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INFORMATION NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee/Council

Subject: Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 92/106/EEC on the establishment of common rules for certain types of combined transport of goods between Member States
- Outcome of the European Parliament's first reading,
(Strasbourg, 25 to 28 March 2019)

I. INTRODUCTION

The rapporteur, Daniela AIUTO (EFDD, IT), presented a report on the proposal for a Directive on behalf of the Committee on Transport and Tourism. The report contained eighty one amendments (amendments 1-81) to the proposal.

In addition, the political groups tabled the following amendments: ECR tabled five amendments (amendments 83-87), Greens/EFA tabled five amendments (amendments 88-92) and GUE/NGL tabled one amendment (amendment 82).

II. VOTE

When it voted on 27 March 2019, the plenary adopted amendments 1-81 to the proposal for a Directive.

The Commission's proposal as thus amended constitutes the Parliament's first-reading position which is contained in its legislative resolution as set out in the Annex hereto¹.

¹ The version of the Parliament's position in the legislative resolution has been marked up to indicate the changes made by the amendments to the Commission's proposal. Additions to the Commission's text are highlighted in ***bold and italics***. The symbol "■" indicates deleted text.

Common rules for certain types of combined transport of goods between Member States *I**

European Parliament legislative resolution of 27 March 2019 on the proposal for a directive of the European Parliament and of the Council amending Directive 92/106/EEC on the establishment of common rules for certain types of combined transport of goods between Member States (COM(2017)0648 – C8-0391/2017 – 2017/0290(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2017)0648),
 - having regard to Article 294(2) and Article 91(1) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C8-0391/2017),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to the reasoned opinion submitted, within the framework of Protocol No 2 on the application of the principles of subsidiarity and proportionality, by the Swedish Riksdag, asserting that the draft legislative act does not comply with the principle of subsidiarity,
 - having regard to the opinion of the European Economic and Social Committee of 19 April 2018²,
 - having regard to the opinion of the Committee of the Regions of 5 July 2018³,
 - having regard to Rule 59 of its Rules of Procedure,
 - having regard to the report of the Committee on Transport and Tourism and the opinion of the Committee on the Environment, Public Health and Food Safety (A8-0259/2018),
1. Adopts its position at first reading hereinafter set out;
 2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

² OJ C 262, 25.7.2018, p. 52.

³ Not yet published in the Official Journal.

Amendment 1

Proposal for a directive

Recital 1

Text proposed by the Commission

(1) The negative impact of transport on air pollution, greenhouse gas emissions, accidents, noise and congestion *continue to pose problems to the economy, health and well-being of European citizens. Despite the fact that road transport is the main contributor of those negative effects, road freight transport is estimated to grow by 60 per cent by 2050.*

Amendment

(1) ***The overall aim of this Directive is to establish a resource-efficient multimodal transport network and to reduce*** the negative impact of transport on air pollution, greenhouse gas emissions, accidents, noise and congestion.

Amendment 2

Proposal for a directive

Recital 2

Text proposed by the Commission

(2) Reducing the negative impact of transport activities remains one of the main goals of the Union's transport policy. Council Directive 92/106/EEC²¹ which establishes measures to encourage the development of combined transport, is the only legislative act of the Union to directly incentivise the shift from road freight to lower emission transport modes such as inland waterways, maritime and rail.

Amendment

(2) Reducing the negative impact of transport activities remains one of the main goals of the Union's transport policy. Council Directive 92/106/EEC²¹ which establishes measures to encourage the development of combined transport, is the only legislative act of the Union to directly incentivise the shift from road freight to lower emission transport modes such as inland waterways, maritime and rail. ***In order to further reduce the negative effects of road freight, research into, and the sharing of, best practices between Member States on solutions leading to better routing, network optimisation, increases in load efficiency and the possibilities for the charging of external***

costs should be encouraged.

²¹ Council Directive 92/106/EEC of 7 December 1992 on the establishment of common rules for certain types of combined transport of goods between Member States (OJ L 368, 17.12.1992, p.38).

²¹ Council Directive 92/106/EEC of 7 December 1992 on the establishment of common rules for certain types of combined transport of goods between Member States (OJ L 368, 17.12.1992, p.38).

Amendment 3

Proposal for a directive Recital 3

Text proposed by the Commission

(3) The goal of reaching 30% of road freight over 300 km shifted to other modes of transport such as rail or waterborne transport by 2030, and more than 50% by 2050, *in order to optimise the performance of multimodal logistic chains, including by making greater use of more energy-efficient modes, has been slower than expected and according to the current projections, will not be reached.*

Amendment

(3) The goal of reaching 30% of road freight over 300 km shifted to other modes of transport such as rail or waterborne transport by 2030, and more than 50% by 2050, *is to be achieved via efficiency gains and infrastructure improvements within the rail and waterborne sector.*

Amendment 4

Proposal for a directive Recital 4

Text proposed by the Commission

(4) Directive 92/106/EEC has contributed to the development of the Union's policy on combined transport and has helped shift a considerable amount of freight away from road. Shortcomings in the implementation of that Directive, notably ambiguous language and outdated provisions, *and* the limited scope of its support measures, have significantly reduced its impact.

Amendment

(4) Directive 92/106/EEC has contributed to the development of the Union's policy on combined transport and has helped shift a considerable amount of freight away from road. Shortcomings in the implementation of that Directive, notably ambiguous language and outdated provisions, the limited scope of its support measures, *as well as the bureaucratic and protectionist obstacles within the rail sector*, have significantly reduced its

impact.

Amendment 5

Proposal for a directive Recital 4 a (new)

Text proposed by the Commission

Amendment

(4a) This Directive should pave the way for efficient intermodal and multimodal freight services, offering a level playing field for different modes of transport.

Amendment 6

Proposal for a directive Recital 5

Text proposed by the Commission

Amendment

(5) Directive 92/106/EEC should be simplified and its implementation improved by reviewing the economic incentives to combined transport, with the aim of ***encouraging the shift of goods from road transport to modes which are more environmentally friendly, safer, more energy efficient and cause less congestion.***

(5) Directive 92/106/EEC should be simplified and its implementation improved by reviewing the economic incentives to combined transport, with the aim of ***improving the competitiveness of rail and waterborne transport in comparison to*** road transport.

