Basic information

2018/0436(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure completed
Ensuring basic road freight connectivity with regard to the withdrawal of the United Kingdom from the Union Amended by 2019/0179(COD) **Subject** 3.20.02 Rail transport: passengers and freight 3.20.15.04 Road transport agreements and cooperation **Geographical area** United Kingdom	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
TRAN Transport and Tourism	DE MONTE Isabella (S&D)	17/01/2019
	Shadow rapporteur CLUNE Deirdre (PPE) BILBAO BARANDICA Izaskun (ALDE) TAYLOR Keith (Verts/ALE) PAKSAS Rolandas (EFDD)	

Council of the European Union

Council configuration	Meetings	Date
General Affairs	3682	2019-03-19

European Commission

Commission DG	Commissioner
Mobility and Transport	BULC Violeta

European Economic and Social Committee

European Committee of the Regions

Key events

Date	Event	Reference	Summary

19/12/2018	Legislative proposal published	COM(2018)0895	Summary
14/01/2019	Committee referral announced in Parliament, 1st reading		
22/01/2019	Vote in committee, 1st reading		
04/02/2019	Committee report tabled for plenary, 1st reading	A8-0063/2019	Summary
13/02/2019	Decision by Parliament, 1st reading	T8-0105/2019	Summary
13/02/2019	Results of vote in Parliament		
13/02/2019	Matter referred back to the committee responsible for interinstitutional negotiations		
04/03/2019	Approval in committee of the text agreed at 1st reading interinstitutional negotiations	GEDA/A/(2019)001946	
13/03/2019	Decision by Parliament, 1st reading	T8-0181/2019	Summary
13/03/2019	Results of vote in Parliament		
19/03/2019	Act adopted by Council after Parliament's 1st reading		
25/03/2019	Final act signed		
27/03/2019	End of procedure in Parliament		
27/03/2019	Final act published in Official Journal		

Technical information

Procedure reference	2018/0436(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Amendments and repeals	Amended by 2019/0179(COD)
Legal basis	Rules of Procedure EP 61 Treaty on the Functioning of the European Union TFEU 091-p1
Other legal basis	Rules of Procedure EP 165
Mandatory consultation of other institutions	European Economic and Social Committee European Committee of the Regions
Stage reached in procedure	Procedure completed
Committee dossier	TRAN/8/15270

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A8-0063/2019	04/02/2019	Summary
Text adopted by Parliament, partial vote at 1st reading /single reading		T8-0105/2019	13/02/2019	Summary

Text adopted by Parliament, 1st reading/single reading		T8-0181/2019	13/03/2019	Summary

Council of the EU

Document type	Reference	Date	Summary
Coreper letter confirming interinstitutional agreement	GEDA/A/(2019)001946	01/03/2019	
Draft final act	00067/2019/LEX	25/03/2019	

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2018)0895	19/12/2018	Summary
Commission response to text adopted in plenary	SP(2019)393	30/04/2019	

National parliaments

Document type	Parliament /Chamber	Reference	Date	Summary
Contribution	ES_PARLIAMENT	COM(2018)0895	04/03/2019	

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES0450/2019	20/02/2019	

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Regulation 2019/0501
OJ L 085I 27.03.2019, p. 0039 Summary

Ensuring basic road freight connectivity with regard to the withdrawal of the United Kingdom from the Union

2018/0436(COD) - 27/03/2019 - Final act

PURPOSE: to ensure basic connectivity for road freight and passenger transport in order to mitigate the most serious disruptions that may result from leaving the UK without a withdrawal agreement.

LEGISLATIVE ACT: Regulation (EU) 2019/501 of the European Parliament and of the Council on common rules ensuring basic road freight and road passenger connectivity with regard to the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the Union.

CONTENT: this Regulation lays down temporary measures governing the carriage of goods by road, as well as the provision of regular and special regular passenger transport services by coach and bus, between the Union and the United Kingdom of Great Britain and Northern Ireland in order to avoid serious disruption and any risk of disruption to public order which might result from a Brexit without an agreement.

