</u> security and digital features, as well as interoperability matters, <u>of the physical version of the cards</u>. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council¹.</p> <p>¹. 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).</p>	
Recital 34a				
44a			<p><u>(34a) In accordance with Regulation (EU) 2018/1725 of the European Parliament and of the Council, the Commission is to consult the European Data</u></p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<u>Protection Supervisor when preparing delegated acts or implementing acts that impact on the protection of individuals' rights and freedoms with regard to the processing of personal data. The Commission may also consult the European Data Protection Board where such acts are of particular importance for the protection of rights and freedoms of individuals with regard to the processing of personal data.</u>	
Recital 35				
45	(35) Member States should ensure that adequate and effective means exist to ensure compliance with this Directive and should therefore establish appropriate remedies, including checks on compliance and administrative and judicial procedures, to guarantee that persons with disabilities, person(s) accompanying or assisting them including personal assistant(s), as well as public bodies or private associations, organisations or other legal entities which have a legitimate interest may take action on behalf of a person with disabilities under national law.	(35) Member States should ensure that adequate and effective means exist to ensure compliance with this Directive and should therefore establish appropriate remedies, including checks on compliance and administrative and judicial procedures, to guarantee that persons with disabilities, person(s) accompanying or assisting them including personal assistant(s), as well as public bodies <u>such as equality bodies</u> or private associations, organisations <u>in particular representative organisations of persons with disabilities</u> or other legal entities which have a legitimate interest may take action on behalf of a person with disabilities under national law.	(35) Member States should ensure that adequate and effective means exist to ensure compliance with this Directive and should therefore establish appropriate remedies, including checks on compliance and administrative and <u>or</u> judicial procedures, to guarantee that persons with disabilities, person(s) accompanying or assisting them including personal assistant(s), as well as public bodies or <u>their representatives</u> , private associations, organisations or other legal entities which have a legitimate interest <u>in ensuring that the provisions of this Directive are complied with,</u> may take action on behalf <u>or in support</u> of a person with disabilities, <u>with his or her approval, in accordance with</u>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>Persons with disabilities should also have a right of redress, including adequate compensation, in the case of infringements of their rights arising from this Directive. Member States should ensure that those provisions comply with the principle of reasonable accommodation for persons with disabilities in their design and implementation in line with the UNCRPD.</u>	under national law <u>and procedures</u> .	
Recital 36				
46	(36) Member States should take appropriate measures and provide for effective, proportionate and dissuasive penalties in the event of breaches or failure to comply with the obligations laid down in this Directive and that relates to the rights which are within its scope. Such penalties can include administrative and financial sanctions, such as fines or the payment of compensation, as well as other types of penalties.		(36) Member States should take appropriate measures and provide for effective, proportionate and dissuasive penalties in the event of breaches or failure to comply with the obligations laid down in this Directive and that relates to the rights which are within its scope. Such penalties <u>Appropriate measures</u> can include administrative and financial sanctions, such as <u>warnings</u> , fines or the payment of compensation, as well as other types of penalties.	
Recital 37				
47	(37) This Directive respects the fundamental rights and observes the principles recognised in particular by the Charter. Notably, this Directive	(37) This Directive respects the fundamental rights and observes the principles recognised in particular by the Charter <u>and the UNCRPD</u> .	(37) This Directive respects the fundamental rights and observes the principles recognised in particular by the Charter. Notably, this Directive	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	seeks to ensure full respect for the rights of persons with disabilities to benefit from measures designed to ensure their independence, social and occupational integration and participation in the life of the community and to promote the application of Article 26 of the Charter.	Notably, this Directive seeks to ensure full respect for the rights of persons with disabilities to benefit from measures designed to ensure their independence, social, <u>economic</u> and occupational integration and participation in the life of the community and to promote the application of Article 26 of the Charter.	seeks to ensure full respect for the rights of persons with disabilities to benefit from measures designed to ensure their independence, social and occupational integration and participation in the life of the community and to promote the application of Article 26 of the Charter.	
Recital 38				
48	(38) Since the objective of this Directive, namely to enhance the possibilities for persons with disabilities to travel to or visit another Member States, cannot be sufficiently achieved by the Member States but can rather, by reason of the scale and effects of the action establishing a framework with rules and common conditions, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Directive does not go beyond what is necessary in order to achieve that objective,	(38) Since the objective of this Directive, namely to <u>strengthen the exercise of the free movement rights of persons with disabilities</u> , <u>and</u> enhance the possibilities for, persons with disabilities to travel to or visit another Member States, cannot be sufficiently achieved by the Member States but can rather, by reason of the scale and effects of the action establishing a framework with rules and common conditions, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Directive does not go beyond what is necessary in order to achieve that objective,	(38) Since the objective of this Directive, namely to <u>contribute to the freedom of movement of persons with disabilities and</u> enhance the possibilities for persons with disabilities to travel to or visit another Member States, <u>and thereby fight against discrimination against them</u> , cannot be sufficiently achieved by the Member States but can rather, by reason of the scale and effects of the action establishing a framework with rules and common conditions, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Directive does not go beyond what is necessary in order to achieve that	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			objective,	
Formula				
49	HAVE ADOPTED THIS DIRECTIVE:		HAVE ADOPTED THIS DIRECTIVE:	
CHAPTER I				
50	CHAPTER I GENERAL PROVISIONS		CHAPTER I GENERAL PROVISIONS	
Article 1				
51	Article 1 Subject matter		Article 1 Subject matter	
Article 1, first paragraph				
52	This Directive lays down:		This Directive lays down:	
Article 1, first paragraph, point (a)				
53	(a) the rules governing the issuance of the European Disability Card and the European Parking Card for persons with disabilities as proof respectively of a disability status or of a right to parking conditions and facilities reserved for persons with disabilities, in view of facilitating short stays of persons with	(a) the rules governing the issuance of the European Disability Card and the European Parking Card for persons with disabilities as proof respectively of a <u>of their</u> disability status, <u>in view of promoting equal rights and freedom of movement</u> or of a right to parking conditions and facilities reserved for persons with	(a) the rules governing the issuance of the European Disability Card and the European Parking Card for persons with disabilities as proof respectively of a disability status or <u>proof of entitlement to specific services based on a disability, or</u> of a right to parking conditions and facilities reserved for persons with	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	disabilities in a Member State other than that of which they are a resident, by granting them access to any special conditions or preferential treatment with respect to services, activities or facilities, including when provided not for remuneration, or parking conditions and facilities offered to or reserved for persons with disabilities or person(s) accompanying or assisting them including their personal assistant(s);	disabilities, in view of <u>and</u> facilitating short stays of persons with disabilities in a Member State other than that of which they are a resident, by granting them access to any special conditions or preferential treatment with respect to services, activities or facilities, including when provided not for remuneration, or parking conditions and facilities offered to or reserved for persons with disabilities or person(s) residing in that Member State and, where applicable, persons accompanying or assisting them including their personal assistant(s) <u>assistants</u> ;	disabilities, in view of facilitating short stays of persons with disabilities in a Member State other than that of which they are a resident, by granting them access to any special conditions or preferential treatment with respect to services, activities or facilities, including when provided not for remuneration, or parking conditions and facilities offered to or reserved for persons with disabilities, <u>including those making use of assistance animals</u> , or person(s) accompanying or assisting them including their personal assistant(s);	
Article 1, first paragraph, point (aa)				
53a		<u>(aa) the rules governing the issuance of the European Parking Card for persons with disabilities as proof of a right to parking conditions and facilities reserved for persons with disabilities, in view of promoting equal rights and freedom of movement for persons with disabilities and facilitating short stays of persons with disabilities in a Member State other than that in which they are a resident, by granting them access to any parking conditions and facilities offered to or reserved for persons with disabilities and where applicable persons accompanying</u>		

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		<u>or assisting them including their personal assistants;</u>		
Article 1, first paragraph, point (b)				
54	(b) common templates for the European Disability Card and the European Parking Card for persons with disabilities.		(b) common templates for the European Disability Card and the European Parking Card for persons with disabilities.	
Article 2				
55	Article 2 Scope		Article 2 Scope	
Article 2(1)				
56	1. This Directive shall apply to parking conditions and facilities and to all situations where special conditions or preferential treatment are offered by private operators or public authorities to persons with disabilities as regards access to the following services, activities and facilities:		1. This Directive shall apply to parking conditions and facilities and to all situations where special conditions or preferential treatment are offered by private operators or public authorities to persons with disabilities as regards access to the following services, activities and facilities, <u>in the context of a short stay</u> :	
Article 2(1), first indent				
57	- services within the meaning of Article 57 TFEU,		- services within the meaning of Article 57 TFEU,	

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Article 2(1), second indent				
58	- passenger transport services,		- passenger transport services,	
Article 2(1), third indent				
59	- other activities and facilities, , including where not provided for remuneration.		- other activities and facilities, 7 including where not provided for remuneration.	
Article 2(2)				
59a			<u>2. Member States may decide to apply the provisions of this Directive for periods longer than a short stay for card holders visiting or staying in their territory.</u>	
Article 2(3)				
60	2. This Directive does not apply to:		2 3. This Directive does not apply to:	
Article 2(3), point (a)				
61	(a) benefits in the area of social security under Regulations (EC) No 883/2004 and (EC) No 987/2009;		(a) benefits in the area of social security under Regulations (EC) No 883/2004 and (EC) No 987/2009;	
Article 2(3), point (b)				
62	(b) special contributory or non-contributory cash benefits or benefits		(b) special contributory or non-contributory cash benefits or benefits	

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	in kind in the area of social security, social protection or employment;		in kind in the area of social security , social protection or employment;	
Article 2(3), point (c)				
63	(c) social assistance covered by Article 24(2) of Directive 2004/38/EC.		(c) social assistance covered by Article 24(2) of Directive 2004/38/EC.	
Article 2(3), point (d)				
63a			<u>(d) remunerated or non-remunerated services that are provided for the long-term inclusion, habilitation or rehabilitation of persons with disabilities;</u>	
Article 2(3), point (e)				
63b			<u>(e) special conditions or preferential treatment to access specific services provided to persons with disabilities upon the fulfilment of additional criteria, including the performance of a specific individual assessment or a specific decision on the entitlement to specific services based on a disability.</u>	
Article 2(2a), first subparagraph				
63c		<u>2a. By way of derogation from</u>		

