International road transport: driving restrictions on heavygoods vehicles on designated roads, weekend bans

1998/0096(COD) - 01/08/2003 - Modified legislative proposal

Of the 18 Amendments adopted by the European Parliament at first reading, 16 have been accepted by the Commission. The amendments: - elaborate the negative consequences of the current situation and clarify the text; - provide a further justification for the need for the Directive, namely that the legal certainty of the Community principles of free movement of goods as well as the freedom to provide transport services; - elaborate in greater detail the kind of information system, which flows from the proposed directive; - address the need for comparative statistics for the TENs network to facilitate the production of the Commission's annual report. These statistics would also enable the Commission to gain an overview of developments on the network; - acknowledge the social cost of driving bans for hauliers from peripheral Member States, without prescribing what measures should be taken; - provide a concrete acknowledgement of the difficulties which driving bans can impose on intraCommunity transport and a practical solution to what is becoming an increasing problem; - elaborate the purpose of the proposal in line with the objective to be achieved, namely provision of information to those who will be affected by driving bans; - complete and clarifies the definition. It avoids a perverse effect of some national weekend ban legislation by ensuring that trailers are not left abandoned in unsecured parking lots over the weekend while the tractor unit makes for home and returns to retrieve the trailer only after the ban is over; - define in greater detail the information system to be established and stipulates links with national systems; - clarify the meaning of "heavy goods vehicle" : this shall mean all motor vehicles with a gross weight of 7,5 t. and above, used for the transport of goods, including their component parts (tractors or trailers), where the latter are used separately; - makes clear again that the ambit of the proposal and the possible exemptions only concern the TEN-road network; - specify two special circumstances - natural disasters and urgent public safety reasons - which fall under the current category of special weather conditions; - specify the remit of a European road information system; - update the timing of the transposition and entry into force of the proposed Directive; - include the transport of perishable goods, namely fresh flowers or horticultural products within the exempted transport operations Annex. It is evident that the carriage of such produce should not be hindered by driving bans. The Commission on the other hand has rejected the amendments concerning the addition of a comment on those Member States disproportionately affected by transit traffic. This comment does not relate to the main thrust of the recital's argument and to the justification for the proposal. The Commission also cannot accept the amendment which would place a disproportionate burden on Commission resources by requiring the Commission to draw up a list of infringements to the Directive and the penalties to be applied in Member States. This could entail a considerable ongoing exercise not only for the Commission in co-ordinating a significant volume of disparate statistics, but also for MemberStates in gathering such statistics.