

EUROPEAN PARLIAMENT



s e s s i o n d o c u m e n t s

ENGLISH EDITION

17 November 1992

A3-0377/92

REPORT

of the Committee on Transport and Tourism

on the following Commission proposals to the Council:

- I. proposal for a Council directive amending Directive 75/130/EEC on the establishment of common rules for certain types of combined carriage of goods between Member States
(COM(92) 0230 final - C3-0399/92)
- II. proposal for a Council regulation (EEC) amending Regulation (EEC) No. 1107/70 on the granting of aids for transport by rail, road and inland waterway
(COM(92) 0230 final - C3-0400/92)

Rapporteur: Mr Rui AMARAL

DOC_EN\RR\217\217305.WP5

PE 202.188/fin.
Or. PO

* Consultation procedure requiring a single reading
** Cooperation procedure (first reading)

**|| Cooperation procedure (second reading) requiring the votes of a majority of the current Members of Parliament
*** Parliamentary assent requiring the votes of a majority of the current Members of Parliament

C O N T E N T S

	<u>Page</u>
Procedural page	3
A. Amendments to Commission proposal I	4
DRAFT LEGISLATIVE RESOLUTION	12
A. Amendments to Commission proposal II	13
DRAFT LEGISLATIVE RESOLUTION	16
B. EXPLANATORY STATEMENT	17

By letter of 8 October 1992 the Council consulted the European Parliament, pursuant to Articles 75 and 84(2) of the EEC Treaty, on the following Commission proposals:

- I. Proposal for a Council directive amending Directive 75/130/EEC on the establishment of common rules for certain types of combined carriage of goods between Member States
- II. Proposal for a Council regulation (EEC) amending Regulation (EEC) No. 1107/70 on the granting of aids for transport by rail, road and inland waterway

At the sitting of 27 October 1992 the President of Parliament announced that he had referred these proposals to the Committee on Transport and Tourism as the committee responsible.

At its meeting of 14 July 1992, the Committee on Transport and Tourism had appointed Mr Amaral rapporteur.

At its meetings of 30 September, 4 November and 17 November 1992 it considered the Commission proposals and the draft report.

At the last meeting it adopted both the draft legislative resolutions unanimously.

The following were present for the vote: Van Dijk, chairman; Christensen and Topmann, vice-chairmen; Amaral, rapporteur; Anastassopoulos (for Bourlanges), Brito, Cornelissen (for Mantovani), Dinguirard, Jarzembowski, Lalor (for de la Malene), Lüttge, McIntosh, Müller, de Piccoli, Porrazzini, Porto, Sanchez Garcia, Sarlis, Schodruch (for Tauran), Simpson Brian, Tsimas (for Stewart), Visser, de Vitto, van der Waal and Wijsenbeek.

The report was tabled on 17 November 1992.

The deadline for tabling amendments is 12 noon on Wednesday, 18 November 1992.

A

I. Proposal for a Council directive amending Directive 75/130/EEC on the establishment of common rules for certain types of combined carriage of goods between Member States

Commission Text¹

Amendments

(Amendment No. 1)
Fifth recital

Whereas a sea-transport operation continued by another mode of transport should therefore come under the heading of combined transport;

Whereas a sea-transport operation continued by another mode or modes of transport should therefore come under the heading of combined transport;

(Amendment No. 2)
Sixth recital

Whereas this measure should not entail any discrimination or different treatment as compared with other modes; whereas the limit on the road transport leg of a combined road/sea journey should therefore be akin to that already applying to the road transport leg of a combined road/inland waterway journey;

Deleted

(Amendment No. 3)
Sixth recital a(new)

Whereas the current rules on tax exemptions or refunds applicable to road vehicles used in combined transport should be harmonized so as to make them more effective and ensure more uniform application of such rules throughout the Community;

¹ COM(92) 230 final - OJ C 282, 30.10.1992, p. 8

Commission text

Amendments

(Amendment No. 4)
Sixth recital 6 (new)