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		<u>paragraph 2, this Directive shall apply to the benefits and social assistance referred to in paragraph 2, points (b) and (c), where:</u>		
Article 2(2a), first subparagraph, point (a)				
63d		<u>(a) European Disability Card holders move to another Member State to engage in work or enrol in an educational institution until their disability status is re-assessed and formally recognised by the competent authorities in the other Member State; and</u>		
Article 2(2a), first subparagraph, point (b)				
63e		<u>(b) a European Disability Card holder participates in an EU mobility programme, for the duration of that programme.</u>		
Article 2(2a), second subparagraph				
63f		<u>Member States shall take the necessary measures to ensure that holders of a European Disability Card, while in the situations referred to in this paragraph, are granted access to the benefits and social assistance referred to in paragraph 2, points (b) and (c), by the Member State that issued the</u>		

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		<u>European Disability card.</u>		
Article 2(4)				
64	3. This Directive does not affect Member States' competence to determine the conditions for assessing and recognising disability status, or for granting the right to parking conditions and facilities reserved for persons with disabilities. It does not affect Member States' competence to issue in addition at national, regional or local level, a certificate, a disability card or any other formal document for persons with disabilities.		34. This Directive does not affect Member States' competence to determine the conditions for assessing and recognising disability status <u>or the entitlement to specific services based on a disability</u> , or for granting the right to parking conditions and facilities reserved for persons with disabilities. It does not affect Member States' competence to issue in-addition at national, regional or local level, a certificate, a disability card or any other formal document for persons with disabilities, <u>including a decision on the entitlement to specific services based on a disability</u> .	
Article 2(5)				
65	4. This Directive does not impinge on national competences to grant or require to grant special benefits or specific, preferential conditions, such as free access, reduced tariffs, or preferential treatment for persons with disabilities and, where provided, for person(s) accompanying or assisting them including their personal assistant(s).	4. This Directive does not impinge on national competences to grant or require to grant special benefits or specific, preferential conditions, such as free access, reduced tariffs, or preferential treatment for persons with disabilities and, where provided, for person(s) accompanying or assisting them including their personal assistant(s), <u>as well as assistance animals such</u>	45. This Directive does not impinge or affect national competences to grant or require to grant special benefits or specific, preferential conditions, such as free access, reduced tariffs, or preferential treatment for persons with disabilities, <u>including those making use of assistance animals</u> and, where provided, for person(s) accompanying or assisting them	

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		<u>as guide dogs or assistance dogs.</u>	including their personal assistant(s).	
Article 2(6)				
66	5. This Directive shall be without prejudice to the rights that persons with disabilities or person(s) accompanying or assisting them, including their personal assistant(s), may derive from other provisions of Union law or national law implementing Union law, including those granting specific benefits, special conditions, or preferential treatment.	5. This Directive shall be without prejudice to the rights that persons with disabilities or person(s) accompanying or assisting them, including their personal assistant(s), <u>or assistance animals such as guide dogs and assistance dogs</u> may derive from other provisions of Union law or national law implementing Union law, including those granting specific benefits, special conditions, or preferential treatment. <u>A European Disability Card shall not be required as proof of disability in order to access or exercise any of the rights referred to in this paragraph.</u>	5 6. This Directive shall be without prejudice to the rights that persons with disabilities or person(s) accompanying or assisting them, including their personal assistant(s), may derive from other provisions of Union law or national law implementing Union law, including those granting specific benefits, special conditions, or preferential treatment.	
Article 3				
67	Article 3 Definitions		Article 3 Definitions	
Article 3, first paragraph				
68	For the purpose of this Directive, the following definitions shall apply:		For the purpose of this Directive, the following definitions shall apply:	
Article 3, first paragraph, point (a)				

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69	(a) “Union citizen” means any person having the nationality of a Member State;		(a) “Union citizen” means any person having the nationality of a Member State;	
Article 3, first paragraph, point (b)				
70	(b) “family member of a Union citizen” means a member of the family, whichever the(ir) nationality, of a Union citizen exercising his or her right to free movement in accordance with Union rules;		(b) “family member of a Union citizen” means a member of the family, whichever the(ir) nationality, of a Union citizen exercising his or her right to free movement in accordance with Union rules <u>within the meaning of Articles 2(2) and 3(2) of Directive 2004/38/EC;</u>	
Article 3, first paragraph, point (c)				
71	(c) “persons with disabilities” means persons who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others;		(c) “persons with disabilities” means persons who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others;	
Article 3, first paragraph, point (d)				
72	(d) “personal assistant” is a person accompanying or assisting persons with disabilities who is recognised in accordance with the national legislation or practices as such;	(d) “personal assistant” is a person, <u>whichever their nationality,</u> accompanying or assisting persons with disabilities, who is recognised in accordance with the national	(d) “personal assistant” is a person accompanying or assisting persons with disabilities who is recognised in accordance with the national legislation or practices as such;	

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		legislation or practices as such;		
Article 3, first paragraph, point (e)				
73	(e) “special conditions or preferential treatment” means specific conditions, including those related to financial conditions, or differentiated treatment related to assistance and support such as free access, reduced tariffs, priority access, offered to persons with disabilities and/or, when applicable, to person(s) accompanying or assisting them including personal assistant(s) or assistance animals recognised in accordance with the national legislation or practices as such, irrespective whether provided on a voluntary basis or imposed by legal obligations;	(e) “special conditions or preferential treatment” means <u>any</u> specific conditions, including those related to financial conditions, or <u>any</u> differentiated treatment related to assistance and support such as free access, reduced tariffs, priority access, <u>access to restricted traffic zones and pedestrian zones, priority seats in public transports,</u> offered to persons with disabilities and/or, when applicable, to person(s) accompanying or assisting them including personal assistant(s), <u>sign language interpreters,</u> or assistance animals, <u>such as guide dogs or assistance dogs,</u> recognised in accordance with the national legislation or practices as such, irrespective <u>of</u> whether provided on a voluntary basis or imposed by legal obligations;	(e) “special conditions or preferential treatment” means specific conditions, including those related to financial conditions, or differentiated treatment related to assistance and support such as free access, reduced tariffs, priority access, offered to persons with disabilities and/or, when applicable, to person(s) accompanying or assisting them including personal assistant(s) or assistance animals recognised in accordance with the national legislation or practices as such, irrespective whether provided on a voluntary basis or imposed by legal obligations;	
Article 3, first paragraph, point (f)				
74	(f) “parking conditions and facilities” means any parking space reserved for persons with disabilities in general as well as associated parking benefits for, or preferential conditions afforded to, persons with	(f) “parking conditions and facilities” means any parking space reserved for persons with disabilities <u>or where applicable person accompanying or assisting them including personal assistants, either</u>	(f) “parking conditions and facilities” means any parking space reserved for persons with disabilities in general as well as associated parking benefits for, or preferential conditions afforded to, persons with	

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	disabilities, such as free parking, reduced tariffs, reduced fees or user charges for toll roads/bridges/tunnels or extended parking spaces irrespective of whether provided on a voluntary basis or imposed by legal obligations.	<u>exclusively or</u> in general, as well as <u>any</u> associated parking benefits for, or preferential conditions afforded to, persons with disabilities, such as free parking, reduced tariffs, reduced fees or user charges for toll roads/bridges/tunnels or extended parking spaces irrespective of whether provided on a voluntary basis or imposed by legal obligations.	disabilities, such as free parking, reduced tariffs, reduced fees or user charges for toll roads/bridges/tunnels or extended parking spaces irrespective of whether provided on a voluntary basis or imposed by legal obligations.;	
Article 3, first paragraph, point (fa)				
74a		<u>(fa) “reasonable accommodation” means necessary and appropriate modification and adjustments that do not impose a disproportionate or undue burden, where needed in a particular case, to ensure to persons with disabilities the enjoyment or exercise on an equal basis with others of all human rights, fundamental freedoms and the rights provided for in this Directive;</u>		
Article 3, first paragraph, point (fb)				
74b		<u>(fb) “EU mobility programme” means a Union programme that supports natural persons moving to another Member State for an educational, training, professional, civic or cultural purpose or a combination thereof for a fixed</u>		

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		<u>period.</u>		
Article 3, first paragraph, point (g)				
74c			<u>(g) “short stay” is a visit or stay in another Member State of up to three months;</u>	
Article 3, first paragraph, point (h)				
74d			<u>(h) “assistance animal” means an animal that provides assistance or performs tasks for the benefit of a person with a disability in accordance with national rules and practices.</u>	
Article 4				
75	Article 4 Beneficiaries		Article 4 Beneficiaries	
Article 4, first paragraph				
76	This Directive shall apply to:		This Directive shall apply to:	
Article 4, first paragraph, point (a)				
77	(a) Union citizens and family members of Union citizens whose disability status is recognised by the competent authorities in the Member	(a) Union citizens and family members of Union citizens whose disability status is recognised by the competent authorities in the Member	(a) Union citizens and family members of Union citizens whose disability status <u>or entitlement to specific services based on a</u>	

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	State of their residence by means of a certificate, a card or any other formal document issued in accordance with national competences, practices, and procedures, as well as, when applicable, to person(s) accompanying or assisting them including personal assistant(s),	State of their residence by means of a certificate, a card or any other formal document issued in accordance with national competences, practices, and procedures, as well as, when applicable, to person(s) accompanying or assisting them including personal assistant(s); <u>and sign language interpreters;</u>	<u>disability</u> is recognised by the competent authorities <u>or bodies</u> in the Member State of their residence, <u>including where applicable,</u> by means of a certificate, a <u>disability</u> card or any other formal document issued in accordance with national competences, practices, and procedures, as well as, when applicable, to person(s) accompanying or assisting them <u>who may be accompanied or assisted by one or when necessary several other person(s), including personal assistant(s), or by assistance animals, as it may be indicated by the letter "A" on their European Disability Card. The letter "A" may also be added for persons with disabilities with an increased need for support, according to national law and practices.</u>	
Article 4, first paragraph, point (b)				
78	(b) Union citizens and family members of Union citizens whose rights to parking conditions and facilities reserved for persons with disabilities are recognised in their Member State of residence by way of a parking card or another document issued in accordance with national competences, practices, and procedures as well as, when applicable, to person(s)		(b) Union citizens and family members of Union citizens whose rights to parking conditions and facilities reserved for persons with disabilities are recognised <u>by the competent authorities or bodies</u> in their Member State of residence, <u>including where applicable,</u> by way of a parking card or another document issued in accordance with national competences, practices, and	