Amendment 7

Proposal for a directive Recital 6

Text proposed by the Commission

Amendment

(6) The volume of national intermodal operations constitutes 19,3 % of the total

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intermodal transport in the Union. Such operations currently do not benefit from the support measures provided by Directive 92/106/EEC because of the limited scope of the definition of combined transport. However, the negative effect of national road transport operations, and notably greenhouse gas emissions and congestion, have an impact beyond the national borders. Therefore it is necessary to broaden the scope of Directive 92/106/EEC to national (intra-Member State) combined transport operations in order to support the further development of combined transport in the Union, hence an increase in the modal shift from road to rail, inland waterways and short sea shipping.

intermodal transport in the Union. Such operations currently do not benefit from the support measures provided by Directive 92/106/EEC because of the limited scope of the definition of combined transport. However, the negative effect of national road transport operations, and notably greenhouse gas emissions and congestion, have an impact beyond the national borders. Therefore it is necessary to broaden the scope of Directive 92/106/EEC to national (intra-Member State) combined transport operations in order to support the further development of combined transport in the Union, hence an increase in the modal shift from road to rail, inland waterways and short sea shipping. *The derogation from the cabotage rules continues, however, to apply only to international combined transport operations between Member States. The Member States will be required to carry out effective checks to ensure that those rules are observed and to promote the harmonisation of working and social conditions across the various modes of transport and the different Member States.*

Amendment 8

Proposal for a directive Recital 7 a (new)

Text proposed by the Commission

Amendment

(7a) In order to ensure the good functioning of the internal market, the road legs of a combined transport operation should be covered by Regulation (EC) No 1071/2009^{1a} of the European Parliament and of the Council and Regulation (EC) No 1072/2009^{1b} of the European Parliament and of the Council if they are part of an international transport operation or of a domestic transport operation respectively.

It is also necessary to ensure the social protection of drivers performing activities in another Member State. Provisions on posting of drivers, provided for under Directive 96/71/EC of the European Parliament and of the Council^{1c}, and on the enforcement of those provisions under Directive 2014/67/EU of the European Parliament and of the Council^{1d}, should apply to hauliers operating on the road legs of combined transport operations. Road legs should be considered to be an integral part of a single combined transport operation. In particular, the rules on international transport operations provided for by those Directives should apply to the road legs which are part of an international combined transport operation. In addition, in the event of cabotage operations, the rules on cabotage transport laid down in Regulation 1072/2009 should apply to the road legs which are part of a domestic combined transport operation.

^{1a} Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009 establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator and repealing Council Directive 96/26/EC (OJ L300, 14.11.2009, p. 51).

^{1b} Regulation (EC) No 1072/2009 of the European Parliament and of the Council of 21 October 2009 on common rules for access to the international road haulage market (OJ L300, 14.11.2009, p. 72).

^{1c} Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services, (OJ L 18, 21.1.1997, p. 1).

^{1d} Directive 2014/67/EU of the European Parliament and of the Council of 15 May 2014 on the enforcement of Directive 96/71/EC concerning the posting of

workers in the framework of the provision of services and amending Regulation (EU) No 1024/2012 on administrative cooperation through the Internal Market Information System ('the IMI Regulation'), (OJ L 159, 28.5.2014, p. 11).

Amendment 9

Proposal for a directive Recital 9 a (new)

Text proposed by the Commission

Amendment

(9a) It is necessary to clarify that cranable trailers and semi-trailers are allowed to have a gross weight of 44 tonnes if the loading units are identified according to international standards ISO6346 and EN13044.

Amendment 10

Proposal for a directive Recital 11

Text proposed by the Commission

Amendment

(11) The outdated usage of stamps in proving that a combined transport operation has occurred prevent the effective enforcement or the verification of eligibility for the measures provided for in Directive 92/106/EEC. The evidence necessary to prove that a combined transport operation is taking place should be clarified as well as the means by which such evidence is provided. The use and transmission of electronic transport information, which should simplify the provision of relevant evidence and its treatment by the relevant authorities, should be encouraged. The format used

(11) The outdated usage of stamps in proving that a combined transport operation has occurred prevent the effective enforcement or the verification of eligibility for the measures provided for in Directive 92/106/EEC. The evidence necessary to prove that a combined transport operation is taking place should be clarified as well as the means by which such evidence is provided. The use and transmission of electronic transport information, which should simplify the provision of relevant evidence and its treatment by the relevant authorities, should be encouraged ***with a view to***

should be reliable and authentic. The regulatory framework and initiatives simplifying administrative procedures and the digitalisation of transport aspects, should take into consideration developments at Union level.

phasing out the use of paper documents in the future. The format used should be reliable and authentic. The regulatory framework and initiatives simplifying administrative procedures and the digitalisation of transport aspects, should take into consideration developments at Union level.

Amendment 11

Proposal for a directive Recital 11 a (new)

Text proposed by the Commission

Amendment

(11a) With a view to making combined transport competitive and attractive to operators, in particular for very small enterprises (VSEs) and small and medium-sized enterprises (SMEs), the potential administrative burden entailed in carrying out a combined transport operation as opposed to a unimodal operation should be minimised.

Amendment 12

Proposal for a directive Recital 12

Text proposed by the Commission

Amendment

(12) The scope of the current economic support measures defined in Directive 92/106/EEC is very limited, consisting of fiscal measures (namely the reimbursement or reduction of taxes) which concern only combined rail/road transport operations. Such measures should be extended to combined transport operations covering inland waterways and maritime transport. Other relevant types of measures, such as infrastructure investment support measures or different economic support measures,

(12) The scope of the current economic support measures defined in Directive 92/106/EEC is very limited, consisting of fiscal measures (namely the reimbursement or reduction of taxes) which concern only combined rail/road transport operations. Such measures should be extended to combined transport operations covering inland waterways and maritime transport. Other relevant types of measures, such as infrastructure ***and digital-technology*** investment support measures or different economic support measures, should also be

should also be supported.

supported. *With regard to digital technologies, a transitional period for the dematerialisation of documents that certify that combined transport has occurred should be provided for. During that period, the inspecting authorities' instruments should be technologically upgraded. Member States should prioritise investment in transshipment terminals in order to reduce congestion on the roads, to alleviate the isolation of industrial areas which lack such infrastructure and to improve the accessibility and physical and digital connectivity of freight handling facilities.*

Amendment 13

Proposal for a directive Recital 13

Text proposed by the Commission

(13) The main infrastructure bottleneck hampering the shift from road freight to other modes of transport is at the transshipment terminal level. The current distribution and coverage of transshipment terminals in the Union, at least along the existing TEN-T Core and Comprehensive network, is insufficient yet the capacity of existing transshipment terminals is reaching its limit and will need to develop in order to cope with overall freight traffic growth. Investing in transshipment terminal capacity may reduce overall transshipment costs, and hence produce a derived modal shift, as demonstrated in some Member States. Member States should therefore ensure, in coordination with the neighbouring Member States and with the Commission, that more combined transport transshipment terminals and transshipment capacity are constructed or made available to transport operators. This would incentivise the use of freight transport alternatives and increase modal shift, thus making combined