Whereas a Community policy which seeks to relaunch combined transport and an intermodal approach must seek to harmonize and make compatible the national technical regulations and standards governing combined transport;

(Amendment No. 5)
Article 1(1)

1. Article 1 is replaced by the following:

'Article 1

- combined transport means the transport of goods between Member States where the tractor unit, lorry, trailer, semi-trailer with or without tractor, swap body or container (of 20 feet or more) use the road on one leg of the journey and rail or inland waterway or maritime services on the other leg, or use the railways on one leg and inland waterway or maritime services on the other,

= swap body means an enclosed load-bearing container that can be transported by road or rail and lifted from below.'

1. Article 1 is replaced by the following:

'Article 1

Combined transport means the transport of goods between Member States where the tractor unit, lorry, trailer, semi-trailer with or without tractor, swap body or container (of 20 feet or more) use the road on one leg of the journey and rail and/or inland waterway and/or maritime services on the other leg, or use the railways on one leg and inland waterway and/or maritime services on the other,

Commission text

Amendments

(Amendment No. 6)
Article 1(3)

3. The following new Article 2 is inserted:

'Article 2

This Directive shall apply to the types of combined transport defined in Article 1 where the initial or final road haulage leg of the journey takes place:

- between the point where the goods are loaded and the nearest suitable rail loading station for the initial leg, and between the point where the goods are unloaded and the nearest suitable rail unloading station for the final leg, or
- within a radius not exceeding 150 km as the crow flies from the inland waterway port of loading or unloading, or

within a radius not exceeding 150 km as the crow flies from the sea port of loading or unloading.'

3. The following new Article 2 is inserted:

'Article 2

This Directive shall apply to the types of combined transport defined in Article 1 where the initial or final road haulage leg of the journey takes place:

- between the point where the goods are loaded and the nearest suitable rail loading station for the initial leg, and between the point where the goods are unloaded and the nearest suitable rail unloading station for the final leg, or
- within a radius not exceeding 150 km as the crow flies from the inland waterway port of loading or unloading, or

within a radius not exceeding 300 km as the crow flies from the sea port of loading or unloading.'

2. For the purposes of this Directive, the maritime section of a combined transport journey must cover a minimum distance of 125 km as the crow flies.

Commission text

Amendments

3. Within 10 years after the entry into force of this Directive, Member States may, in agreement with the Commission, extend the maximum distance proposed in the third indent of paragraph 1 to 200 km if the Member State concerned is able to demonstrate that such a measure is advisable within its territory in view of its railway and inland waterway capacity and there is no danger of distortion of competition.

(Amendment No. 7)
Article 1(4)

4. Article 3 becomes Article 4 and is replaced by the following:

'Article 4

In the case of combined transport for hire or reward, a transport document which fulfils at least the requirements laid down in Article 6 of Council Regulation No. 11 (*) of the Treaty establishing the European Economic Community, shall also specify the rail loading and unloading stations relating to the rail leg, or the inland waterway loading and unloading ports relating to the inland waterway leg, or the maritime loading and unloading ports relating to the maritime section of the journey. These details shall be recorded before the transport operation is carried out and shall be confirmed by means of a stamp affixed by the rail or port authorities in the stations or inland waterway or sea ports concerned, when that part of the journey carried out by rail or inland waterway or by sea has been completed.'

(*) OJ No. 52, 16.8.1960, p. 1121/60

4. Article 3 becomes Article 4 and is replaced by the following:

'Article 4

In the case of combined transport for hire or reward, a transport document which fulfils at least the requirements laid down in Article 6 of Council Regulation No. 11 (*) of the Treaty establishing the European Economic Community, shall also specify the rail loading and unloading stations relating to the rail leg and/or the inland waterway loading and unloading ports relating to the inland waterway leg and/or the maritime loading and unloading ports relating to the maritime section of the journey. These details shall be recorded before the transport operation is carried out and shall be confirmed by means of a stamp affixed by the rail and/or port authorities in the stations and/or inland waterway and/or sea ports concerned, when that part of the journey carried out by rail or inland waterway or by sea has been completed.'