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	accompanying or assisting them including personal assistant(s).		procedures, <u>who may be accompanied or assisted by one or when necessary several other person(s)</u> as well as, when applicable, to person(s) accompanying or assisting them including personal assistant(s).	
Article 5				
79	Article 5 Equal access to special conditions or preferential treatment and to parking conditions and facilities for persons with disabilities		Article 5 Equal access to special conditions or preferential treatment and to parking conditions and facilities for persons with disabilities	
Article 5(1)				
80	1. Member States shall take the necessary measures to ensure that holders of a European Disability Card, while travelling to or visiting a Member State other than that of which they are a resident, shall be granted access on equal terms and conditions as those provided to persons with disabilities who are holders of a disability certificate, disability card or any other formal document recognising their disability status in that Member State, to any special conditions or preferential treatment offered with respect to the services, activities and facilities referred to in Article 2(1).		1. Member States shall take the necessary measures to ensure that holders of a European Disability Card, while travelling to or visiting a Member State other than that of which they are a resident, shall be granted access on equal terms and conditions as those provided to persons with disabilities who are holders of a disability certificate, disability card or any other formal document recognising their disability status <u>or entitlement to specific services based on a disability</u> in that Member State, <u>where such formal documents exist</u> , to any special conditions or	

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			preferential treatment offered with respect to the services, activities and facilities referred to in Article 2(1).	
Article 5(2)				
81	2. Member States shall take the necessary measures to ensure that holders of a European Parking Card for persons with disabilities while travelling to or visiting a Member State other than that of which they are a resident, shall be granted access to parking conditions and facilities reserved for persons with disabilities on equal terms and conditions as those provided for in that Member State to its holders of parking cards issued in that Member State.		2. Member States shall take the necessary measures to ensure that holders of a European Parking Card for persons with disabilities while travelling to or visiting a Member State other than that of which they are a resident, shall be granted access to parking conditions and facilities reserved for persons with disabilities on equal terms and conditions as those provided for in that Member State to its holders of parking cards issued in that Member State. [...]	
Article 5(3)				
82	3. Unless specified otherwise in the relevant provisions of this Directive or in other Union law, Member States shall take the necessary measures to ensure that:		3. Unless specified otherwise in the relevant provisions of this Directive or in other Union law, Member States shall take the necessary measures to ensure that: <u>when special conditions or preferential treatment referred to in paragraph 1 of this Article include favourable conditions for person(s) accompanying or assisting them including personal assistant(s), or specific conditions for assistance</u>	

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			<u>animals, these favourable or specific conditions are granted on equal terms and conditions to such person(s) when accompanying or assisting them, including personal assistant(s) or assistance animals of the holder of a European Disability Card.</u>	
Article 5(3), point (a)				
83	(a) when special conditions or preferential treatment referred to in paragraph 1 of this Article include favourable conditions for person(s) accompanying or assisting them including personal assistant(s) or specific conditions for assistance animals, these favourable or specific conditions are granted on equal terms and conditions to the person(s) accompanying or assisting them, including personal assistant(s) or assistance animals of the holder of a European Disability Card;	(a) when special conditions or preferential treatment referred to in paragraph 1 of this Article include favourable conditions for person(s) accompanying or assisting them including personal assistant(s) or specific conditions for assistance animals, these favourable or specific conditions are granted on equal terms and conditions to the person(s) accompanying or assisting them, including personal assistant(s) or assistance animals <u>such as guide or assistance dogs</u> of the holder of a European Disability Card;	(a) when special conditions or preferential treatment referred to in paragraph 1 of this Article include favourable conditions for person(s) accompanying or assisting them including personal assistant(s) or specific conditions for assistance animals, these favourable or specific conditions are granted on equal terms and conditions to the person(s) accompanying or assisting them, including personal assistant(s) or assistance animals of the holder of a European Disability Card; [...]	
Article 5(3), point (b)				
84	(b) when parking conditions and facilities referred to in paragraph 2 of this Article include favourable conditions for person(s) accompanying or assisting them including personal assistant(s), these		(b) when parking conditions and facilities referred to in paragraph 2 of this Article include favourable conditions for person(s) accompanying or assisting them including personal assistant(s), these	

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	favourable conditions are granted on equal terms and conditions to the person(s) accompanying or assisting them, including personal assistant(s) of the holder of the European Parking Card for persons with disabilities.		favourable conditions are granted on equal terms and conditions to the person(s) accompanying or assisting them, including personal assistant(s) of the holder of the European Parking Card for persons with disabilities. [...]	
Article 5a				
84a			<u>Article 5a</u> <u>Equal access to parking conditions and facilities for persons with disabilities</u>	
Article 5a(1)				
84b			<u>1. Member States shall take the necessary measures to ensure that holders of a European Parking Card for persons with disabilities while travelling to or visiting a Member State other than that of which they are a resident, shall be granted access to parking conditions and facilities reserved for persons with disabilities on equal terms and conditions as those provided for in that Member State to its holders of parking cards issued in that Member State.</u>	
Article 5a(2)				
84c				

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			<p><u>2. Unless specified otherwise in the relevant provisions of this Directive or in other Union law, Member States shall take the necessary measures to ensure that when parking conditions and facilities referred to in the first paragraph of this Article include favourable conditions for person(s) accompanying or assisting them including personal assistant(s), these favourable conditions are granted on equal terms and conditions to such person(s) when accompanying or assisting them, including personal assistant(s) of the holder of the European Parking Card for persons with disabilities.</u></p>	
CHAPTER II				
85	CHAPTER II EUROPEAN DISABILITY CARD AND EUROPEAN PARKING CARD FOR PERSONS WITH DISABILITIES		CHAPTER II EUROPEAN DISABILITY CARD AND EUROPEAN PARKING CARD FOR PERSONS WITH DISABILITIES	
Article 6				
86	Article 6 Format, mutual recognition, issue and validity of the European Disability Card		Article 6 Format, mutual recognition, issue and validity of the European Disability Card	
Article 6(1)				

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87	<p>1. Each Member State shall introduce the European Disability Card following the common standardised format set out in Annex I. Member States shall introduce digital features in physical cards using electronic means addressing fraud-prevention as part of the European Disability Card, as soon as the requirements concerning the digital features referred to in Annex I, are laid down by the Commission in the technical specifications referred to in Article 8. The digital storage medium shall not contain more personal data than the data provided for the European Disability Card in Annex I.</p>	<p>1. Each Member State shall introduce the European Disability Card following the common standardised format <u>and universal accessibility requirements</u> set out in Annex I. Member States shall introduce digital features in physical cards using electronic means addressing fraud-prevention as part of the European Disability Card, as soon as the requirements concerning the digital features referred to in Annex I, are laid down by the Commission in the technical specifications referred to in Article 8. The digital storage medium shall not contain more personal data than the data provided for the European Disability Card in Annex I.</p>	<p>1. Each Member State shall introduce the <u>physical version of the</u> European Disability Card following the common standardised <u>and accessible</u> format set out in Annex I. Member States shall introduce digital features in physical cards using electronic means addressing fraud-prevention as part of the European Disability Card, as soon as the requirements concerning the digital features referred to in Annex I, <u>within a reasonable time after the requirements</u> are laid down by the Commission in the technical specifications referred to in Article 8. <u>The digital storage medium shall not contain more personal data than the data provided for the European Disability Card in Annex I(1).</u> <u>The Commission shall lay down the technical specifications referred to in Article 8(1) by [1 year after the entry into force of this Directive].</u></p>	
Article 6(2)				
88	<p>2. European Disability Cards issued by Member States shall be mutually recognised in all Member States.</p>	<p>2. European Disability Cards issued by Member States shall be mutually recognised in all Member States <u>and shall be compatible with any certificate, disability card or any other formal document for persons with disabilities issued at national, regional or local level.</u></p>	<p>2. European Disability Cards issued by Member States shall be mutually recognised in all Member States.</p>	

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Article 6(3)				
89	<p>3. Competent authorities in the Member States shall issue, renew or withdraw the European Disability Card in accordance with their national rules, procedures and practices. Without prejudice to Regulation (EU) 2016/679, Member States shall ensure the security, integrity, authenticity and confidentiality of the data collected and stored for the purpose of this Directive. The competent authority responsible for issuing the European Disability Card shall be considered as the controller referred to in Article 4(7) of Regulation (EU) 2016/679 and shall have responsibility for the processing of personal data. Cooperation with external service providers shall not exclude any liability on the part of a Member State which may arise under Union or national law in respect of breaches of obligations with regard to personal data.</p>		<p>3. Competent authorities <u>or bodies</u> in the Member States shall issue, renew or withdraw the European Disability Card in accordance with their national rules, procedures and practices. Without prejudice to Regulation (EU) 2016/679, Member States shall ensure the security, integrity, authenticity and confidentiality of the data collected and stored for the purpose of this Directive. The competent authority <u>or body</u> responsible for issuing the European Disability Card shall be considered as the controller referred to in Article 4(7) of Regulation (EU) 2016/679 and shall have responsibility for the processing of personal data. Cooperation with external service providers shall not exclude any liability on the part of a Member State which may arise under Union or national law in respect of breaches of obligations with regard to personal data.</p>	
Article 6(4)				
90	<p>4. The European Disability Card shall be issued or renewed by the Member State of residence directly or upon application by the person</p>	<p>4. The European Disability Card shall be issued or renewed by the Member State of residence directly <u>where already provided for in the</u></p>	<p>4. The European Disability Card shall be issued or renewed by the Member State of residence directly or upon application by the person</p>	

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	with disabilities. It shall be issued and renewed within the same period set in the applicable national legislation for issuing disability certificates, disability cards or any other formal document recognising the disability status of a person with disabilities.	<u><i>national disability assessment and recognition procedure</i></u> or upon application by the person with disabilities. <u><i>Persons with disabilities shall be duly informed about the possibility to apply for the European Disability Card where it is not issued directly.</i></u> It shall be issued and renewed <u><i>free of charge to the beneficiary and</i></u> within <i>the same</i> <u><i>either 60 days or within the</i></u> period set in the applicable national legislation for issuing disability certificates, disability cards or any other formal document recognising the disability status of a person with disabilities <u><i>whichever is shorter.</i></u>	with disabilities. It shall be issued and renewed within <i>the same</i> <u><i>a reasonable</i></u> period <i>set in the applicable in accordance with the national legislation for issuing disability certificates, practices for the recognition of</i> disability <i>cards or any other formal document recognising the disability status of a person with disabilities</i> <u><i>status or entitlement to specific services based on a disability.</i></u>	
Article 6(4a)				
90a		<u><i>4a. Member States shall ensure that persons with disabilities, or designated representatives acting on their behalf and with their or their legal guardian's approval, are able to appeal against a decision by the competent authorities regarding the issuance, renewal or withdrawal of a European Disability Card in accordance with national law and practice.</i></u>		
Article 6(5)				
91	5. The European Disability Card	5. The European Disability Card	5. The European Disability Card	