Amendment

(13) The main infrastructure bottleneck hampering the shift from road freight to other modes of transport is at the transshipment terminal level, **and it is aggravated by a lack of coherent implementation of the TEN-T's network.** The current distribution and coverage of transshipment terminals in the Union, at least along the existing TEN-T Core and Comprehensive network, is insufficient yet the capacity of existing transshipment terminals is reaching its limit and will need to develop in order to cope with overall freight traffic growth. Investing in transshipment terminal capacity may reduce overall transshipment costs, and hence produce a derived modal shift, as demonstrated in some Member States. Member States should therefore ensure, in coordination with the neighbouring Member States and with the Commission, that **existing transshipment terminals are, where necessary, extended and that** more combined transport transshipment terminals

transport operations more competitive than road transport alone. The increased coverage and capacity of transshipment terminals should, at the very minimum, be established along the existing TEN-T Core and Comprehensive networks. There should be on average at least one suitable transshipment terminal for combined transport located no further than 150 km from any shipment location in the Union.

and transshipment capacity are constructed or made available to transport operators ***or that transshipment points are installed in areas where they are needed***. This would incentivise the use of freight transport alternatives and increase modal shift, thus making combined transport operations more competitive than road transport alone. The increased coverage and capacity of transshipment terminals should, at the very minimum, be established along the existing TEN-T Core and Comprehensive networks. There should be on average at least one suitable transshipment terminal for combined transport located no further than 150 km from any shipment location in the Union. ***Combined transport should benefit from revenues generated from the levy of external-costs charges provided for under Article 2 of Directive 1999/62/EC of the European Parliament and of the Council^{1a}***.

^{1a} Directive 1999/62/EC of the European Parliament and of the Council of 17 June 1999 on the charging of heavy goods vehicles for the use of certain infrastructures, (OJ L187, 20.07.1999, p. 42).

Amendment 14

Proposal for a directive Recital 13 a (new)

Text proposed by the Commission

Amendment

(13a) Member States should prioritise investment in transshipment terminals to reduce bottlenecks and congestion areas, in particular near urban and sub-urban areas, in order to make it easier to cross natural barriers such as mountain areas, to improve cross-border connections, to reduce harmful airborne emissions and to improve access to and from industrial areas which lack such infrastructure.

Amendment 15

Proposal for a directive

Recital 14

Text proposed by the Commission

(14) Member States should implement additional economic support measures in addition to the existing ones, targeting the various legs of a combined transport operation, in order to reduce the road freight and to encourage the use of other modes of transport such as rail, inland waterways and maritime transport, thereby reducing air pollution, greenhouse gas emissions, road traffic accidents, noise and congestion. Such measures may include the reduction of certain taxes or transport fees, grants for intermodal load units effectively transported in combined transport operations, or the partial reimbursement of transshipments cost.

Amendment

(14) Member States should implement additional economic support measures in addition to the existing ones, targeting the various legs of a combined transport operation, in order to reduce the road freight and to encourage the use of other modes of transport such as rail, inland waterways and maritime transport, thereby reducing air pollution, greenhouse gas emissions, road traffic accidents, noise and congestion, ***as well as encouraging action to boost and implement the digitalisation of the sector and the internal market.*** Such measures may include the reduction of certain taxes or transport fees, grants for intermodal load units effectively transported in combined transport operations, or the partial reimbursement of transshipments cost, ***among other measures. Such measures could include fostering the integration of connected systems and the automation of operations as well as investment in digital logistics, innovative freight handling systems information and communications technologies and intelligent transport systems, in order to facilitate information flows. Such measures could also include boosting the environmental performance, efficiency and sustainability of combined transport by encouraging the use of clean or low-emission vehicles and alternative fuels, supporting energy efficiency efforts and the use of renewables throughout the combined transport chain and reducing the various types of nuisance associated with transport, including noise.***

Amendment 16

Proposal for a directive Recital 14 a (new)

Text proposed by the Commission

Amendment

(14a) The various Union funds and programmes for financing research should continue to support the Member States in achieving the aims of this Directive.

Amendment 17

Proposal for a directive Recital 14 b (new)

Text proposed by the Commission

Amendment

(14b) Investment in logistics is another important lever for making combined transport more competitive. More systematic recourse to digital solutions, including information and communication technologies and smart connected systems, would facilitate data exchange, help to make transshipment operations more efficient and less costly and reduce the time they take.

Amendment 18

Proposal for a directive Recital 14 c (new)

Text proposed by the Commission

Amendment

(14c) Investment in workforce training in the logistics chain, particularly at transshipment terminals, would also help to make combined transport more competitive.

Amendment 19

Proposal for a directive Recital 15

Text proposed by the Commission

(15) Support measures for combined transport operations should be implemented in compliance with the State aid rules contained in the Treaty on the Functioning of the European Union (TFEU).

Amendment

(15) Support measures for combined transport operations should be implemented in compliance with the State aid rules contained in the Treaty on the Functioning of the European Union (TFEU). ***State aid facilitates the development of economic activities when it does not affect trading conditions to an extent contrary to the common interest within the meaning of Article 107(3)(c) TFEU, and it is a useful tool to promote the execution of important projects of common European interest within the meaning of Article 107(3)(b) TFEU. Therefore, in such cases, the Commission should consider partially exempting Member States from the requirement to inform the Commission provided for in Article 108(3) TFEU.***

Amendment 20

Proposal for a directive Recital 16

Text proposed by the Commission

(16) ***Support*** measures should be coordinated, as needed, between Member States and the Commission.

Amendment

(16) ***To ensure the avoidance of possible overlapping investments between Member States in close proximity, support*** measures should be coordinated, as needed, between Member States and the Commission ***by means of close cooperation between the Member States' competent authorities.***

Amendment 21

Proposal for a directive
Recital 17

Text proposed by the Commission

(17) Support measures should also be reviewed on a regular basis by the Member States to ensure their effectiveness and efficiency.

Amendment

(17) Support measures should also be reviewed on a regular basis by the Member States to ensure their effectiveness and efficiency, ***and their overall impact on the European transport sector, as reflected in the European Strategy for Low Emission Mobility should be assessed. Corrective measures should be taken as needed. The Commission should carry out, on the basis of information supplied by the Member States, an assessment of the various measures that the Member States undertake and the effectiveness of those measures, and should promote the sharing of good practice.***

Amendment 22

Proposal for a directive
Recital 18 a (new)

Text proposed by the Commission

Amendment

(18a) The lack of comparable, reliable statistics is currently impeding the evaluation of combined transport in the Union and the adoption of measures to release its potential.