(*) OJ No. 52, 16.8.1960, p. 1121/60

Commission text

Amendments

(Amendment No. 8)
Article 1(5)

5. Article 4 becomes Article 5 and is replaced by the following text:

'Article 5

1. When a frontier is crossed on the road journey before the rail journey or before the inland waterway journey or before the sea journey, Member States may require the operator to furnish an appropriate document proving that a reservation has been made for the transport by rail of the tractor unit, lorry, trailer, semi-trailer, swap body or container (of 20 feet or more) and for the transport by inland waterway or by sea of the tractor unit, lorry, trailer, semi-trailer or container (of 20 feet or more).

2. Member States may authorize the inspection authorities to require the rail, inland waterway or sea transport document to be produced on completion of the rail, inland waterway or sea leg of the combined transport journey'.

5. Article 4 becomes Article 5 and is replaced by the following text:

'Article 5

1. When a frontier is crossed on the road journey before the rail journey and/or before the inland waterway journey and before the sea journey, Member States may require the operator to furnish an appropriate document proving that a reservation has been made for the transport by rail of the tractor unit, lorry, trailer, semi-trailer, swap body or container (of 20 feet or more) and for the transport by inland waterway and/or by sea of the tractor unit, lorry, trailer, semi-trailer or container (of 20 feet or more).

2. Member States may authorize the inspection authorities to require the rail and/or inland waterway and sea transport document to be produced on completion of the rail, inland waterway or sea leg of the combined transport journey'.

Commission text

Amendments

(Amendment No. 9)
Article 1(10)

10. Article 8 becomes Article 9.

10. Article 8 becomes Article 9 and the first paragraph is replaced by the following text:

Article 9

'1. By 1 July 1993 the Commission shall submit proposals for rules common to all the Member States to ensure that the taxes listed in paragraph 3 applicable to road vehicles (lorries, tractors, trailers or semi-trailers), when used for combined transport, are reduced or refunded either by a standard amount or in proportion to the journeys undertaken by rail, inland waterway or sea.

The Member States shall refund all indirect or equivalent taxes applied to the vehicle if it has, within a 12-month period, undertaken more than 120 journeys of which part of the total route was affected by rail, inland waterway or sea in intercommunity combined transport. Member States may require the operator to prove by means of the document referred to in Article 4 that he has used combined transport.

Where the above number of journeys has not been undertaken, the following reductions shall apply:

Commission text

Amendments

(Amendment No. 9 (cont.))
Article 1(10)

between 91 and 120 journeys: 75% of the reduction in the indirect taxes levied;

between 61 and 90 journeys: 50% of the reduction in the indirect taxes levied;

between 31 and 60 journeys: 25% of the reduction in the indirect taxes levied.

Where the distance covered by rail, inland waterway or sea exceeds 400 km, the journey shall count double. If the distance exceeds 800 km, the journey shall count triple.'

(Amendment No. 10)
Article 1(12)

12. Article 9 becomes Article 10 and is replaced by the following:

'Article 10

Where a trailer or semi-trailer belonging to an undertaking engaged in own-account combined transport is hauled on a final leg by a tractor belonging to an undertaking engaged in transport for hire or reward, the transport operation so effected shall be exempt from presentation of the document provided for in Article 4, but another document shall be provided giving evidence of the journey covered by rail or by inland waterway or by sea.'

12. Article 9 becomes Article 10 and is replaced by the following:

'Article 10

Where a trailer or semi-trailer belonging to an undertaking engaged in own-account combined transport is hauled on a final leg by a tractor belonging to an undertaking engaged in transport for hire or reward, the transport operation so effected shall be exempt from presentation of the document provided for in Article 4, but another document shall be provided giving evidence of the journey covered by rail and/or by inland waterway and/or by sea.'