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	shall be issued as a physical card and shall be complemented by a digital format upon adoption of the delegated acts referred to in paragraph 7. Persons with disabilities shall be given the option to use either the digital or physical card, or both.	shall be issued as a physical card and shall be complemented by a digital format upon adoption of the delegated acts referred to in paragraph 7. Persons with disabilities shall be given the option to use, <u>on an equal footing</u> , either the digital or physical card, or both.	shall be issued as a physical card and shall be complemented by an <u>accessible</u> digital format upon adoption of the delegated acts <u>within a reasonable time after the requirements are laid down by the Commission in the technical specifications</u> referred to in paragraph 7 <u>Article 8(2)</u> . Persons with disabilities shall be given the option to use <u>request</u> either <u>the physical or</u> the digital <u>card or both</u> . <u>The digital format shall not contain more personal data than the data provided for the</u> or <u>physical version of the European Disability Card in Annex I. The personal data shall be encrypted and technical precautions shall be in place to ensure that the storage medium is read only by authorised users</u> card, or both.	
Article 6(6)				
92	6. The validity of the European Disability Card issued by a Member State shall be at least for the same duration as that of the disability certificate, disability card or any other formal document with the longest duration recognising their disability status issued to the person concerned by the competent authority of the Member State in its territory.	6. The validity of the European Disability Card issued by a Member State shall be at least for the same duration as that of the <u>national</u> disability certificate, disability card or any other formal document with the longest duration recognising their disability status issued to the person concerned by the competent authority of the Member State in its territory.	6. The validity of the European Disability Card issued <u>shall be determined by the issuing</u> by a Member State shall be at least for the same <u>taking into account, where applicable, the</u> duration as that of the disability certificate, disability card or any other formal document with the longest duration <u>or procedure</u> recognising their disability status issued to the person	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			concerned <u>or entitlement to specific services issued</u> by the competent authority <u>or body</u> of the Member State in its territory <u>of their residence</u> .	
Article 6(7)				
93	7. The Commission is empowered to adopt delegated acts in accordance with Article 11 to supplement this Directive in order to set the digital format of the European Disability Card and ensure interoperability, and to amend Annex I in order to modify the common features of the standardised format, adapt the format to technical developments, introduce digital features in order to prevent forgery and fraud, address abuse or misuse and ensure interoperability.	7. <u>By ... /12 months from the date of entry into force of this Directive, the Commission shall</u> The Commission is empowered to adopt delegated acts in accordance with Article 11 to <u>supplements</u> supplementing this Directive in order to set <u>by setting</u> the digital format of the European Disability Card and ensure interoperability, and . <u>The Commission is empowered to adopt delegated acts in accordance with Article 11</u> to amend Annex I in order to modify the common features of the standardised format <u>and universal accessibility requirements</u> , adapt the format to technical developments, introduce digital features in order to prevent forgery and fraud, address abuse or misuse and ensure <u>accessibility and interoperability</u> .	7. The Commission is empowered to adopt delegated acts in accordance with Article 11 to supplement this Directive in order to set the digital format <u>modify the data fields</u> of the European Disability Card and ensure interoperability, and to amend <u>standardised format set out in</u> Annex I in order to modify the common features of the standardised format, where such <u>modification is necessary to</u> adapt the format to technical developments, introduce digital features in order to prevent forgery and fraud, or to address abuse or misuse and ensure interoperability. <u>Member States shall be given sufficient time to implement such modifications.</u>	
Article 7				
94				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 7 Format, mutual recognition, issue and validity of the European Parking Card for persons with disabilities		Article 7 Format, mutual recognition, issue and validity of the European Parking Card for persons with disabilities	
Article 7(1)				
95	1. Each Member State shall introduce the European Parking Card for persons with disabilities following the common standardised format set out in Annex II. Member States shall introduce digital features in physical cards using electronic means addressing fraud-prevention as part of the European Parking Card for persons with disabilities, as soon as the requirements concerning the digital features referred to in Annex II, are laid down by the Commission in the technical specifications referred to in Article 8. The digital storage medium shall not contain more personal data than the data provided for the European Disability Card in Annex II.	1. Each Member State shall introduce the European Parking Card for persons with disabilities following the common standardised format <u>and universal accessibility requirements</u> set out in Annex II. Member States shall introduce digital features in physical cards using electronic means addressing fraud-prevention as part of the European Parking Card for persons with disabilities, as soon as the requirements concerning the digital features referred to in Annex II, are laid down by the Commission in the technical specifications referred to in Article 8. The digital storage medium shall not contain more personal data than the data provided for the European Disability <u>Parking</u> Card in Annex II.	1. Each Member State shall introduce the <u>physical version of the</u> European Parking Card for persons with disabilities following the common standardised <u>and accessible</u> format set out in Annex II. Member States shall introduce digital features in physical cards using electronic means addressing fraud-prevention as part of the European Parking Card for persons with disabilities, as soon as the requirements concerning the digital features referred to in Annex II <u>within a reasonable time after the requirements</u> are laid down by the Commission in the technical specifications referred to in Article 8. The digital storage medium shall not contain more personal data than the data provided for the European Disability Card in Annex II <u>8(1). The Commission shall lay down the technical specifications referred to in Article 8(1) by [1 year after the entry into force of this Directive].</u>	
Article 7(2)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
96	2. European Parking Cards for persons with disabilities issued by Member States shall be mutually recognised in all Member States.		2. European Parking Cards for persons with disabilities issued by Member States shall be mutually recognised in all Member States.	
Article 7(3)				
97	3. Competent authorities in the Member States shall issue, renew, or withdraw the European Parking Card for persons with disabilities in accordance with their national rules, procedures and practices. Without prejudice to Regulation (EU) 2016/679, Member States shall ensure the security, authenticity and confidentiality of the personal data collected and stored for the purpose of this Directive. The competent authority responsible for issuing the European parking Card for persons with disabilities shall be considered as the controller referred to in Article 4(7) of Regulation (EU) 2016/679 and shall have responsibility for the processing of personal data. Cooperation with external service providers shall not exclude any liability on the part of a Member State which may arise under Union or national law in respect of breaches of obligations with regard to personal data.		3. Competent authorities <u>or bodies</u> in the Member States shall issue, renew, or withdraw the European Parking Card for persons with disabilities in accordance with their national rules, procedures and practices. Without prejudice to Regulation (EU) 2016/679, Member States shall ensure the security, authenticity and confidentiality of the personal data collected and stored for the purpose of this Directive. The competent authority <u>or body</u> responsible for issuing the European parking Card for persons with disabilities shall be considered as the controller referred to in Article 4(7) of Regulation (EU) 2016/679 and shall have responsibility for the processing of personal data. Cooperation with external service providers shall not exclude any liability on the part of a Member State which may arise under Union or national law in respect of breaches of obligations with regard to personal data.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 7(4)				
98	4. The European Parking Card for persons with disabilities shall be issued or renewed by the Member State of residence upon application by the person with disabilities. It shall be issued or renewed within a reasonable period from the date of the application which shall not exceed 60 days.	4. The European Parking Card for persons with disabilities shall be issued or renewed by the Member State of residence upon application by the person with disabilities. It shall be issued or renewed <u>free of charge to the beneficiary and</u> within a reasonable period from the date of the application which shall not exceed 60 days <u>30 days. Persons with disabilities shall, however, have the right to request to have the digital version of the European Parking Card for persons with disabilities available within 15 days of an application by the person with disabilities.</u>	4. The European Parking Card for persons with disabilities shall be issued or renewed by the Member State of residence upon application by the person with disabilities <u>or by an authorised person, under national law.</u> It shall be issued or renewed within a reasonable period from the date of the application, which shall not exceed 60 days <u>90 days, unless additional assessments need to be carried out.</u>	
Article 7(4a)				
98a		<u>4a. Member States shall ensure that persons with disabilities, or designated representatives acting on their behalf and with their or their legal guardian's approval, may appeal against a decision by the competent authorities regarding the issuance, renewal or withdrawal of a European Parking Card in accordance with national law and practice.</u>		
Article 7(5)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
99	<p>5. Member States shall take the necessary measures to ensure that the European Parking Card for persons with disabilities replaces all existing valid parking cards, issued in accordance with the Council Recommendation on parking cards for persons with disabilities¹ at national, regional or local level at the latest by dd/mm/yy [date of application of this Directive].</p> <p>1. Council Recommendation of 4 June 1998 (98/376/EC) OJ L 167/25,12.6.1998 as adapted by Council Recommendation of 3 March 2008 by reason of accession of the Republic of Bulgaria, the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, Romania, the Republic of Slovenia and the Slovak Republic OJ L 63/43,7.3.2008.</p>	<p>5. Member States shall take the necessary measures to ensure that the European Parking Card for persons with disabilities replaces all existing valid parking cards, issued in accordance with the Council Recommendation on parking cards for persons with disabilities¹ at national, regional or local level <u>upon the European Parking Card's issuance, and in any event</u> at the latest by dd/mm/yy [date of application of this Directive].</p> <p>1. Council Recommendation of 4 June 1998 (98/376/EC) OJ L 167/25,12.6.1998 as adapted by Council Recommendation of 3 March 2008 by reason of accession of the Republic of Bulgaria, the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, Romania, the Republic of Slovenia and the Slovak Republic OJ L 63/43,7.3.2008.</p>	<p>5. Member States shall take the necessary measures to ensure that the European Parking Card for persons with disabilities replaces all existing valid parking cards, issued in accordance with the Council Recommendation on parking cards for persons with disabilities¹ at national, regional or local level, <u>upon the request for its issuance, and in any case within 5 years from the entry into force of this Directive. During this period, Member States may allow cards issued before the at the latest by dd/mm/yy [date of application of this Directive], in accordance with the Council Recommendation on parking cards for persons with disabilities, to have the same effect as the European Parking Card in their territory.</u></p> <p>1. Council Recommendation of 4 June 1998 (98/376/EC) OJ L 167/25,12.6.1998 as adapted by Council Recommendation of 3 March 2008 by reason of accession of the Republic of Bulgaria, the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, Romania, the Republic of Slovenia and the Slovak Republic OJ L 63/43,7.3.2008.</p>	
Article 7(6)				
100				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	6. The European Parking Card for persons with disabilities shall be issued or renewed as a physical card and shall be complemented by a digital format upon adoption of the delegated acts referred to in paragraph 7. Persons with disabilities shall be given the option to use either the digital or physical card, or both.	6. The European Parking Card for persons with disabilities shall be issued or renewed as a physical card and shall be complemented by a digital format upon adoption of the delegated acts referred to in paragraph 7. Persons with disabilities shall be given the option to use, <u>on an equal footing</u> , either the digital or physical card, or both.	6. The European Parking Card for persons with disabilities shall be issued or renewed as a physical card. <u>Member States may decide to complement the physical card by an accessible and shall be complemented by a digital format upon adoption of the delegated acts within a reasonable time after the requirements are laid down by the Commission in the technical specifications</u> referred to in paragraph 7. <u>Article 8(2). In Member States where the physical card is complemented by a digital format,</u> persons with disabilities shall be given the option to use either <u>may request the physical card, and if they so wish, both the digital and the physical card.</u> The digital or <u>format shall not contain more personal data than the data provided for the physical version of the European Parking Card for persons with disabilities in Annex II. The personal data shall be encrypted and technical precautions shall be in place to ensure that the storage medium is read only by authorised users</u> card, or both.	
Article 7(7)				
101	7. The Commission is empowered to adopt delegated acts in	7. <u>By ... [12 months from the date of entry into force of this Directive],</u>	7. The Commission is empowered to adopt delegated acts in	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>accordance with Article 11 to supplement the Directive in order to set the digital format of the European Parking Card for persons with disabilities and ensure interoperability, including through the development and deployment of digital tools, and to amend Annex II in order to modify the common features of the standardised format, adapt the format to technical developments, prevent forgery and fraud, address abuse or misuse and ensure interoperability, including through the development and deployment of digital tools.</p>	<p><u><i>the Commission shall</i></u>The Commission is empowered to adopt delegated acts in accordance with Article 11 to <u>supplement</u>supplementing the Directive in order to set<u>by setting</u> the digital format of the European Parking Card for persons with disabilities and ensure interoperability, including through the development and deployment of digital tools.</p> <p><u><i>The Commission is empowered to adopt delegated acts in accordance with Article 11, and</i></u> to amend Annex II in order to modify the common features of the standardised format <u><i>and universal accessibility requirements</i></u>, adapt the format to technical developments, prevent forgery and fraud, address abuse or misuse and ensure interoperability, including through the development and deployment of digital tools.</p>	<p>accordance with Article 11 to supplement the Directive<u>amend Annex II</u> in order to set the digital format<u>modify the data fields</u> of the European Parking Card for persons with disabilities and ensure interoperability, including through the development and deployment of digital tools, and to <u>amend standardised format set out in</u> Annex II in order to modify the common features of the standardised format, where such modification is necessary to adapt the format to technical developments, <u>to</u> prevent forgery and fraud; <u>or to</u> address abuse or misuse and ensure interoperability, including through the development and deployment of digital tools. <u><i>Member States shall be given sufficient time to implement such modifications.</i></u></p>	
Article 7a				
101a		<p><u><i>Article 7a</i></u> <u><i>Provisions for card holders when changing residence</i></u></p>		
Article 7a(1)				
101b		<p><u><i>1. Member States shall ensure that</i></u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	
		<p><u>the holders of European Disability Cards or European Parking Cards for persons with disabilities who have changed their Member State of residence, and who await issuance of a national disability card, certificate or any other formal document recognising their disability status by the competent authorities in that Member State, are guaranteed the rights provided for in this Directive during that period. The European Disability Card and the European Parking Card for persons with disabilities issued by the Member State of last residence shall be valid until the new national disability card, certificate or any other formal document recognising the disability status of the holder has been issued.</u></p>	PUBLIC		
Article 7a(2)					
101c		<p><u>2. Member States shall ensure that the process of re-assessment and recognition of disability status, and any subsequent issuing of a new European Disability Card or European Parking Card for persons with disabilities, is carried out within a reasonable period of time and in an efficient manner.</u></p>			
CHAPTER III					