Amendment 23

Proposal for a directive
Recital 19

Text proposed by the Commission

Amendment

(19) To cope with the evolution of Union

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transport, and in particular the combined transport market, relevant data and information should be gathered by the Member States and reported to the Commission on a regular basis and the Commission should submit a report to the European Parliament and the Council on the application of this Directive every four years.

transport, and in particular the combined transport market, relevant data and information should be gathered by the Member States and reported to the Commission on a regular basis and the Commission should submit a report to the European Parliament, the Council **and the Member States' competent authorities** on the application of this Directive every four years.

Amendment 24

Proposal for a directive Recital 19 a (new)

Text proposed by the Commission

Amendment

(19a) The Commission should be responsible for the proper implementation of this Directive and for achieving the objective of developing combined transport EU-wide by 2030 and 2050. To that end, it should regularly assess progress in increasing the share of combined transport in each Member State, on the basis of the information provided by the Member States, and should, if necessary, submit a proposal to amend to this Directive with a view to achieving that Union-wide objective.

Amendment 25

Proposal for a directive Recital 22

Text proposed by the Commission

Amendment

(22) Since the objectives of this Directive ***to further promote the shift from road transport to more environmentally friendly modes of transport, and hence reduce the negative externalities of the Union***

(22) Since the objectives of this Directive, namely ***to make combined transport competitive towards*** road transport cannot be sufficiently achieved by the Member States but can rather, by reason of the

transport system, cannot be sufficiently achieved by the Member States but can rather, by reason of the primarily cross-border nature of freight combined transport and interlinked infrastructure, and of the problems this Directive is intended to address, 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 those objectives

primarily cross-border nature of freight combined transport and interlinked infrastructure, and of the problems this Directive is intended to address, 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 those objectives

Amendment 26

Proposal for a directive Article 1 – paragraph 1 – point 2

Directive 92/106/EEC

Article 1 – paragraph 2 – point a

Text proposed by the Commission

(a) in a trailer or semi-trailer, with or without a tractor unit, swap body or container, identified in accordance with the identification regime established pursuant to international standards ISO6346 and EN13044, where the load unit is transhipped between the different modes of transport; or

Amendment

(a) in a trailer or semi-trailer, with or without a tractor unit, swap body or container, identified in accordance with the identification regime established pursuant to international standards ISO6346 and EN13044, ***including cranable semi-trailers with a maximum gross weight allowance of 44 tonnes***, where the ***unaccompanied intermodal*** load unit is transhipped between the different modes of transport (***unaccompanied combined transport operation***); or

Amendment 27

Proposal for a directive Article 1 – paragraph 1 – point 2

Directive 92/106/EEC

Article 1 – paragraph 2 – point b

Text proposed by the Commission

(b) by a road vehicle that is carried by rail, inland waterways or maritime transport for the non-road leg of the journey.

Amendment

(b) by a road vehicle that is ***accompanied by its driver and*** carried by rail, inland waterways or maritime transport for the non-road leg of the journey (***accompanied transport operation***).

Amendment 28

Proposal for a directive Article 1 – paragraph 1 – point 2

Directive 92/106/EEC

Article 1 – paragraph 2 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

By way of derogation, point (a) of this paragraph shall until [OJ please insert date 5 years after entry into force of this Directive] also cover non-cranable trailers and semi-trailers in unaccompanied combined transport that are not identified in accordance with the identification regime established pursuant to international standards ISO6346 and EN13044.

Amendment 29

Proposal for a directive

Article 1 – paragraph 1 – point 2

Directive 92/106/EEC

Article 1 – paragraph 2 – subparagraph 2

Text proposed by the Commission

Non-road legs using inland waterway or maritime transport for which there is no equivalent road transport alternative **or which are unavoidable in a commercially viable transport operation** shall not be taken into consideration for the purposes of the combined transport operations.

Amendment

Non-road legs using inland waterway or maritime transport for which there is no equivalent **or commercially viable** road transport alternative shall not be taken into consideration for the purposes of the combined transport operations.

Amendment 30

Proposal for a directive

Article 1 – paragraph 1 – point 2

Directive 92/106/EEC

Article 1 – paragraph 3 – subparagraph 1

Text proposed by the Commission

Each road leg referred to in paragraph 2 shall not exceed **the longest of the following distances** in the territory of the Union:

- (a) 150 km in distance as the crow flies;**
- (b) 20% of the distance as the crow flies between the loading point for the initial leg and the unloading point for the final leg, when it amounts to more than the distance referred to in point (a).**

Amendment

Each road leg referred to in paragraph 2 shall not exceed **150 km in distance** in the territory of the Union.

Amendment 31

Proposal for a directive

Article 1 – paragraph 1 – point 2

Directive 92/106/EEC

Article 1 – paragraph 3 – subparagraph 3

Text proposed by the Commission

The road leg distance limit **may be exceeded** for combined road/rail transport operations, **when authorised** by the Member State or Member States on whose territory the road leg takes place, in order to reach the geographically nearest transport terminal which has the necessary operational transshipment capability for loading or unloading in terms of transshipment equipment, terminal capacity and appropriate rail freight services.

Amendment

Exceeding the road leg distance limit specified in this paragraph for combined road/rail transport operations shall be allowed by the Member State or Member States on whose territory the road leg takes place, if this is necessary in order to reach the geographically nearest transport terminal or transshipment point which has the necessary operational transshipment capability for loading or unloading, in terms of transshipment equipment, terminal capacity, terminal opening times and appropriate rail freight services, in the absence of a transshipment terminal or point fulfilling all of these conditions within the distance limit . Such excess should be duly justified in accordance with Article 3 paragraph 2, point ea. Member States may reduce the 150 km length of the road leg by up to 50% in the case of combined road/rail operations on a precisely defined part of their territory on the grounds of environmental reasons provided that a suitable terminal is located within that distance limit.

Amendment 32

Proposal for a directive

Article 1 – paragraph 1 – point 2

Directive 92/106/EEC

Article 1 – paragraph 4

Text proposed by the Commission

4. A combined transport operation shall be deemed to take place in the Union where the operation or the part thereof taking place in the Union fulfils the requirements laid down in paragraphs 2 and 3.

