

## **COMMISSION OF THE EUROPEAN COMMUNITIES**

Brussels, 15 October 1997

COM (1997) 456 final

Opinion of the Commission on the amendments proposed by the European Parliament to the Council's common position on the proposal for a Council regulation (EC) amending Regulation (EEC) No 684/92 on common rules for the international carriage of passengers by coach and bus (presented by the Commission pursuant to Article 189 c (d) of the EC Treaty)

At its plenary session of 14 to 18 July 1997, the European Parliament approved, subject to a number of amendments, the text of the common position adopted by the Council on 14 April 1997<sup>1</sup> with a view to adopting Council Regulation (EC) No ..... amending Regulation (EEC) No 684/92 on common rules for the international carriage of passengers by coach and bus.

Parliament's three amendments are given in annex.

Pursuant to Article 189(d) of the EC Treaty, the Commission has re-examined its proposal and decided not to accept the amendments for the following reasons:

The objective pursued in Amendment 1 relating to regulations on social benefits and road safety is already present in the existing Regulation inasmuch as by virtue of the last indent of Article 3(1) of Regulation No 684/92 carriers for hire or reward must meet legal requirements on road safety as far as the standards for drivers and vehicles are concerned.

Amendment 2 concerns the same question, but applies to own-account carriers. The same argument applies.

In fact, the Commission already adopted this position when Parliament proposed these two amendments at first reading.

Amendment 3 concerns the drafting of a report on the application of the Regulation amending Regulation No 684/92 before 31 December 1998. According to Article 3 of the Council's common position, the Commission must produce the report by no later than 31 December 1999.

The date proposed by Parliament is unacceptable because it allows insufficient time to apply the Regulation and gauge the new rules' impact on the international coach and bus transport market.

Accordingly, the Commission confirms its agreement with the Council's common position of 14 April 1997.

Annex: 3 amendments

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<sup>1</sup> OJ C 164, 30.5.1997, p. 1.

Decision on the common position adopted by the Council with a view to the adoption of a Council Regulation amending Council Regulation (EEC) No 684/92 on common rules for the international carriage of passengers by coach and bus (C4-0173/97 - 96/0125(SYN))

(Cooperation procedure: second reading)

Common position of the Council

Amendments by Parliament

(Amendment 1)

ARTICLE 1(2a) (new)

Article 3(1), third indent (Regulation 684/92)

2a. The third indent of Article 3(1) shall be replaced by the following:

': meets the legal requirements concerning social benefits and road safety in respect of the rules applying to drivers and vehicles.'

(Amendment 2)

ARTICLE 1(2b) (new)

Article 3(2), second indent (Regulation 684/92)

(1) OJ C 380, 16.12.1996, p. 40.

(2) OJ C 203, 13.7.1996, p. 11.

2b. The second indent of Article 3(2) shall be replaced by the following:

'meets the legal requirements concerning social benefits and road safety in respect of the rules applying to drivers and vehicles.'

(Amendment 3)

ARTICLE 1(18a) (new)  
Article 20 (Regulation 684/92)

18a. Article 20 shall be replaced by the following:

'1. Before 31 December 1998 the Commission shall report to the Council and the European Parliament on the application of this Regulation. Before 1 January 1999 it shall submit to the Council a proposal for a Regulation on the simplification of procedures including - in the light of the report's conclusions - the abolition of authorizations.

2. Before 1 January 2000 the Council shall act by qualified majority on the Commission proposal referred to in paragraph 1.'

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