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
102	CHAPTER III COMMON PROVISIONS		CHAPTER III COMMON PROVISIONS	
Article 8				
103	Article 8 Common technical specifications		Article 8 Common technical specifications <u>and digital format</u>	
Article 8(1)				
104	1. The Commission shall adopt implementing acts establishing common technical specifications for further specifying the formats of the European Disability Card and European Parking Card for persons with disabilities, their respective security and state of the art digital features including their specific format and, the data contained therein, including the appropriate security measures for the personal data, as well as interoperability matters, such as common EU applications for reading the data contained in digital features in physical cards using electronic means addressing fraud-prevention, as well as for defining the technical specifications of the digital card storage medium, for matters such as verifying the validity of the cards and their number, for controlling		1. The Commission shall adopt implementing acts establishing common technical specifications for further specifying the formats <u>ensuring the security and state of the art digital features of the physical version</u> of the European Disability Card and <u>the</u> European Parking Card for persons with disabilities, their respective security and state of the art digital features including their specific format and, the data contained therein, including the appropriate security measures for the personal data <u>in accordance with Regulation (EU) 2016/679</u> , as well as interoperability matters, such as common EU applications for reading the data contained in digital features in physical cards using electronic means addressing fraud-prevention; as well as for defining the technical specifications of the digital card	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	their authenticity, for preventing forgery and fraud, reading of the card(s) between Member States, for their use in the EU Digital Identity Wallet as well as for ensuring accessibility for persons with disabilities to any data in the cards.		storage medium, for matters such as verifying the validity of the cards and their number, for controlling their authenticity, for preventing forgery and fraud, reading of the card(s) between Member States, for their use in the EU Digital Identity Wallet as well as for ensuring accessibility for persons with disabilities to any data in the cards.	
Article 8(2)				
104a			<u>2. The Commission shall adopt implementing acts to set the accessible digital formats for the European Disability Card and the European Parking Card for persons with disabilities, with the data fields set out in Annex I and Annex II, and ensure interoperability.</u>	
Article 8(3)				
104b			<u>3. The Commission shall adopt implementing acts establishing common technical specifications for the digital card storage medium, for matters such as verifying the validity of the cards and their number, for controlling their authenticity, for preventing forgery and fraud, reading of the card(s) between Member States for their use in a digital identity wallet at EU</u>	