Amendment

4. A combined transport operation shall be deemed to take place in the Union where the operation or the part thereof taking place in the Union fulfils the requirements laid down in paragraphs 2 and 3. ***For the purpose of this Directive, the road leg and/or non-road leg or the part thereof taking place out of the territory of the Union shall not be considered to be part of the combined transport operation.***

Amendment 33

**Proposal for a directive
Article 1 – paragraph 1 – point 3**

Directive 92/106/EEC

Article 3 – paragraph 1

Text proposed by the Commission

1. Member States shall ensure that road transport is considered forming part of a combined transport operation covered by this Directive only if the carrier can produce clear evidence that such road transport constitutes a road leg of a combined transport operation ***including the transport of empty load units before and after the transport of goods.***

Amendment

1. Member States shall ensure that road transport is considered forming part of a combined transport operation covered by this Directive only if the carrier can produce ***information providing*** clear evidence that such road transport constitutes a road leg of a combined transport operation ***and if that information is duly transmitted to the haulier carrying the transport operation before the start of the operation.***

Amendment 34

**Proposal for a directive
Article 1 – paragraph 1 – point 3**

Directive 92/106/EEC

Article 3 – paragraph 2 - introductory part

Text proposed by the Commission

2. **The** evidence referred to in paragraph 1 shall comprise the following details for each combined transport operation:

Amendment

2. ***In order to be considered to be clear evidence, the information*** referred to in paragraph 1 ***shall be presented or transmitted in the format referred to in paragraph 5 and*** shall comprise the following details for each combined transport operation:

Amendment 35

**Proposal for a directive
Article 1 – paragraph 1 – point 3**

Directive 92/106/EEC

Article 3 – paragraph 2 – point a a (new)

Text proposed by the Commission

Amendment

(aa) if different from the shipper, the name, address, contact details and signature of the operator responsible for the routing of the combined transport operation;

Amendment 36

**Proposal for a directive
Article 1 – paragraph 1 – point 3**

Directive 92/106/EEC

Article 3 – paragraph 2 – point e a (new)

Text proposed by the Commission

Amendment

(ea) if that distance exceeds the limits referred to in Article 1(3), a justification in accordance with the criteria provided for in the last subparagraph thereof;

Amendment 37

Proposal for a directive
Article 1 – paragraph 1 – point 3
Directive 92/106/EEC

Article 3 – paragraph 2 – point f

Text proposed by the Commission

Amendment

(f) a description, ***signed by the shipper***, of the combined transport operation routing including at least the following details for each leg, including for each mode of transport which constitutes the non-road leg, of the operation within the Union:

(f) a description of the combined transport operation routing, ***signed by the responsible operator for the planning, where the signature can mean an electronic signature***, including at least the following details for each leg, including for each mode of transport which constitutes the non-road leg, of the operation within the Union:

Amendment 38

Proposal for a directive
Article 1 – paragraph 1 – point 3
Directive 92/106/EEC

Article 3 – paragraph 2 – point f – point ii

Text proposed by the Commission

Amendment

- (ii) name, address and contact details

- (ii) name, address and contact details

of the carrier;

of the carrier(s);

Amendment 39

Proposal for a directive Article 1 – paragraph 1 – point 3

Directive 92/106/EEC

Article 3 – paragraph 2 – point h – point i

Text proposed by the Commission

Amendment

- (i) *the place of transshipment to the non-road leg;*

deleted

Amendment 40

Proposal for a directive Article 1 – paragraph 1 – point 3

Directive 92/106/EEC

Article 3 – paragraph 2 – point h – point ii

Text proposed by the Commission

Amendment

- (ii) the distance of the initial road transport leg *as the crow flies* between the place of shipment and the first transshipment terminal;

- (ii) the distance of the initial road transport leg between the place of shipment and the first *transport terminal or* transshipment terminal *point*;

Amendment 41

Proposal for a directive Article 1 – paragraph 1 – point 3

Directive 92/106/EEC

Article 3 – paragraph 2 – point h – point iii

Text proposed by the Commission

- (iii) if the initial road leg is completed, a signature of the **carrier** confirming that the transport operation of the road leg has been carried out;

Amendment

- (iii) if the initial road leg is completed, a signature of the **haulier** confirming that the transport operation of the road leg has been carried out;

Amendment 42

Proposal for a directive

Article 1 – paragraph 1 – point 3

Directive 92/106/EEC

Article 3 – paragraph 2 – point i – point ii

Text proposed by the Commission

- (ii) the distance of the final road transport leg **as the crow flies** between the place of transshipment and the place where the combined transport operation ends in the Union);

Amendment

- (ii) the distance of the final road transport leg between the place of transshipment and the place where the combined transport operation ends in the Union;

Amendment 43

Proposal for a directive

Article 1 – paragraph 1 – point 3

Directive 92/106/EEC

Article 3 – paragraph 2 – point j – point ii

Text proposed by the Commission

- (ii) when available, a signature or seal of the relevant rail **or port authorities** in the relevant terminals (railway station or port) concerned along the non-road leg operation confirming that the relevant part of the non-road leg has been completed.

Amendment

- (ii) when available, a signature or seal of the relevant rail **authority or the responsible body** in the relevant terminals (railway station or port) concerned along the non-road leg operation confirming that the relevant part of the non-road leg has been completed.

Amendment 44

Proposal for a directive Article 1 – paragraph 1 – point 3

Directive 92/106/EEC

Article 3 – paragraph 2 – point j a (new)

Text proposed by the Commission

Amendment

(ja) when the road leg distance limits are exceeded in accordance with the third subparagraph of Article 1(3) the reasons justifying this.

Amendment 45

Proposal for a directive Article 1 – paragraph 1 – point 3

Directive 92/106/EEC

Article 3 – paragraph 4

Text proposed by the Commission

Amendment

4. The evidence referred to in paragraph 1 shall be presented or transmitted upon the request of the authorised inspecting officer of the Member State where the check is carried out. In case of road side checks, it shall be presented within the duration of such check. ***It*** shall be in an official language of that Member State or in English. During a roadside check, the driver shall be allowed to contact the head office, the transport manager or any other person or entity which may support him in providing the ***evidence*** referred to paragraph 2.

4. The evidence referred to in paragraph 1 shall be presented or transmitted upon the request of the authorised inspecting officer of the Member State where the check is carried out ***and in the format referred to in paragraph 5***. In case of road side checks, it shall be presented within the duration of such check, ***and within a maximum of 45 minutes. If it cannot be made available at the time of the road check, the signatures referred to in point (h)(iii) and point (j) of paragraph 2 shall be presented or transmitted within 5 working days following the check to the competent authority of the Member State concerned.*** ***The evidence*** shall be in an official

language of that Member State or in English. During a roadside check, the driver shall be allowed to contact the head office, the transport manager or any other person or entity which may support him in providing the *information* referred to *in* paragraph 2.

