

Proposal for a Council regulation concerning the introduction
of common rules for international passenger transport by road

(submitted by the Commission to the Council on 13 April 1964)

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EXECUTIVE SECRETARIAT OF THE COMMISSION
OF THE EUROPEAN ECONOMIC COMMUNITY

Proposal for a Council regulation concerning the introduction
of common rules for international passenger transport by road

(submitted by the Commission to the Council on 13 April 1964)

The Council of the European Economic Community,

Having regard to the provisions of the Treaty instituting the European Economic Community, and in particular Article 75 thereof;

Having regard to the proposal of the Commission;

Having regard to the opinion of the Economic and Social Committee;

Having regard to the opinion of the European Parliament;

Whereas the introduction of a common transport policy necessitates the adoption of standard definitions for the various classes of international passenger transport by coach;

Whereas this common policy includes, among other things, the drawing-up of common rules applicable to international passenger transport by road to or from the territory of a Member State or through the territory of one or more Member States;

Whereas such common rules should aim at co-ordination between the various methods of international passenger transport;

Whereas in order to encourage competition in the field of non-scheduled international passenger road services, it is advisable when drawing up common rules to harmonize and amplify existing liberalization be taken in two stages, taking into account the harmonization measures and the approximation of conditions of competition;

Whereas in the near future it will also be advisable to draw up common rules for scheduled international services; whereas, taking into account the increased movements of manpower between Member States resulting from the gradual economic integration of the Community, priority should be given in this connection to common rules for the transport of workers between their home and place of work by special scheduled services;

Whereas common rules should also be established for international shuttle services; whereas shuttle services have increased considerably with the growth of international travel;

Whereas it is advisable to introduce a standard control document to be used by non-scheduled services when making trips under the liberalization measures adopted in

the first stage, so that transport operations which will not be liberalized until the second stage are not carried out without the necessary licence; and whereas when international non-scheduled services are completely liberalized in the second stage a national licence for non-scheduled transport will be sufficient as a control document,

Has adopted the present regulation:

Section I

Definitions and scope

Article 1

1. Scheduled services are those which carry passengers at a specified frequency and over a specified route; such a service may pick up or set down passengers at previously arranged stops.

2. Operating regulations or similar documents, approved by the competent authorities of Member States and published in advance by the carrier, shall set out the conditions of carriage, including frequency, time-tables, fares, and the obligation to carry in so far as such conditions are not embodied in legislative provisions.

3. Services carrying particular categories of passengers to the exclusion of other, in so far as such services operate under the conditions specified in paragraph 1, shall also be considered as scheduled services. Such services — mainly the transport of workers between their home and place of work and schoolchildren between their home and school — shall be termed "special scheduled services".

Article 2

1. Shuttle services are those which carry, on several outgoing and return journeys, from a single point of departure to a single destination, passengers already divided into groups. Each group, consisting of passengers who have made the outgoing journey together, is brought back to the point of departure by a later trip, but the authorities concerned may rule that certain passengers need not return with their group.

2. On such services passengers may not be picked up or set down *en route*; the authorities concerned may, however, make exceptions regarding the points of departure and destination.

3. The first return journey and the last outward journey of the shuttle service shall be made empty, but the competent authorities may make exceptions.

Article 3

Non-scheduled services are those which cannot be defined as scheduled services within the meaning of Article 1 nor as shuttle services within the meaning of Article 2. They may not pick up or set down passengers *en route* between points of departure and destination, except as authorized by the competent authorities of the Member State concerned.

Article 4

1. The provisions of this regulation shall be applicable to the international transport of passengers by road —

to or from the territory of a Member State or through the territory of one or more Member States;

by vehicles designed and equipped to carry more than nine persons including the driver.

2. The provisions of Articles 5 and 6 of this regulation shall be applicable to transport as specified in paragraph 1 using vehicles registered in one of the Member States. The provisions of Article 5 shall not be applicable in so far as existing regulations pursuant to bilateral agreements between Member States provide for more liberal treatment.

Section II

Common rules

Article 5

1. From 1 January 1965 non-scheduled transit services crossing a Member State loaded or empty shall, on condition that no passengers shall be picked up or set down in the territory of such Member State, be exempt from licensing other than by the Member State in which the vehicle is registered.

2. From the same date non-scheduled services complying with the following conditions shall be exempt from licensing other than by the

Member State in which the vehicle is registered:

a) The same vehicle shall transport the same group of passengers throughout the journey and set them down at a single destination;

b) After setting down the passengers, the vehicle must leave the territory of the Member State empty.