	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<u>level.</u>	
Article 8(4)				
105	2. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 12(2).	2. Those implementing acts shall be adopted <u>by ... [12 months from the date of entry into force of this Directive],</u> in accordance with the examination procedure referred to in Article 12(2).	24. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 12(2).	
Article 9				
106	Article 9 Surveillance, compliance, accessibility of information and awareness raising	Article 9 Surveillance, compliance, accessibility of information and awareness raising <u>and compliance</u>	Article 9 Surveillance, compliance, accessibility of information and awareness raising	
Article 9(1)				
107	1. Member States shall make the conditions and rules, practices, and procedures to issue, renew or withdraw a European Disability Card and a European Parking Card for persons with disabilities publicly available in accessible formats, including in digital formats, and upon request in assistive formats requested by persons with disabilities.	1. Member States shall make the conditions and rules, practices, and procedures to issue, renew or withdraw a European Disability Card and a European Parking Card for persons with disabilities publicly available in accessible formats, including in digital formats, and upon request in assistive formats requested by persons with disabilities. <u>deleted</u>	1. Member States shall make the conditions and rules, practices, and procedures to issue, renew or withdraw a European Disability Card and a European Parking Card for persons with disabilities publicly available in accessible formats, including in digital formats, and upon request in assistive formats requested by persons with disabilities.	
Article 9(2)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
108	2. Member States shall take appropriate measures to raise awareness among the public and inform persons with disabilities, including in accessible ways, about the existence and conditions to obtain, use, or renew the European Disability Card and the European Parking Card for persons with disabilities.	2. Member States shall take appropriate measures to raise awareness among the public and inform persons with disabilities, including in accessible ways, about the existence and conditions to obtain, use, or renew the European Disability Card and the European Parking Card for persons with disabilities. <u>deleted</u>	2. <u>The Commission and the</u> Member States shall take appropriate measures to raise awareness among the public and inform persons with disabilities, including in accessible ways, about the existence and conditions to obtain, use, or renew the European Disability Card and the European Parking Card for persons with disabilities.	
Article 9(2a)				
108a			<u>2a. Member States shall take measures to inform persons with disabilities about and promote the provision of special conditions or preferential treatment for persons with disabilities by public authorities and private operators.</u>	
Article 9(3)				
109	3. Member States shall take all necessary steps to avoid the risk of forgery or fraud and shall actively combat the fraudulent use and forgery of the European Disability Card and European Parking Card for persons with disabilities.	3. Member States shall take all necessary steps to avoid the risk of forgery or fraud and shall actively combat <u>thoroughly investigate and, where relevant, provide for administrative or judicial proceedings to address</u> the fraudulent <u>issuance</u> , use and forgery of the European Disability Card and European Parking Card for persons with disabilities.	3. Member States, <u>with the support of the Commission, as appropriate and in accordance with their respective competences</u> , shall take all the necessary steps to avoid <u>prevent</u> the risk of forgery or fraud and shall actively combat the fraudulent use and forgery of the European Disability Card and European Parking Card for persons with disabilities.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 9(3a)				
109a		<u><i>Any measures taken to avoid the risk of forgery or fraud shall respect the rights of persons with disabilities and shall not result in any interference with the legitimate interests of persons with disabilities in their access to or use of either card or lead in any way to their stigmatisation.</i></u>		
Article 9(4)				
110	4. Member States shall take the necessary measures to ensure that holders of a European Disability Card or European Parking Card for persons with disabilities return their cards to the competent authority once the conditions under which they were issued are no longer fulfilled.	4. Member States shall take the necessary measures to ensure that holders of a European Disability Card or European Parking Card for persons with disabilities return their cards to the competent authority once <u>in the event that</u> the conditions under which they were issued are no longer fulfilled.	4. Member States shall take the necessary measures to ensure that holders of a European Disability Card or European Parking Card for persons with disabilities return their cards to the competent authority once the conditions under which they were issued are no longer fulfilled. [...]	
Article 9(5)				
111	5. Member States shall take the necessary measures to ensure that in case they encounter cases of abuse or misuse of the cards issued by another Member State on their territory, the competent authorities in the Member State who issued the	5. Member States shall take the necessary measures to ensure that in case they encounter cases of abuse or misuse of the cards issued by another Member State on their territory, the competent authorities in the Member State who issued the	5. Member States shall take the necessary measures to ensure that In case they encounter cases of abuse or misuse of the cards issued by another Member State on their territory, the competent authorities in <u>Member States shall, where</u>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	European Disability Card or European Parking Card for persons with disabilities are informed. The Member State of issuance shall ensure appropriate follow-up in accordance with national law or practice.	European Disability Card or European Parking Card for persons with disabilities are informed. The Member State of issuance shall ensure appropriate follow-up in accordance with national law or practice. <u>Member States shall exchange information with regard to abuse or misuse of the cards.</u>	<u>reasonable, take steps to inform</u> the Member State who issued the European Disability Card or European Parking Card for persons with disabilities are informed . The Member State of issuance shall ensure appropriate follow-up in accordance with national law or practice.	
Article 9(6)				
112	6. Member States shall carry out checks on compliance with the obligations deriving from the European Disability Card or European Parking Card for persons with disabilities and with the corresponding rights of persons with disabilities holding those cards and person(s) accompanying or assisting them including their personal assistant(s).		6. Member States shall carry out checks, <u>as appropriate</u> , on compliance with the obligations deriving from the European Disability Card or European Parking Card for persons with disabilities and with the corresponding rights of persons with disabilities holding those cards, <u>including in respect of assistance animals</u> , and person(s) accompanying or assisting them including their personal assistant(s).	
Article 9(7)				
113	7. The information referred to in paragraph 1 and 2 of this Article shall be made available free of charge in a clear, comprehensive, user-friendly and easily accessible way, including through private operators' or public authorities' official website where available, or	7. The information referred to in paragraph 1 and 2 of this Article shall be made available free of charge in a clear, comprehensive, user-friendly and easily accessible way, including through private operators' or public authorities' official website where available, or	7. The information referred to in paragraph 1 and 2 of this Article shall be made available free of charge in a clear, comprehensive, user-friendly and easily accessible way, including through private operators' <u>the official websites of</u> public authorities' official website	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	by other suitable means, in accordance with the relevant accessibility requirements for services set in Annex I of Directive (EU) 2019/882.	by other suitable means, in accordance with the relevant accessibility requirements for services set in Annex I of Directive (EU) 2019/882. <u>deleted</u>	where available , or by other suitable means, in accordance with the relevant accessibility requirements for services set in Annex I of Directive (EU) 2019/882.	
Article 9a				
113a		<u>Article 9a</u> <u>Accessibility of information and awareness raising</u>		
Article 9a, first paragraph				
113b		<u>1. Member States shall provide for conditions and rules, practices, and procedures to issue, renew or withdraw a European Disability Card and a European Parking Card for persons with disabilities publicly available in accessible formats, including in digital formats, national and international sign languages, braille and easy-to-read and audio formats, and in other alternative assistive formats upon the request of persons with disabilities.</u>		
Article 9a, second paragraph				
113c		<u>2. Member States shall take appropriate measures to raise awareness among the public, in</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u>particular to public authorities and private operators having the potential to offer special conditions, preferential treatment and parking conditions and facilities for persons with disabilities pursuant to Article 5 and other relevant stakeholders including representative organisations of persons with disabilities, and inform persons with disabilities, in accessible ways, about the existence and conditions to obtain, use, or renew the European Disability Card and the European Parking Card for persons with disabilities. The Commission shall undertake a European awareness raising campaign in cooperation with the Member States.</u></p>		
Article 9a, third paragraph				
113d		<p><u>3. The information referred to in paragraphs 1 and 2 of this Article shall be made available free of charge in a clear, comprehensive, user-friendly and easily accessible way, including through the official websites of private operators or public authorities where available and designated National Contact Points, or by other suitable means, in accordance with the relevant accessibility requirements for services set in Annex I to Directive</u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>(EU) 2019/882.</u>		
Article 9a, fourth paragraph				
113e		<u>4. The information referred to in paragraphs 1 and 2 shall be easily understandable, without exceeding a level of complexity superior to level B1 (intermediate) of the Council of Europe's Common European Framework of Reference for Languages.</u>		
Article 9a, fifth paragraph				
113f		<u>5. The Commission shall ensure that appropriate funding is made available to the Member States to address costs related to the information provision and awareness raising obligations under this Article and Article 15.</u>		
Article 10				
114	Article 10 Competent authorities		Article 10 Competent authorities, <u>bodies and contact points</u>	
Article 10, first paragraph				
115	By dd/mm/yy [within six months after the entry into force of this		<u>1. By dd/mm/yy [within six months after the entry into force of this</u>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Directive], Member States shall notify to the Commission the competent authorities designated to issue, renew and withdraw the European Disability Card and the European Parking Card for persons with disabilities.		Directive], Member States shall notify to the Commission the competent authorities designated to issue, renew and withdraw <u>Member States shall designate a competent authority or authorities, or competent body or bodies responsible for the issuance, renewal and withdrawal of</u> the European Disability Card and the European Parking Card for persons with disabilities.	
Article 10, second paragraph				
115a			<u>2. Member states shall have in place a national contact point(s) in order to facilitate the dialogue between the Member States and the Commission on the proper transposition and the implementation of this Directive. Within 6 months after the entry into force of this Directive, Member States shall inform the Commission about the contact point(s).</u>	
Article 10, third paragraph				
115b			<u>3. [...]</u>	
Article 10a				
115c		<u>Article 10a</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>Representative organisations of persons with disabilities</u>		
Article 10a, first paragraph				
115d		<u>Member States shall ensure that representative organisations of persons with disabilities can participate meaningfully in the development, planning, implementation, monitoring and evaluation of both the European Disability Card and the European Parking Card for persons with disabilities.</u>		
CHAPTER IV				
116	CHAPTER IV DELEGATED AND IMPLEMENTING POWERS		CHAPTER IV DELEGATED AND IMPLEMENTING POWERS	
Article 11				
117	Article 11 Exercise of the delegation		Article 11 Exercise of the delegation	
Article 11(1)				
118	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.		1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 11(2)				
119	2. The power to adopt delegated acts referred to in Article 6(7) and Article 7(7) shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this directive].		2. The power to adopt delegated acts referred to in Article 6(7) and Article 7(7) shall be conferred on the Commission for an indeterminate period of time from <u>5 years from the</u> date of entry into force of this Directive . <u>The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</u>	
Article 11(3)				
120	3. The delegation of power referred to in Articles 6(7) and Article 7(7) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.		3. The delegation of power referred to in Articles 6(7) and Article 7(7) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.	
Article 11(4)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
121	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.	4. Before adopting a delegated act, the Commission shall consult <u>persons with disabilities and their representative organisations as well as</u> experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.	
Article 11(5)				
122	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.		5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.	
Article 11(6)				
123	6. A delegated act adopted pursuant to Article 6(7) and Article 7(7) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the		6. A delegated act adopted pursuant to Article 6(7) and Article 7(7) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the	


	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Council.		Council.	
Article 12				
124	Article 12 Committee procedure		Article 12 Committee procedure	
Article 12(1)				
125	1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	1. The Commission shall be assisted by a committee <u>and shall ensure that representative organisations of persons with disabilities can participate meaningfully</u> . That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	
Article 12(2)				
126	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.		2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.	
CHAPTER V				
127	CHAPTER V FINAL PROVISIONS		CHAPTER V FINAL PROVISIONS	
Article 13				
128	Article 13	Article 13	Article 13	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Enforcement	Enforcement <u>and remedies</u>	Enforcement	
Article 13(1)				
129	1. Member States shall ensure that adequate and effective means exist to ensure compliance with this Directive.	1. Member States shall ensure that adequate and effective means exist to ensure compliance with <u>and enforcement of</u> this Directive.	1. Member States shall ensure that adequate and effective means exist to ensure compliance with this Directive.	
Article 13(2)				
130	2. The means referred to in paragraph 1 shall include:		2. The means referred to in paragraph 1 shall include:	
Article 13(2), point (a)				
131	(a) provisions whereby persons with disabilities may take action under national law before the courts or before the competent administrative bodies in case of violations of their rights under this Directive and in national provisions implementing this Directive;		(a) provisions whereby persons with disabilities may take action under national law before the courts or before the competent administrative bodies in case of violations of their rights under <u>non-compliance with or breach of the obligations laid down in</u> this Directive and in national provisions implementing this Directive;	
Article 13(2), point (b)				
132	(b) provisions whereby public bodies or private associations, organisations or other legal entities which have a legitimate interest in	(b) provisions whereby public bodies <u>such as equality bodies</u> or private associations, organisations <u>in particular representative</u>	(b) provisions whereby public bodies or private associations, organisations or other legal entities which have a legitimate interest in	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	ensuring that the provisions of this Directive are complied with may take action in accordance with national law and procedures before the courts or before the competent administrative bodies on behalf or in support of a person with disabilities, with his or her approval, in any judicial or administrative proceedings provided for the enforcement of obligations under this Directive.	<u>organisations of persons with disabilities</u> or other legal entities which have a legitimate interest in ensuring that the provisions of this Directive are complied with may take action in accordance with national law and procedures before the courts or before the competent administrative bodies on behalf or in support of a person with disabilities, with his or her <u>their</u> approval, in any judicial or administrative proceedings provided for the enforcement of obligations under this Directive.	ensuring that the provisions of this Directive are complied with <u>one or more of the following bodies, as determined by national law,</u> may take action in accordance with national law and procedures before the courts or before the competent administrative bodies on behalf or in support of a person with disabilities <u>protecting their rights</u> , with his or her approval, in any judicial or administrative proceedings provided for the enforcement of obligations under this Directive: <ul style="list-style-type: none"> • <u>public bodies or their representatives;</u> • <u>private associations, organisations or other legal entities which have a legitimate interest in ensuring that the provisions of this Directive are complied with.</u> 	
Article 13(2), point (ba)				
132a		<u>(ba) provisions whereby persons with disabilities have a right of redress, including adequate compensation, in cases of infringements of their rights arising from this Directive.</u>		
Article 13(2a)				
132b		<u>2a. Member States shall ensure that the design and implementation</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>of provisions referred to in paragraph 2 comply with the principle of reasonable accommodation for persons with disabilities.</u>		
Article 14				
133	Article 14 Penalties		Article 14 Penalties <u>Non-compliance</u>	
Article 14(1)				
134	1. Member States shall lay down the rules on penalties applicable to violations of the national provisions adopted pursuant to this Directive and shall take all measures necessary to ensure that they are implemented.	1. Member States shall lay down the rules on penalties applicable to <u>public authorities or private operators for</u> violations of the national provisions adopted pursuant to this Directive and shall take all measures necessary to ensure that they are implemented.	1. Member States shall lay down the rules on penalties <u>appropriate measures in accordance with the national law and practice,</u> applicable to violations <u>non-compliance with or breaches</u> of the national provisions adopted pursuant to this Directive and shall take all measures necessary to ensure that they are implemented.	
Article 14(2)				
135	2. The penalties provided for must be effective, proportionate and dissuasive and be accompanied by effective remedial action.	2. The penalties provided for must be effective, proportionate and dissuasive and be accompanied by effective remedial action <u>either in the form of fines or the payment of adequate compensation.</u>	2. The penalties <u>measures</u> provided for must be effective, proportionate and dissuasive and be accompanied by effective remedial action.	
Article 14(3)				


