Common rules for international carriage by coach and bus (amend. Regulation (EEC) No 684 /92)

1996/0125(SYN) - 14/04/1997 - Council position

The Council's common position retains 6 amendments adopted by Parliament at first reading and incorporated by the Commission in its modified proposal. These relate in particular to: - the issuing of a Community licence for the operation of international passenger transport by coach and bus; - the definition of various services (occasional services, own-account transport operations); - the provision of additional vehicles; - the submission by the Commission of a report on the results of the application of the Regulation not only in the Council but also in the European Parliament (amendment not included in the Commission's modified proposal). The Council, while welcoming the principle of a Community licence, made some changes to the Commission proposal: 1. In the definition of the various services, the Council has - deleted the category of urban carriage in frontier areas, which was hitherto regarded as a special regular service, - simplified the definition of occasional services by retaining only an a contrario definition, but at the same time maintaining the protection clause for existing regular services, - deleted the obligation incumbent on additional vehicle providers to hold a Community licence, this now being required only of the transporter operating the service, - added to the definition of own-account transport the additional qualifier 'non-profit-making' next to 'non-commercial'. 2. On operating conditions for regular services, the Council recommends relaxing the arrangements as regards the shortening of intervals between services, so that they are no longer subject to authorization, and are now regarded as a change of minor importance, subject to the notification procedure provided for by Article 8(3) of Regulation 684/92. 3. Establishment of an advisory committee: The Council has made provision for such a committee to assist the Commission when it adopts implementing measures especially where they concern transport documents. 4. Local excursions: The Council has retained Article 12 of Regulation 684/92 on local excursions, since these are considered as representing a stage in international transport. 5. Competition with rail services: the common position provides that up to 31 December 1999, a Member State may, on the basis of a detailed analysis refuse authorization for a regular international bus and coach service if it is shown that the said service would seriously affect the viability of a comparable rail service on the direct sections concerned. From 1 January 2000, a safeguard clause is provided which makes provision for the possibility of withdrawing or suspending authorization, after giving the carrier six months' notice. 6. Date of entry into force of the Regulation: the Council makes provision for a period between entry into force and application of 12 months for the Regulation and 18 months for the Community licence.