

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

2007/0097(COD) - 23/05/2007 - Legislative proposal

PURPOSE: to consolidate and merge Regulation (EEC) No 684/92 and (EEC) No 12/98 **on access to the market of coach and bus services**, in order to simplify current provisions.

PROPOSED ACT: Regulation of the European Parliament and of the Council (recast).

CONTENT: this proposal is being presented alongside two related proposals all of which are seeking to modernise provisions governing road transport operators and access to the road transport market. The package of proposals includes:

- Replacing Directive 96/26/EC on **admission to the occupation of road transport operator**, with a new Regulation. (For a summary of the proposal refer to: [COD/2007/0098](#))
- Merging Regulations (EEC) No 881/92 and (EEC) No 3118/93 on **access to the road transport market**. (For a summary of the proposal refer to: [COD/2007/0099](#))
- Merging Regulations (EEC) No 684/92 and (EC) No 12/98 **on access to the market of coach and bus services**. (The subject of this summary).

Following a public consultation and an impact assessment, it has emerged that the lack of clarity and the complexity of existing provisions renders enforcement of Regulations (EEC) No 684/92 and (EC) No 12/98 difficult. Industry also concludes that the two Regulations entail unnecessary administrative burdens. The problems identified relate to:

- the scope of the Regulation, (for example, passenger transport by Community carriers to and from third countries and transiting Member States);
- the authorisation scheme regulating international passenger services, (the procedure is perceived by industry to create barriers to new entrants as well as being unnecessarily bureaucratic);
- the lack of information exchange between the Member States, which is considered ineffective; and
- the number and diversity of formats used for Community licences, which can create problems during inspections, often leading to a loss of valuable time for operators and enforcement staff.

In a bid to address some of the challenges outlined above the Commission has decided to present this proposal, which in summary, introduces the following changes:

- a simpler and faster procedure to authorise international regular services. Regarding market conditions only one ground for refusal will remain, namely that the service applied for would seriously affect the viability of a comparable service operated under a public service obligation on the direct sections concerned;
- a simpler, standardised Community licence. It is hoped that the new Community licence will reduce administrative burdens and delays – especially at road side checks.

- enhanced legal provisions obliging a Member State to act, when requested to do so by another Member State, in cases where a carrier to whom it delivered a Community licence commits an infringement in another country.

- enhanced Member State to Member State communication procedures through the use of contact points (which are being proposed under the new Regulation on the admission to the occupation of road transport operator).

In addition, the Commission has removed any obsolete measures. The content, presentation and formulation of the Regulation have been re-examined to avoid any ambiguous interpretations. The proposal will not affect the Community budget though it is estimated that the administrative costs borne by both companies and authorities could be reduced by as much as € 190 million per annum.