	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
136	3. Member States shall notify the Commission of these provisions no later than by dd/mm/yy [date of transposition] and without delay of any subsequent amendments to them.		3. Member States shall notify the Commission of these provisions no later than by dd/mm/yy [date of transposition] and without delay of any subsequent amendments to them.	
Article 15				
137	Article 15 Access to information		Article 15 Access to information	
Article 15(1)				
138	1. Member States shall ensure that private operators or public authorities make information on any special conditions or preferential treatment pursuant to Article 5 publicly available in accessible formats.		1. Member States shall ensure that private operators or public authorities make information on any special conditions or preferential treatment pursuant to Article 5 publicly available in accessible formats.	
Article 15(-1), second subparagraph				
138a		<u>Each Member State shall establish a single dedicated website collating the special conditions or preferential treatment offered by their public authorities and shall ensure this information is up to date. Member States may also facilitate information concerning the special conditions or</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>preferential treatment offered by private operators on the website where available. The website shall be in the official languages of the Member States, national and international sign languages for audio and video content, in accessible and easy-to-read formats, in English as well as in any other relevant languages as determined by the Member State.</u>		
Article 15(-1a)				
138b		<u>1a. Member States shall ensure, where applicable, that operators of cross-border passenger transport services provide clear information to passengers holding a European Disability Card on the special conditions or preferential treatment applicable in different parts of the operations.</u>		
Article 15(1a)				
138c			<u>1a. Member States shall also encourage private operators to make information on any special conditions or preferential treatment pursuant to Article 5 publicly available in accessible formats.</u>	
Article 15(2)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
139	2. Member States shall encourage private operators or public authorities to voluntarily provide special conditions or preferential treatment for persons with disabilities.	2. Member States shall <u>support and</u> encourage private operators or public authorities to voluntarily provide special conditions or preferential treatment for persons with disabilities <u>in as wide a range of services, other activities and facilities as possible.</u>	2. Member States shall encourage private operators or public authorities to voluntarily provide special conditions or preferential treatment for persons with disabilities. [...]	
Article 15(-1b), second subparagraph				
139a		<u>In particular, Member States shall support and encourage private operators and public authorities through, inter alia, the provision of information and exchange of best practices on possible special conditions or preferential treatment to be offered and the provision of disability- awareness training so as to ensure the relevance, effectiveness and inclusivity of any special conditions or preferential treatment offered. Member States shall ensure all such measures are carried out in partnership with persons with disabilities and their representative organisations.</u>		
Article 15(3)				
140	3. The information referred to in paragraph 1 of this article shall be made available free of charge in a	3. The information referred to in paragraph 1 <u>paragraphs 1 and 1a</u> of this Article shall be made available	3. The information referred to in paragraph 1 <u>paragraphs 1 and 1a</u> of this article shall be made available	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	clear, comprehensive, user-friendly and easily accessible way, including through the private operators or public authorities' official website where available, or by other suitable means, in accordance with the relevant accessibility requirements for services set in Annex I of Directive (EU) 2019/882.	free of charge in a clear, comprehensive, user-friendly and easily accessible way, including through the private operators or public authorities' official website where available, or by other suitable means, in accordance with the relevant accessibility requirements for services set in Annex I of Directive (EU) 2019/882 <u>without exceeding a level of complexity superior to level B1 (intermediate) of the Council of Europe's Common European Framework of Reference for Languages and including in the national sign languages.</u>	free of charge in a clear, comprehensive, user-friendly and easily accessible way, including through the private operators or public authorities' official website where available, or by other suitable means, in accordance with the relevant accessibility requirements for services set in Annex I of Directive (EU) 2019/882.	
Article 15a				
140a		<u>Article 15a</u> <u>Union website for the European Disability Card and European Parking Card for persons with disabilities</u>		
Article 15a(1), first subparagraph				
140b		<u>1. By ...[x months from the date of entry into force of this Directive], the Commission shall set up a single dedicated Union website (Union website). The Union website shall contain:</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 15a(1), first subparagraph, point (a)				
140c		<u>(a) the information referred to in Article 9a;</u>		
Article 15a(1), first subparagraph, point (b)				
140d		<u>(b) relevant information related to the applicable parking conditions and facilities as defined at local, regional, or national level in each Member State;</u>		
Article 15a(1), first subparagraph, point (c)				
140e		<u>(c) an accessible digital portal through which the national websites referred to in Article 15(1) can be accessed.</u>		
Article 15a(1), second subparagraph				
140f		<u>Member States shall ensure that public authorities provide the information referred to in points (a) and (b) of the first subparagraph to the Union website and shall update that information where necessary.</u>		
Article 15a(2)				
140g		<u>2. The Union website shall be available in all official Union</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>languages, international sign language and the national sign languages of Member States as well as in accessible and easy-to-read formats, in accordance with the relevant accessibility requirements for services set in Annex I to Directive (EU) 2019/882. The information referred to in this Article shall be easily understandable, without exceeding a level of complexity superior to level B1 (intermediate) of the Council of Europe's Common European Framework of Reference for Languages.</u>		
Article 16				
141	Article 16 Reporting and review		Article 16 Reporting and review	
Article 16(1)				
142	1. By dd/mm/yy [three years after the date of application of this Directive], and every five years thereafter, the Commission shall submit to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions a report on the application of this Directive.	1. By dd/mm/yy [three <u>two</u> years after <u>from</u> the date of application of this Directive], and every five <u>four</u> years thereafter, the Commission shall submit to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions a report on the application of this Directive.	1. By dd/mm/yy [<u>three years after the date of application of this Directive</u> three years after the date of application of this Directive], and every five years thereafter, the Commission shall submit to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions a report on the application of this Directive.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 16(2)				
143	2. The report shall address, inter alia, in the light of social, economic developments the use of the European Disability Card and European Parking Card for persons with disabilities with a view to assessing the need to review this Directive.	2. The report shall address, inter alia, in the light of social, economic, <u>technological and other relevant</u> developments the use of the European Disability Card and European Parking Card for persons with disabilities, <u>the extent to which the implementation of this Directive has met its objectives and its interaction with other relevant Union legal acts</u> with a view to assessing the need to review this Directive. <u>The report shall include an assessment of the use of the card as regards portability in the area of social security benefits, social protection and social assistance in the situations referred to in Article 2(2a).</u>	2. The report shall address, inter alia, in the light of social, economic developments the use of the European Disability Card and European Parking Card for persons with disabilities with a view to assessing the need to review this Directive.	
Article 16(1a), second subparagraph				
143a		<u>The report shall also include an intersectionality and gender equality analysis of the impact of this Directive on the free movement of persons with disabilities who have intersecting identities, in particular women and girls. The report shall also evaluate the effectiveness of the incentivising measures provided by Member</u>		



	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>States to service providers under Article 15(2).</u>		
Article 16(3)				
144	3. Member States shall communicate to the Commission, at its request and in due time, all the information necessary for the Commission to draw up such a report.		3. Member States shall communicate to the Commission, at its request and in due time, all the information necessary for the Commission to draw up such a report.	
Article 16(4)				
145	4. The Commission's report shall take into account the viewpoints of persons with disabilities, economic stakeholders and relevant non-governmental organisations, including organisations representing persons with disabilities.	4. The Commission's report shall take into account the viewpoints of persons with disabilities, economic stakeholders and relevant non-governmental organisations, including <u>in particular</u> organisations representing persons with disabilities <u>as well as economic stakeholders</u> .	4. The Commission's report shall take into account the viewpoints of persons with disabilities, economic stakeholders and relevant non-governmental organisations, including organisations representing persons with disabilities.	
Article 17				
146	Article 17 Obsolescence of Council Recommendation 98/376/EC		Article 17 Obsolescence of Council Recommendation 98/376/EC <u>[...]</u>	
Article 17, first paragraph				
147	Council Recommendation 98/376/EC shall become obsolete		Council Recommendation 98/376/EC shall become obsolete	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	with effect from dd/mm/yy [the date of application of this Directive] and shall cease to be applied from that date.		with effect from dd/mm/yy [the date of application of this Directive] and shall cease to be applied from that date.	
Article 18				
148	Article 18 Transposition		Article 18 Transposition	
Article 18(1)				
149	1. Member States shall adopt and publish, by dd/mm/yy [within 18 months after the entry into force of this Directive] at the latest, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions.	1. Member States shall adopt and publish, by dd/mm/yy [within 18 <u>12</u> months after the <u>from the date of</u> entry into force of this Directive] at the latest, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions.	1. Member States shall adopt and publish, by dd/mm/yy [<u>within 36 months after the entry into force of this Directive</u> within 18 months after the entry into force of this Directive] at the latest, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions.	
Article 18(2)				
150	2. They shall apply those provisions from dd/mm/yy [30 months from the date of entry into force of this Directive].	2. They shall apply those provisions from dd/mm/yy [30 <u>24</u> months from the date of entry into force of this Directive].	2. They shall apply those provisions from dd/mm/yy [30 <u>within 48 months from the date of entry into force of this Directive</u> months from the date of entry into force of this Directive].	
Article 18(3)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
151	3. 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 reference is to be made.		3. 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 reference is to be made.	
Article 19				
152	Article 19		Article 19	
Article 19, first paragraph				
153	This Directive shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.		This Directive shall enter into force on the twentieth day following that of its publication in the <u>Official Journal of the European Union</u> Official Journal of the European Union.	
Article 20				
154	Article 20		Article 20	
Article 20, first paragraph				
155	This Directive is addressed to the Member States.		This Directive is addressed to the Member States.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Formula				
156	Done at Brussels,		Done at Brussels,	
Formula				
157	For the European Parliament		For the European Parliament	
Formula				
158	The President		The President	
Formula				
159	For the Council		For the Council	
Formula				
160	The President		The President	
Annex I				
161	Annex I		Annex I	
Annex I, first paragraph				
162	EUROPEAN DISABILITY CARD FORMAT		EUROPEAN DISABILITY CARD FORMAT	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex I, second paragraph				
163	FRONT SIDE text European Disability Card in English		FRONT SIDE text European Disability Card in English <u>and in the national language or national languages.</u>	
Annex I, third paragraph				
164	BACK SIDE National information in the national language or national languages to be decided by the issuing Member State.	BACK SIDE National information in the national language or national languages to be decided by the issuing Member State. <u>Member States shall provide the option to persons with disabilities, when applying for the card to the relevant authorities, to display relevant symbols on the card in order to indicate the nature of their required reasonable accommodation. The Commission shall develop guidelines for common pictograms illustrating different types of assistance.</u>	BACK SIDE National information in the national language or national languages to be decided by the issuing Member State. <u>Member States shall be allowed to introduce additional and/or more specific information related to the disability status or entitlement to specific services based on a disability of the card holder, including the type or classification of disability, or the right to be accompanied by an assistance animal.</u>	
Annex I, fourth paragraph				
165				


	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				
Annex I, fourth paragraph a				
165a				
Annex I, point 1.				
166	1. The size of the European Disability Card shall be in accordance with ISO 7810.		1. The size of the European Disability Card shall be in accordance with ISO <u>the ID-1 format laid down by ISO/IEC</u> 7810.	
Annex I, point 2.				
167	2. The Format shall be ID-1 and the Dimensions 85.6 x 53.98 mm.		2. The Format shall be ID-1 and the Dimensions 85.6 x 53.98 mm. <u>[...]</u>	


