

Access to the international market for coach and bus services. Recast

2007/0097(COD) - 22/01/2008

The Committee on Transport and Tourism adopted the report by Mathieu **GROSCH** (EPP-ED, BE) amending, under the first reading of the codecision procedure, the proposal for a Regulation of the European Parliament and of the Council on common rules for access to the market for coach and bus services (recast).

The main amendments made by the committee are as follows:

- concerning the scope of the Regulation, MEPs wish to specify that the Regulation should not apply either to carriers who have access only to their national market for coach and bus services or to the licences issued to those carriers by Member States of establishment;
- minor infringements should not be covered by the new Commission proposals for as long as they are interpreted and dealt with in different ways in the Member States;
- MEPs hope to make the necessary provision to enable additional vehicles to be used temporarily in exceptional circumstances for regular services: when the place of departure is situated on its territory, a Member State should accordingly be told that the above option is to be exercised, as well as being informed of the reasons for the exceptional situation;
- Member States may refrain from applying the authorisation procedure to cross-border regular services not extending more than 50 km beyond the border. They should inform the Commission and neighbouring countries thereof;
- the authorising authority shall take a decision to grant or refuse authorisation within three months (four months according to the proposal) of the date of submission of the application by the carrier. If the authorising authority is unable to make a decision, having consulted the Member States concerned, the Commission shall, within ten weeks of receipt of the communication from the authorising authority, take a decision, which shall take effect thirty days after the notification to the Member States concerned;
- authorisations are valid for a maximum of five years. MEPs deleted a provision enabling a Member State, with the agreement of the Commission, to suspend or withdraw the authorisation to run an international bus service after having given six months' notice to the carrier;
- the Commission and the Member States shall undertake to adopt the measures required to ensure that provisions concerning the journey form deriving from other agreements with third countries are brought into line, not later than 1 January 2010, with the provisions of this Regulation;
- books of journey forms must be supplied in an efficient and user-friendly manner;
- as Member States have different national provisions in the field of working time, it is impossible to comply with them when travelling through different countries. Therefore, only the driving time and rest periods should be checked, according to MEPs;
- Recital 10 states that the 'posting' directive applies to cabotage transport operations. MEPs consider that this should also be reflected in the enacting terms.

- to ensure that sanctions are effective, MEPs believe it necessary that the Regulation should explicitly provide for the imposition of fines. Sanctions following serious infringements should only be applied after a final court sentence. In any case, when there have been serious infringements, a sanction should follow;
- lastly, the Regulation should apply from 1 January 2009.