Amendment 46

Proposal for a directive Article 1 – paragraph 1 – point 3

Directive 92/106/EEC

Article 3 – paragraph 5 – subparagraph 1

Text proposed by the Commission

The evidence may be provided through *a transport document fulfilling the requirements laid down in Article 6 of Council Regulation No 11, or through other existing transport documents such as the Convention on the Contract for the International Carriage of Goods by Road (CMR) transport document or the Uniform Rules Concerning the Contract of International Carriage of Goods by Rail (CIM) transport document.*

Amendment

The evidence may be provided through existing transport documents such as the *consignment notes provided for under existing international or national transport conventions, until a standardised form is laid down by the Commission by way of implementing acts.*

Amendment 47

Proposal for a directive Article 1 – paragraph 1 – point 3

Directive 92/106/EEC

Article 3 – paragraph 5 – subparagraph 2

Text proposed by the Commission

Such evidence may be presented or transmitted electronically, using a revisable structured format which can be used directly for storage and processing by computers, including supplementing the electronic consignment note ***under the Convention on the Contract for the International Carriage of Goods by Road (eCMR) for the road part***

Amendment

Such evidence may be presented or transmitted electronically, using a revisable structured format which can be used directly for storage and processing by computers, including supplementing the electronic consignment note ***under existing international or national transport convention. Member States authorities shall be required to accept electronic information related to the evidence. When exchanges of information between authorities and operators are made by electronic tools, such exchanges and the storage of such information, shall be made using electronic data-processing techniques.***

Amendment 48

**Proposal for a directive
Article 1 – paragraph 1 – point 3**

Directive 92/106/EEC

Article 3 – paragraph 5 – subparagraph 2 a (new)

Text proposed by the Commission

Amendment

Member States shall move towards a gradual dematerialisation of documentation, and shall provide for a transitional period until the use of the paper format has been fully abandoned.

Amendment 49

**Proposal for a directive
Article 1 – paragraph 1 – point 3**

Article 3 – paragraph 6

Text proposed by the Commission

6. For the purposes of road side checks, a discrepancy of the transport operation with the provided evidence, notably as regards the routing information in **point (g)** of paragraph 2 shall be permitted, if duly justified, in case of exceptional circumstances outside the control of the **carrier(s)** causing changes in the combined transport operation. To that end, the driver shall be allowed to contact the head office, the transport manager or any other person or entity which may provide additional justification on this discrepancy between provided evidence and actual operation.

Amendment

6. For the purposes of road side checks, a discrepancy of the transport operation with the provided evidence, notably as regards the routing information in **points (f), (h) and (i)** of paragraph 2 shall be permitted, if duly justified, in case of exceptional circumstances outside the control of the **haulier(s)** causing changes in the combined transport operation. To that end, the driver shall be allowed to contact the head office, the transport manager or any other person or entity which may provide additional justification on this discrepancy between provided evidence and actual operation.

Amendment 50

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive 92/106/EEC

Article 5 – paragraph 1

Text proposed by the Commission

1. Member States shall submit to the Commission in the first instance by [xx/xx/xxxx - **18** months after transposition of the Directive] and every two years thereafter a report providing the following information related to the combined transport operations covered by this Directive on their territory:

Amendment

1. Member States shall submit to the Commission in the first instance by [xx/xx/xxxx - **12** months after transposition of the Directive] and every two years thereafter a report providing the following information related to the combined transport operations covered by this Directive on their territory:

Amendment 51

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive 92/106/EEC

Article 5 – paragraph 1 – point a

Text proposed by the Commission

(a) national and cross-border transport network **links** used in combined transport operations;

Amendment

(a) national and cross-border transport network **corridors** used in combined transport operations;

Amendment 52

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive 92/106/EEC

Article 5 – paragraph 1 – point b

Text proposed by the Commission

(b) the volume in twenty-foot equivalent unit (TEU) and in tonne kilometres of combined transport operations by type of operation (rail, **road/inland** waterways, **etc...**) and by geographic coverage (national and intra-Union);

Amendment

(b) the **total and yearly** volume in twenty-foot equivalent unit (TEU) and in tonne kilometres of combined transport operations by type of operation (**road leg/non-road leg, namely by** rail, **inland** waterways and **maritime routes**) and by geographic coverage (national and intra-Union);

Amendment 53

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive 92/106/EEC

Article 5 – paragraph 1 – point c

Text proposed by the Commission

(c) the number and geographic coverage of terminals servicing combined transport operations and the yearly number of transhipments ***on those*** terminals;

Amendment

(c) ***the number of transhipments realised through bimodal technologies and geographic coverage of these transhipment points, as well as the number, the location and geographic coverage of terminals servicing combined transport operations, with a breakdown by type of operations per terminal (road leg/non-road leg, namely by rail, inland waterways, maritime routes) and the yearly number of transhipments and an assessment of the capacity used in terminals;***

Amendment 54

**Proposal for a directive
Article 1 – paragraph 1 – point 4**

Directive 92/106/EEC

Article 5 – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(ca) changes in the share of combined transport and the various modes of transport on the territory,

Amendment 55

**Proposal for a directive
Article 1 – paragraph 1 – point 4**

Directive 92/106/EEC

Article 5 – paragraph 1 – point d

Text proposed by the Commission

(d) an overview of all national support measures used and envisaged, including their respective uptake and assessed impact.

Amendment

(d) an overview of all national support measures used and envisaged, including their respective uptake and assessed impact ***on the use of combined transport and their effect as regards social and environmental sustainability, bottlenecks, congestion, safety and efficiency.***

Amendment 56

**Proposal for a directive
Article 1 – paragraph 1 – point 4**

Directive 92/106/EEC

Article 5 – paragraph 1 – point d a (new)

Text proposed by the Commission

Amendment

(da) the number and the geographical location of the operations exceeding the road leg distance limit referred to in Article 1(3).

Amendment 57

**Proposal for a directive
Article 1 – paragraph 1 – point 4**

Directive 92/106/EEC

Article 5 – paragraph 1 – point d b (new)

Text proposed by the Commission

Amendment

(db) the origins and destinations, at NUTS 3 level, of freight flows on roads of the Trans-European Transport Network

*(TEN-T) defined in Regulation (EU) No 1315/2013 of the European Parliament and of the Council *;*

** Regulation (EU) No 1315/2013 of the European Parliament and of the Council of 11 December 2013 on Union guidelines for the development of the trans-European transport network and repealing Decision No 661/2010/EU (OJ L 348, 20.12.2013, p. 1).*

Amendment 58

Proposal for a directive
Article 1 – paragraph 1 – point 4
Directive 92/106/EEC

Article 5 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. The Commission shall publish the data transmitted by Member States in a form that makes comparisons between Member States possible.