These measures shall enable road haulage operators and coach and bus service operators licensed in the United Kingdom to carry goods and passengers by road between the territory of the latter and of the remaining 27 Member States. The rights thus conferred shall be conditional upon the conferral of equivalent rights and be subject to certain conditions ensuring fair competition.

Freight transport

The Regulation allows:

- a laden journey of a vehicle from the territory of the Union to the territory of the United Kingdom or vice versa, with or without transit through one or more Member States or third countries;
- following laden journeys from the territory of the United Kingdom covered by the above point, the performance, within 7 days after unloading on the territory of the Union, of a maximum of two additional loading and unloading operations on the territory of the Union for a period of 4 months from the first day of application of the regulation, and one operation within 7 days following unloading on the territory of the Union, during the following 3 months;
- the movement of a laden vehicle from the territory of the United Kingdom to the territory of the United Kingdom, with transit through the territory of the Union.

Authorised carriage of passengers by coach and bus

The Regulation shall cover:

- the movement of a coach or bus to carry passengers from the territory of the Union to the territory of the United Kingdom or vice versa, with or without transit through one or more Member States or third countries;
- the movement of a coach or bus to carry passengers from the territory of the United Kingdom to the territory of the United Kingdom, with transit through the territory of the Union;
- the pick-up and drop-off of passengers in the border region of Ireland on special regular and regular international services between Ireland and Northern Ireland until 30 September 2019.

Equivalence of rights and fair competition

The Commission shall, by means of delegated acts:

- suspend the application of the regulation when equivalent rights are not granted to EU road hauliers or coach operators or when the rights granted are minimal; or
- limit the capacity or number of authorised journeys of United Kingdom road hauliers or coach operators, or both; or
- adopt operating restrictions related to vehicle types or traffic conditions.

ENTRY INTO FORCE: 28.3.2019. The Regulation shall apply from the day following that on which the Treaties cease to apply to the United Kingdom pursuant to Article 50(3) TEU. It shall cease to apply on 31.12.2019.

Ensuring basic road freight connectivity with regard to the withdrawal of the United Kingdom from the Union

2018/0436(COD) - 13/02/2019 - Text adopted by Parliament, partial vote at 1st reading/single reading

The European Parliament adopted by 578 votes to 15, with 18 abstentions, amendments on the proposal for a regulation of the European Parliament and of the Council on common rules ensuring basic road freight connectivity with regard to the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the Union.

The matter was referred to the relevant committees for inter-institutional negotiations.

The proposal provides for temporary measures to regulate the transport of goods by road between the Union and the United Kingdom in the absence of an agreement on the latter's withdrawal. It aims to allow UK operators to temporarily transport goods to the EU for 9 months (until 31 December 2019), provided that the United Kingdom grants equivalent rights to EU road hauliers and subject to the conditions of fair competition.

The main amendments adopted in plenary relate to the following points:

Authorised carriage

The temporary measures provided for should allow road hauliers licensed in the United Kingdom to carry goods between the territory of the United Kingdom and the remaining 27 Member States or from the territory of the United Kingdom to the territory of the United Kingdom with transit through one or more Member States.

Members proposed replacing the notion of "bilateral carriage" of goods by the notion of "authorised carriage" which would cover:

- a laden journey undertaken by a vehicle from the territory of the Union to the territory of the United Kingdom or vice versa, with or without transit through one or more Member States or third countries;

- a laden journey undertaken by a vehicle from the territory of the United Kingdom to the territory of the United Kingdom with transit through the territory of the Union;

- an unladen journeyin connection with the above-mentioned transport operations.

Equivalence of rights and fair competition

The Commission could, by means of delegated acts:

- suspend the application of the regulation when equivalent rights are not granted to EU road hauliers or when the rights granted are minimal; or

- establish limits to the allowable capacity available to UK road haulage operators or to the number of journeys or to both; or

- adopt other appropriate measures, such as financial duties or operational restrictions.