	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex I, point 3.				
168	3. The card shall have:		3. The card shall have:	
Annex I, fifth paragraph				
169	- a picture of the card holder;		- a picture of the card holder;	
Annex I, sixth paragraph				
170	- the surname and forename of the card holder;		- the surname and forename of the card holder;	
Annex I, seventh paragraph				
171	- the date of birth of the card holder;		- the date of birth of the card holder;	
Annex I, eighth paragraph				
172	- the serial number of the card.		- the serial <u>or the file</u> number of the card.	
Annex I, point 4.				
173	4. The colour of the card shall be light and dark blue, as set in the picture and with references:		4. The colour of the card shall be light and dark blue, as set in the picture and with references:	
Annex I, ninth paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
174	- Dark blue: CMYK 100, 90, 10, 0		- Dark blue: CMYK 100, 90, 10, 0	
Annex I, tenth paragraph				
175	RGB 0, 68, 148		RGB 0, 68, 148	
Annex I, eleventh paragraph				
176	- Lighter: CMYK 94, 63, 7, 1		- Lighter: CMYK 94, 63, 7, 1	
Annex I, twelfth paragraph				
177	RGB 0, 110, 183		RGB 0, 110, 183	
Annex I, point 5.				
178	5. The card shall indicate the expiry date.		5. The card shall indicate the <u>date of issuance and the</u> expiry date <u>of the card</u> .	
Annex I, point 6.				
179	6. The card shall contain a country code with the blue circle around it.		6. The card shall contain a country code with the blue circle around it.	
Annex I, point 7.				
180	7. Letters shall be type font ARIAL Regular.		7. Letters shall be type font ARIAL Regular <u>or where not possible an alternate Sans Serif font. It should</u>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<u>be ensured that there is enough contrast between the foreground and background colours.</u>	
Annex I, point 8.				
181	8. The words European Disability Card shall be displayed using Arial font and in braille using the Marburg code dimensions.		8. The words European Disability Card shall be displayed using Arial font and in braille using the Marburg code dimensions.	
Annex I, point 9.				
182	9. The optional letter “A” (+braille sign) can be added when the card entitles accompanying by a personal assistant.		9. The optional letter “A” (+braille sign) can be added when the card entitles accompanying by a personal assistant <u>(s) or other assisting person(s) recognised according to national practices, or by assistance animals. The letter "A" may also be added for persons with disabilities with an increased need for support, according to national law and practices.</u>	
Annex I, point 10.				
183	10. A digital feature/digital features using electronic means addressing fraud-prevention to be added following adoption of the technical specifications referred to in Article 6(1).		10. A <u>QR-Code, and possibly other</u> digital feature/digital features using electronic means addressing fraud-prevention to be added following adoption of the technical specifications referred to in Article 6(1).	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex I, point 11.				
183a			<p><u>11. Entries shall be shown in English and the national language or national languages of the Member State issuing the European Disability Card. If a Member State wishes to make the entries in a national language other than one of the following: Bulgarian, Croatian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Irish, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish, Swedish, it shall draw up a bilingual version of the card using one of the aforementioned languages, without prejudice to the other provisions of this Annex. If a Member State wishes to make entries in Bulgarian or Greek, it shall draw up a bilingual version of the card using Latin characters.</u></p>	
Annex II				
184	Annex II		Annex II	
Annex II, first paragraph				
185				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	EUROPEAN PARKING CARD FOR PERSONS WITH DISABILITIES FORMAT		EUROPEAN PARKING CARD FOR PERSONS WITH DISABILITIES FORMAT	
Annex II, second paragraph				
186	FRONT		FRONT	
Annex II, third paragraph				
187				
Annex II, fourth paragraph				
188	BACK		BACK	
Annex II, fifth paragraph				
189				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				
Annex II, point 1.				
190	1. The size of the European Parking Card for persons with disabilities shall be:		1. The size of the European Parking Card for persons with disabilities shall be:	
Annex II, sixth paragraph				
191	- height: 106 mm		- height: 106 mm	
Annex II, seventh paragraph				
192	- width: 148 mm		- width: 148 mm	
Annex II, point 2.				
193	2. The colour of the card shall be dark blue and yellow, as set in above picture and with references:		2. The colour of the card shall be dark blue and yellow, as set in above picture and with references:	
Annex II, eighth paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
194	- Dark blue: CMYK 100, 90, 10, 0		- Dark blue: CMYK 100, 90, 10, 0	
Annex II, ninth paragraph				
195	RGB 0, 68, 148		RGB 0, 68, 148	
Annex II, tenth paragraph				
196	- Yellow: CMYK 94, 63, 7, 1		- Yellow: CMYK 94, 63, 7, 1	
Annex II, eleventh paragraph				
197	RGB 255, 237, 0		RGB 255, 237, 0	
Annex II, point 3.				
198	3. The European Parking Card for persons with disabilities shall be divided vertically into two parts on both the front and reverse.		3. The European Parking Card for persons with disabilities shall be divided vertically into two parts on both the front and reverse.	
Annex II, point 3.(a)				
199	(a) The left-hand side of the front shall contain:		(a) The left-hand side of the front shall contain:	
Annex II, twelfth paragraph				
200	- the wheel-chair user symbol in dark blue on a yellow background;		- the wheel-chair user symbol in dark blue on a yellow background;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex II, thirteenth paragraph				
201	- the date of expiry of the parking card;		- <u>the date of issuance and</u> the date of expiry of the parking card;	
Annex II, fourteenth paragraph				
202	- the serial number of the parking card;		- the serial number of the parking card;	
Annex II, fifteenth paragraph				
203	- the name and stamp of the issuing authority/organisation;		- the name and stamp of the issuing authority/organisation;	
Annex II, sixteenth paragraph				
204	- where the card is associated to a vehicle its number plate shall be visible.		- where <u>if</u> the card is associated to <u>with</u> a vehicle, its number plate shall be visible. <u>For Member States that do not require the number plate to be indicated, the card shall not contain the relevant data field.</u>	
Annex II, seventeenth paragraph				
205	(b) The right-hand side of the front shall contain:		(b) The right-hand side of the front shall contain:	
Annex II, eighteenth paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
206	- in capital letters, the words 'European Parking Card for persons with disabilities' in the language(s) of the Member State issuing the card; after a suitable space, it shall appear in small type in the other languages of the European Union;	- in capital letters, the words 'European Parking Card for persons with disabilities' in the language(s) of the Member State issuing the card <u>and in braille using the Marburg code dimensions</u> ; after a suitable space, it shall appear in small type in the other languages of the European Union;	- in capital letters, the words 'European Parking Card for persons with disabilities' in <u>English and in the national</u> the language(s) of the Member State issuing the card; after a suitable space, it shall appear in small type in the other languages of the European Union;	
Annex II, nineteenth paragraph				
207	- as background, the distinguishing code of the Member State issuing the parking card surrounded by the ring of stars symbolising the European Union.		- as background, the distinguishing code of the Member State issuing the parking card surrounded by the ring of stars symbolising the European Union.	
Annex II, nineteenth paragraph a				
207a			<u>- A QR code, and possibly other digital features using electronic means addressing fraud-prevention to be added following adoption of the technical specifications referred to in Article 7(1).</u>	
Annex II, twentieth paragraph				
208	(c) The left-hand side of the reverse shall contain:		(c) The left-hand side of the reverse shall contain:	
Annex II, twenty-first paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
209	- the card holder's surname;		- the card holder's surname;	
Annex II, twenty-second paragraph				
210	- the card holder's forename(s);		- the card holder's forename(s);	
Annex II, twenty-third paragraph				
211	- the date of birth of the card holder;		- the date of birth of the card holder;	
Annex II, twenty-fourth paragraph				
212	- the expiry date of the card;		- the expiry date of the card; [...]	
Annex II, twenty-fifth paragraph				
213	- a photograph of the card holder;		- a photograph of the card holder; [...]	
Annex II, twenty-sixth paragraph				
214	- the serial number of the parking card;		- the serial number of the parking card; [...]	
Annex II, twenty-seventh paragraph				
215	- the card holder's signature or other authorised mark, if allowed under national legislation.		- the card holder's signature or other authorised mark, if allowed under national legislation. [...]	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex II, twenty-eighth paragraph				
216	(d) The right-hand side of the reverse shall contain:		(d) The right-hand side of the reverse shall contain <u>in English and in the national language(s) of the Member State issuing the card</u> :	
Annex II, twenty-ninth paragraph				
217	- the statement: 'This card entitles the holder to local parking conditions and facilities reserved for persons with disabilities available in the Member State concerned';		- the statement: 'This card entitles the holder to local parking conditions and facilities reserved for persons with disabilities available in the Member State concerned';	
Annex II, thirtieth paragraph				
218	- the statement: 'When in use, the card is to be displayed at the front of the vehicle in such a way that the front of the card is clearly visible for checking purposes'.		- the statement: 'When in use, the card is to be displayed at the front of the vehicle in such a way that the front of the card is clearly visible for checking purposes'.	
Annex II, point 4.				
219	4. With the exception of the right-hand side of the front, entries shall be shown in the language or languages of the Member State issuing the parking card. If a Member State wishes to make the entries in a national language other than one of the following: Bulgarian, Croatian, Czech, Danish, Dutch,		4. With the exception of the right-hand side of the front, Entries shall be shown in <u>English and the national</u> the language or <u>national</u> languages of the Member State issuing the parking card. If a Member State wishes to make the entries in a national language other than one of the following: Bulgarian,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	English, Estonian, Finnish, French, German, Greek, Hungarian, Irish, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish, Swedish, it shall draw up a bilingual version of the card using one of the aforementioned languages, without prejudice to the other provisions of this Annex. If a Member State wishes to make entries in Bulgarian or Greek, it shall draw up a bilingual version of the card using one of the aforementioned languages, which use Latin characters.		Croatian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Irish, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish, Swedish, it shall draw up a bilingual version of the card using one of the aforementioned languages, without prejudice to the other provisions of this Annex. If a Member State wishes to make entries in Bulgarian or Greek, it shall draw up a bilingual version of the card using one of the aforementioned languages, which use[...] Latin characters.	
Annex II, point 5.				
220	5. A digital feature/digital features using electronic means addressing fraud-prevention to be added following adoption of the technical specifications referred to in Article 7(1).		5. A digital feature/digital features using electronic means addressing fraud-prevention to be added following adoption of the technical specifications referred to in Article 7(1). [...]	