Amendment 59

Proposal for a directive
Article 1 – paragraph 1 – point 4
Directive 92/106/EEC

Article 5 – paragraph 3

Text proposed by the Commission

Amendment

3. On the basis of an analysis of the

3. On the basis of an analysis of the

national reports, in the first instance by [xx/xx/xxx - 9 months after the MS report submission deadline] and every two years thereafter the Commission shall draw up and submit a report to the European Parliament and to the Council on:

national reports, **and statistical data drawn up on the basis of indications and methodologies that are common to the entire Union**, in the first instance by [xx/xx/xxx - 9 months after the MS report submission deadline] and every two years thereafter the Commission shall draw up and submit a report to the European Parliament, the Council **and the Member States' competent authorities** on:

Amendment 60

Proposal for a directive Article 1 – paragraph 1 – point 4

Directive 92/106/EEC

Article 5 – paragraph 3 – point a

Text proposed by the Commission

(a) the economic development of combined transport, notably in light of the evolution of the environmental performance of different modes of transport;

Amendment

(a) the economic development of combined transport **at Member State and Union-wide level**, notably in light of the evolution of the environmental performance of different modes of transport;

Amendment 61

Proposal for a directive Article 1 – paragraph 1 – point 4

Directive 92/106/EEC

Article 5 – paragraph 3 – point c

Text proposed by the Commission

(c) the effectiveness and efficiency of

Amendment

(c) the effectiveness and efficiency of

the support measures provided for in Article 6,

the support measures provided for in Article 6, *specifying the measures that it deems to be most effective to serve the original purpose of this Directive and best practices in the Member States;*

Amendment 62

Proposal for a directive Article 1 – paragraph 1 – point 4

Directive 92/106/EEC

Article 5 – paragraph 3 – point c a (new)

Text proposed by the Commission

Amendment

(ca) changes in the share of combined transport in each Member State and at Union level, with a view to achieving the Union’s transport objectives by 2030 and 2050;

Amendment 63

Proposal for a directive Article 1 – paragraph 1 – point 4

Directive 92/106/EEC

Article 5 – paragraph 3 – point d

Text proposed by the Commission

Amendment

(d) possible further measures, including a revision of the definition of combined transport as defined in Article 1 and an adaptation of the list of measures provided for in Article 6.

(d) possible further measures, including a revision of the definition of combined transport as defined in Article 1, *improvements to data collection and publication of such data at Union level,* and an adaptation of the list of measures provided for in Article 6, *including possible amendments to State aid rules.*

Amendment 64

Proposal for a directive

Article 1 – paragraph 1 – point 4 a (new)

Directive 92/106/EEC

Article 6 – paragraph 1 - subparagraph 1

Present text

1. Member States shall take the measures necessary to ensure that the taxes listed in paragraph 3 which are applicable to road vehicles (lorries, tractors, trailers *or* semi-trailers) when routed in combined transport are reduced or reimbursed either by a standard amount, or in proportion to the journeys that such vehicles undertake by rail, within limits and in accordance with conditions and rules they fix after consultation with the Commission.

Amendment

(4a) In Article 6 (1), the first subparagraph is replaced by the following:

"1. Member States shall take the measures necessary to ensure that the taxes listed in paragraph 3 which are applicable to road vehicles (lorries, tractors, trailers, semi-trailers, ***inland waterways containers or multi-modal loading units***) when routed in combined transport are reduced or reimbursed either by a standard amount, or in proportion to the journeys that such vehicles undertake by rail ***or inland waterway transport***, within limits and in accordance with conditions and rules they fix after consultation with the Commission."

(<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:31992L0106>)

Amendment 65

Proposal for a directive

Article 1 – paragraph 1 – point 4 b (new)

Directive 92/106/EEC

Article 6 – paragraph 1 – subparagraph 2

Present text

The reductions of reimbursements referred

Amendment

(4b) In Article 6(1), the second subparagraph is replaced by the following:

"The reductions of reimbursements

to in the first paragraph shall be granted by the State in which the vehicles are registered, on the basis of the rail journeys effected within that State.

referred to in the first paragraph shall be granted by the State in which the vehicles are registered, on the basis of the rail ***or inland waterway*** journeys effected within that State."

(<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:31992L0106>)

Amendment 66

Proposal for a directive

Article 1 – paragraph 1 – point 4 c (new)

Directive 92/106/EEC

Article 6 – paragraph 1 – subparagraph 3

Present text

Member States may, however, grant these reductions or reimbursements on the basis of the rail journeys which take place partially or wholly outside the Member State in which the vehicles are registered.

Amendment

(4c) In Article 6(1), the third subparagraph is replaced by the following:

"Member States may, however, grant these reductions or reimbursements on the basis of the rail journeys ***or inland waterway*** which take place partially or wholly outside the Member State in which the vehicles are registered."

(<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:31992L0106>)

Amendment 67

Proposal for a directive

Article 1 – paragraph 1 – point 5

Directive 92/106/EEC

Article 6 – paragraph 4 – subparagraph 1 – introductory part

Text proposed by the Commission

4. Where necessary for the achievement of the aim referred to in paragraph 8,

Amendment

4. Where necessary for the achievement of the aim referred to in paragraph 8,

Member States shall take the necessary measures to support investment in *transshipment terminals* as regards:

Member States shall take the necessary measures to support investment in *transport terminals and transshipment points* as regards:

Amendment 68

Proposal for a directive Article 1 – paragraph 1 – point 5

Directive 92/106/EEC

Article 6 – paragraph 4 – subparagraph 1 – point a

Text proposed by the Commission

(a) the construction *and, where necessary, the expansion of such transshipment terminals* for combined transport;

Amendment

(a) the construction, *in areas where no suitable facilities are available within the distance limit referred to in Article 1 (3), of transport terminals or the installation of transshipment points* for combined transport, *unless there is no need of such facilities due to a lack of economic relevance or for reasons related to the geographic or natural features of a given area*;

Amendment 69

Proposal for a directive Article 1 – paragraph 1 – point 5

Directive 92/106/EEC

Article 6 – paragraph 4 – subparagraph 1 – point a a (new)

Text proposed by the Commission

Amendment

(aa) *the expansion, in areas where additional terminal capacity is needed, of existing terminals or the installation of*

additional transshipment points and, following an assessment of the economic impacts showing that the market would not be negatively affected and that new terminals are necessary, and provided that environmental concerns have been taken into account, the construction of new terminals for combined transport;

Amendment 70

Proposal for a directive Article 1 – paragraph 1 – point 5

Directive 92/106/EEC

Article 6 – paragraph 4 – subparagraph 1 – point b

Text proposed by the Commission

(b) the increase of operational efficiency in existing terminals.

Amendment

(b) the increase of operational efficiency in existing terminals, ***including by ensuring access to those terminals.***

Amendment 71

Proposal for a directive Article 1 – paragraph 1 – point 5

Directive 92/106/EEC

Article 6 – paragraph 4 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

Support measures to combined transport shall be deemed to be compatible with the internal market within the meaning of Article 107(3) TFEU and shall be exempted from the notification requirement of Article 108(3) TFEU, provided that they would not represent more than 35% of the entire operation

costs.

