

Access to the international road haulage market.

Recast

2007/0099(COD) - 12/01/2009 - Commission communication on Council's position

The Commission considers that the common position reflects the main objectives of its proposal and can therefore support it. The common position adopted by the Council integrated as such or in principle a certain number of the amendments adopted by the European Parliament, all of which were also acceptable as such or in principle for the Commission. These amendments concern:

- the definition of the exception for the carriage of mail;
- the limitation of details to be contained in the evidence to be produced for the international carriage;
- the deletion of the reference to working time as mandatory rules applicable to cabotage;
- the introduction of a safeguard procedure in the event of serious disturbances due to cabotage;
- and the deletion of the reference to repeated minor infringements;
- a provision on cabotage in a transit country.

The common position did not include the following amendments, which were acceptable in principle or with redrafting for the Commission:

- a recital on the relation to the directive 92/106/EEC on combined transport;
- the clearer use of the concept of "temporary";
- the imposition of fines as one possibility of a penalty;
- the fixation of the date of application on 1 January 2009; the common position foresees to apply the regulation 24 months after its entry into force.

Other amendments, deemed as unacceptable by the Commission, have not been included in the common position. They are as follows:

- the further opening of the cabotage market;
- the authorisation of cabotage after partial unloading;
- the authorisation for closer cooperation on cabotage between certain Member States;
- the reference to the posting of workers directive as rules applicable to cabotage;
- the possibility for Member States to regulate cross trade;

- the demand for a single document for all kind of road transports.