Ensuring basic road freight connectivity with regard to the withdrawal of the United Kingdom from the Union

2018/0436(COD) - 04/02/2019 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Transport and Tourism adopted the report by Isabella DE MONTE (S&D, IT) on the proposal for a regulation of the European Parliament and of the Council on common rules ensuring basic road freight connectivity with regard to the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the Union.

The proposal provides for temporary measures to regulate the transport of goods by road between the Union and the United Kingdom in the absence of an agreement on the latter's withdrawal. It aims to allow UK operators to temporarily transport goods to the EU for 9 months (until 31 December 2019), provided that the United Kingdom grants equivalent rights to EU road hauliers and subject to the conditions of fair competition.

The committee responsible recommended that the European Parliament's position adopted at first reading under the ordinary legislative procedure should amend the Commission's proposal as follows:

Authorised carriage

Members proposed replacing the notion of "bilateral carriage" of goods by the notion of "authorised carriage" which would cover:

- a laden journey undertaken by a vehicle from the territory of the Union to the territory of the United Kingdom or vice versa, with or without transit through one or more Member States or third countries;

- a laden journey undertaken by a vehicle from the territory of the United Kingdom to the territory of the United Kingdom with transit through the territory of the Union;

- an unladen journeyin connection with the above-mentioned transport operations.

Equivalence of rights and fair competition

The Commission could, by means of delegated acts:

- suspend the application of the regulation when equivalent rights are not granted to EU road hauliers or when the rights granted are minimal; or

- establish limits to the allowable capacity available to UK road haulage operators or to the number of journeys or to both; or

- adopt other appropriate measures, such as financial duties or operational restrictions.

Ensuring basic road freight connectivity with regard to the withdrawal of the United Kingdom from the Union

2018/0436(COD) - 13/03/2019 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 623 votes to 35 with 21 abstentions a legislative resolution on the proposal for a regulation of the European Parliament and of the Council on common rules guaranteeing basic connectivity for road freight transport in the light of the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union.

The position of the European Parliament adopted at first reading under the ordinary legislative procedure has amended the Commission proposal as follows:

Objective

In order to avoid serious disruptions in the absence of an agreement to withdraw the United Kingdom from the Union, the proposed Regulation provides for temporary measures to prevent operators from completely stopping transport operations between the United Kingdom and the EU, by allowing freight transport operators and British bus and coach operators to temporarily provide services between the EU and the United Kingdom, provided that the United Kingdom offers equivalent access to EU operators.

Authorised transport of goods

The definition would cover:

- a laden journey of a vehicle from the territory of the Union to the territory of the United Kingdom or *vice versa*, with or without transit through one or more Member States or third countries;

- following laden journeys from the territory of the United Kingdom covered by the above point, the performance, within 7 days after unloading on the territory of the Union, of a maximum of two additional loading and unloading operations on the territory of the Union for a period of 4 months from the first day of application of the regulation, and one operation within 7 days following unloading on the territory of the Union, during the following 3 months;

- the movement of a laden vehicle from the territory of the United Kingdom to the territory of the United Kingdom, with transit through the territory of the Union.

Authorised carriage of passengers by coach and bus

The definition would cover:

- the movement of a coach or bus to carry passengers from the territory of the Union to the territory of the United Kingdom or *vice versa*, with or without transit through one or more Member States or third countries;

- the movement of a coach or bus to carry passengers from the territory of the United Kingdom to the territory of the United Kingdom, with transit through the territory of the Union;

- the pick-up and drop-off of passengers in the border region of Ireland on special regular and regular international services between Ireland and Northern Ireland until 30 September 2019.

Equivalence of rights and fair competition

The Commission could, by means of delegated acts:

- suspend the application of the regulation when equivalent rights are not granted to EU road hauliers or coach operators or when the rights granted are minimal; or

- limit the capacity or number of authorised journeys of United Kingdom road hauliers or coach operators, or both; or

- adopt operating restrictions related to vehicle types or traffic conditions.