Amendment 72

Proposal for a directive Article 1 – paragraph 1 – point 5

Directive 92/106/EEC

Article 6 – paragraph 4 – subparagraph 2

Text proposed by the Commission

Member States shall coordinate with neighbouring Member States and with the Commission and ensure that, when such measures are implemented, priority is given to ensuring a balanced and sufficient geographical distribution of suitable facilities in the Union, and notably on the TEN-T Core and Comprehensive networks, allowing that any location in the Union is not situated at a distance farther than **150 km** from such terminal.

Amendment

Member States shall coordinate with neighbouring Member States and with the Commission and ensure that, when such measures are implemented, priority is given to ensuring a balanced and sufficient geographical distribution of suitable facilities in the Union, and notably on the TEN-T Core and Comprehensive networks, allowing that any location in the Union is not situated at a distance farther than ***the limit referred to in point (a) of Article 1 (3)*** from such terminal. ***When taking the measures referred to in this paragraph, Member States shall take due account of the need to:***

- (a) reduce congestion, in particular near urban and sub-urban areas or in areas with natural constraints;***
- (b) improve cross-border connections;***
- (c) alleviate the isolation of areas lacking infrastructure while taking into account the specific needs and constraints of peripheral and outermost regions;***
- (d) improve accessibility and connectivity in particular as regards the access infrastructure to transshipment terminals; and***
- (e) accelerate the shift to digitalisation; and***
- (f) reduce the impact of freight on the***

environment and on public health, by promoting, for instance, vehicle efficiency, the use of alternative and less pollutant fuels, the use of renewable energies, including in terminals, or by the more efficient use of transport networks via the implementation of information and communication technologies.

Amendment 73

Proposal for a directive Article 1 – paragraph 1 – point 5

Directive 92/106/EEC

Article 6 – paragraph 4 – subparagraph 4

Text proposed by the Commission

Member States may establish additional conditions for the eligibility for the support.

Amendment

Member States may establish additional conditions for the eligibility for the support. ***They shall make those conditions known to interested parties.***

Amendment 74

Proposal for a directive Article 1 – paragraph 1 – point 5

Directive 92/106/EEC

Article 6 – paragraph 5 – subparagraph 1

Text proposed by the Commission

Member States ***may*** take additional measures, to improve the competitiveness of combined transport operations as compared to equivalent alternative road transport operations.

Amendment

By 31 December 2021, Member States ***shall*** take additional measures ***of an economic and legislative nature***, to improve the competitiveness of combined transport operations as compared to equivalent alternative road transport operations, ***in particular with a view to***

reducing the time and costs involved in transshipment operations.

Amendment 75

**Proposal for a directive
Article 1 – paragraph 1 – point 5**

Directive 92/106/EEC

Article 6 – paragraph 5 – subparagraph 2 a (new)

Text proposed by the Commission

Amendment

With a view to reducing the time and costs involved in combined transport operations, the measures referred to in the first subparagraph shall include at least one or more of the following incentives:

(a) exempting hauliers from external-cost charges and/or congestion charges referred to in Article 2 of Directive 1999/62/EC, favouring in particular vehicles powered by alternative fuels as referred to in Article 2 of Directive 2014/94/EU of the European Parliament and of the Council ^{1a};

(b) reimbursing undertakings performing operations as part of a combined transport the charges for the use of certain infrastructure;

(c) exempting hauliers from the limitations imposed under national traffic bans.

^{1a} *Directive 2014/94/EU of the European Parliament and of the Council of 22 October 2014 on the deployment of alternative fuels infrastructure (OJ L 307, 28.10.2014, p. 1).*

Amendment 76

Proposal for a directive Article 1 – paragraph 1 – point 5

Directive 92/106/EEC

Article 6 – paragraph 5 – subparagraph 2 b (new)

Text proposed by the Commission

Amendment

When taking additional measures, Member States shall also take due account of the need to accelerate the shift towards the digitalisation of the combined transport sector and shall in particular:

(a) foster the integration of connected systems and the automation of operations;

(b) improve the investments in digital logistics, information and communication technologies and intelligent transport systems; and

(c) phase out the use of paper documents in the future.

Amendment 77

Proposal for a directive Article 1 – paragraph 1 – point 5

Directive 92/106/EEC

Article 6 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5 a. Such additional measures shall contain incentives favouring the use of non-road transport legs. Member states shall include measures for strengthening the competitiveness of waterborne transport, such as financial incentives for using short sea shipping routes or inland waterways or for the creation of new short

sea links.

Amendment 78

Proposal for a directive Article 1 – paragraph 1 – point 5

Directive 92/106/EEC

Article 6 – paragraph 8

Text proposed by the Commission

8. Member States shall ensure that support measures for combined transport operations aim at reducing the road freight and encourage the use of other modes of transport such as rail, inland waterways and maritime transport, thereby reducing air pollution, greenhouse gas emissions, road traffic accidents, noise and congestion.;

Amendment

8. Member States shall ensure that support measures for combined transport operations aim at reducing the road freight and encourage the use of other modes of transport such as rail, inland waterways, maritime transport ***or low-emission vehicles, or the use of lower-emission alternative fuels such as biofuels, electricity from renewable sources, natural gas or hydrogen fuel cells***, thereby reducing air pollution, greenhouse gas emissions, road traffic accidents, noise and congestion.

Amendment 79

Proposal for a directive Article 1 – paragraph 1 – point 7

Directive 92/106/EEC

Article 9a – paragraph 3

Text proposed by the Commission

3. Member States shall publish in an easily accessible manner and free of charge the relevant information concerning the measures adopted pursuant Article 6, as well as other relevant information for the

Amendment

3. Member States shall publish in an easily accessible manner ***on the internet*** and free of charge the relevant information concerning the measures adopted pursuant Article 6, as well as other relevant

purposes of the application of the present Directive.

information for the purposes of the application of the present Directive.

Amendment 80

Proposal for a directive Article 1 – paragraph 1 – point 7

Directive 92/106/EEC

Article 9a – paragraph 4

Text proposed by the Commission

4. The Commission shall publish and update, where necessary, the list of competent authorities referred to in paragraph 1, as well as a list of the measures referred to in Article 6.;

Amendment

4. The Commission shall publish ***on the internet*** and update, where necessary, the list of competent authorities referred to in paragraph 1, as well as a list of the measures referred to in Article 6.;

Amendment 81

Proposal for a directive Article 1 – paragraph 1 – point 8

Directive 92/106/EEC

Article 10a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 5(2) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this (amending) Directive]

Amendment

2. The power to adopt delegated acts referred to in Article 5(2) shall be conferred on the Commission for ***a*** period of ***five years*** from [date of entry into force of this (amending) Directive]. ***The Commission shall draw up a report in respect of the delegation of power no later than nine months before the end of the five-year period. 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.*