Article 6

From 1 January 1968 all non-scheduled services to or from the territory of a Member State shall be exempt from licensing other than by the State in which the vehicle is registered, but the taking on of new passengers at the point of destination may be subject to licence where a non-scheduled service is operated over a route on which a scheduled service within the meaning of Article 1 is operated.

Article 7

Before 1 January 1965 the Council shall, in accordance with the terms of Article 75 of the Treaty, draw up common rules for scheduled services within the meaning of Article 1 to or from the territory of a Member State or through the territory of one or more Member States.

Article 8

Before 1 January 1966 the Council shall, in accordance with the terms of Article 75 of the Treaty, draw up common rules for shuttle services within the meaning of Article 2 to or from the territory of a Member State or through the territory of one or more Member States.

Section III

Control and penalties

Article 9

1. From 1 January 1965 until 31 December 1967 a way-bill shall be completed in duplicate for every journey referred to in Article 5 hereof. It shall be printed in the language of the Member State in which the vehicle is registered and shall be issued in the form of a book of 50 sheets in duplicate, the originals being perforated. Each sheet shall, in addition to the book number, bear an additional serial number. A specimen way-bill is shown in the annex to the regulation.

2. Books shall be supplied by the competent government department of the country in which the vehicle is registered or by a body authorized for this purpose. Books shall be made out in the name of the carrier; they shall be valid until 31 December of the year of issue and must be returned before 31 March of the following year.

3. The carrier shall be responsible for the correct use and keeping of the way-bill, the original of which shall accompany the vehicle and be produced whenever requested by an official inspector; the carrier shall keep the originals of the control document for one year for checking purposes.

Article 10

From 1 January 1968 a national licence to operate non-scheduled services shall take the place of a way-bill for all non-scheduled services to or from the territory of a Member State or through the territory of one or more Member States; it must be carried on board the vehicle and be produced whenever requested by an official inspector.

Article 11

1. The Member States shall in due course lay down any laws, regulations or instructions

necessary for the implementation of this regulation. Such provisions shall relate in particular to organization, procedure and methods of control and to the penalties applicable in cases of infringement.

2. The Member States shall, within three months from this regulation coming into force, inform the Commission of the measures taken.

Section IV

Final provisions

Article 12

Articles 5 and 6 of this regulation shall be without prejudice to any conditions laid down by Member States for their nationals to engage in the activities therein mentioned.

Article 13

1. This regulation shall be binding in all its parts and directly applicable in every Member State.

2. This regulation shall come into force on 1 September 1964.

ANNEX

(cover of way-bill book)

No.

WAY-BILL

Surname and first name(s) or style of carrier

Address

.....

Important note

1. A way-bill must be completed in duplicate for non-scheduled services which are exempt from licensing by virtue of Article 5 of Regulation No. of the Council of the EEC and which make journeys

in transit

in which passengers are set down in another Member State and the vehicle leaves empty.

2. The original of the way-bill must be carried on board the vehicle throughout the journey. The book containing the copies should be kept at the carrier's office. The latter is responsible for the correct use and keeping of the way-bills.

3. The original of the way-bills must be kept by the carrier for one year.

4. This book is to be returned before 31 March 19...

to the following address:

.....

Date of issue

(stamp of issuing office:)

Book No.

Way-bill No.

WAY-BILL

*for the non-scheduled international transport of passengers by road
exempt from licensing by virtue of Art. 5 of Regulation No.
of the Council of the EEC*

1. Vehicle Country of registration

Registration No.

Make

Passenger seat capacity

2. Carriers Surname and first name(s) or style

.....

Address

3. Nature of services * In transit loaded through the following countries:
.....
without picking up or setting down passengers therein.

* In transit empty through the following countries:
.....

* Entry loaded, setting down passengers at
.....
(place and country of destination)
and exit empty to the following country:

4. Full route Dates: Daily stages	Daily mileage (km)	State whether journey made loaded or empty	Frontier points

5. Stamp and date of check by customs or other authority:

(*) Complete where applicable.

6. List of passengers:

<i>Surname and first name</i>	<i>Surname and first name</i>
1.	26.
2.	27.
3.	28.
4.	29.
5.	30.
6.	31.
7.	32.
8.	33.
9.	34.
10.	35.
11.	36.
12.	37.
13.	38.
14.	39.
15.	40.
16.	41.
17.	42.
18.	43.
19.	44.
20.	45.
21.	46.
22.	47.
23.	48.
24.	49.
25.	50.

The undersigned declares that he holds a national licence to operate non-scheduled services issued

on

by

(authority and place of issue)

Date of completion of way-bill

(stamp, signature of carrier)