Entry into force and application

The regulation should enter into force as a matter of urgency and apply from the day following the day on which the treaties cease to apply in the United Kingdom, unless a withdrawal agreement with the United Kingdom has entered into force on that date. In any event, it would cease to apply on **31 December 2019**.

Ensuring basic road freight connectivity with regard to the withdrawal of the United Kingdom from the Union

2018/0436(COD) - 19/12/2018 - Legislative proposal

PURPOSE: to lay down temporary measures governing the carriage of goods by road between the Union and the United Kingdom following its withdrawal from the Union in the absence of a withdrawal agreement from the United Kingdom.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure on an equal footing with the Council.

BACKGROUND: on 13 December 2018, the European Council (Article 50) renewed its call to intensify work on preparing, at all levels, for the consequences of the United Kingdom's withdrawal from the Union, taking into account all possible outcomes. In response to this call, this Regulation is part of a package of emergency measures proposed by the Commission in view of the uncertainty in the United Kingdom regarding the ratification of the withdrawal agreement.

Within the Union, the freedom for the Member States' road haulage operators to provide international carriage of goods by road is regulated primarily on the basis of Regulation (EC) No 1072/2009, which lay down the common rules for the access to the occupation of road transport operator and for access to the international road haulage market, respectively.

In the absence of a withdrawal agreement, road freight transport services between the United Kingdom and the Member States would cease to be governed by the said Regulations upon withdrawal. This would result in the loss of validity of Community licences issued by the United Kingdom to road haulage operators until the withdrawal date, and thereby loss of access to the Union’s road haulage market for holders of such licences. Similarly, European Union road haulage operators, on the basis of the existing Community licences, would equally lose automatic access to the United Kingdom’ s road freight transport market.

More than 80% of road haulage transport between the United Kingdom and the EU-27 is currently carried out by carriers established in the EU-27. In order to avoid serious disruptions and any risk of disturbing public order, the Commission proposes to adopt temporary emergency measures enabling road haulage operators licensed in the United Kingdom to carry goods by road between the territory of the latter and the remaining 27 Member States.

CONTENT: the proposed Regulation aims to allow UK operators to temporarily transport goods to the EU for 9 months (until 31 December 2019), provided that the United Kingdom grants equivalent rights to EU road hauliers and subject to the conditions of fair competition.

The proposal complements the Union rules regulating the carriage of goods by road, in particular Regulation (EC) No 1072/2009.

Ensure basic connectivity

This proposed act would establish basic connectivity subject to equivalent rights being granted by the United Kingdom. Such connectivity would be ensured in an equal manner for traffic to and from all points in the Union, which avoids distortions in the internal market.

The proposed Regulation lays down a mechanism to ensure that the rights enjoyed by Union road haulage operators in the United Kingdom are equivalent to those granted to UK road haulage operators under the proposed Regulation. If that is not the case, the Commission is empowered to adopt the necessary measures to correct the situation by means of delegated acts, including the limitation to the allowable capacity available to UK road haulage operators or to the number of journeys or to both.

Fair competition

The proposed Regulation, even though it aims to temporarily ensure basic connectivity for road freight transport, lays down a flexible mechanism to ensure that Union road haulage operators enjoy fair and equal opportunities to compete with United Kingdom road haulage operators once the United Kingdom will no longer be bound by Union law.

A level playing field requires that, even after the withdrawal, the United Kingdom continues to apply sufficiently high and comparable standards in the area of road freight transport as regards: (i) fair competition; (ii) the prohibition of unjustified government subsidies; (iii) the protection of workers and a high level of road safety; (iv) the protection of the environment; (v) safety and security; (vi) granting of licences to road haulage operators or to the qualification, training and medical controls for professional drivers. Moreover, it must be ensured that Union carriers are not discriminated against in the United Kingdom.