Commission text

Amendments

(Amendment No. 11)

Article 2

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 1 January 1993. They shall immediately inform the Commission thereof.

When Member States adopt these provisions, these shall contain a reference to this Directive or shall be accompanied by such reference at the time of their official publication. The procedure for such reference shall be adopted by Member States.

2. Member States shall communicate to the Commission the main provisions of domestic law which they adopt in the field covered by this Directive.

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 1 July 1993. They shall immediately inform the Commission thereof.

When Member States adopt these provisions, these shall contain a reference to this Directive or shall be accompanied by such reference at the time of their official publication. The procedure for such reference shall be adopted by Member States.

2. Member States shall communicate to the Commission the main provisions of domestic law which they adopt in the field covered by this Directive.

(Amendment No. 12)

Article 3a (new)

3a. The Commission shall submit to the Council and to Parliament, as soon as possible and by 1 July 1993 at the latest, a report followed by proposals for the harmonization of regulations, technical specifications and standards relating to combined transport, including the compatibility and standardization of freight units and vehicles used in combined transport.

DRAFT LEGISLATIVE RESOLUTION

embodying the opinion of the European Parliament on the Commission proposal for a Council Directive amending Directive 75/130/EEC on the establishment of common rules for certain types of combined carriage of goods between Member States

The European Parliament,

- having regard to the Commission proposal to the Council (COM(92) 0230 final)¹,
 - having been consulted by the Council pursuant to Articles 75 and 84(2) of the EEC Treaty (C3-0399/92),
 - having regard to its resolution of 9 July 1991 (A3-0178/91) on combined transport systems in the EEC: a situation in flux,²
 - having regard to the report of the Committee on Transport and Tourism (A3-0377/92),
1. Approves the Commission proposal subject to Parliament's amendments and in accordance with the vote thereon;
 2. Calls on the Commission to amend its proposal accordingly, pursuant to Article 149(3) of the EEC Treaty;
 3. Calls on the Council to notify Parliament should it intend to depart from the text approved by Parliament;
 4. Asks to be consulted again should the Council intend to make substantial modifications to the Commission proposal;
 5. Instructs its President to forward this opinion to the Council and Commission.

¹ OJ No. C 282, 30.10.1992, p. 8

² OJ No. C 240, 16.9.1991, p. 64

II. Proposal for a Council Regulation (EEC)
amending Regulation (EEC) No. 1107/70 on the granting
of aids for transport by rail, road and inland waterway

Commission text¹

Amendments

(Amendment No. 1)

Third recital

Whereas the possibility of granting such aid for the operating costs of combined transport services crossing the territory of non-member country is only warranted in the case of Austria, the Republics of the former Yugoslavia and Switzerland;

Whereas the possibility of granting such aid for the operating costs of combined transport services crossing the territory of non-member country is only warranted in the case of all transit countries and, in particular, Austria, Switzerland, Slovenia and the other republics of the former Yugoslavia.

(Amendment No. 2)

After the third recital, a new recital 3a

Whereas investment in transshipment terminals, which form the interfaces of the various modes of transport, is crucial to the development of combined transport;

(Amendment No. 3)

Eighth recital

Whereas the present aid arrangements should be maintained until 31 December 1995 and the Council should decide, under the conditions laid down in the Treaty, on the arrangements to be applied subsequently or, if necessary, on the conditions for terminating such aid;

Whereas the present aid arrangements should be maintained until 31 December 2000 and the Council should decide, under the conditions laid down in the Treaty, on the arrangements to be applied subsequently or, if necessary, on the conditions for terminating such aid;

¹ COM(92) 0230 final - OJ No. C 282, 30.10.1992, p. 8

Commission text

Amendments

(Amendment No. 4)
New recital 8a

Whereas sea transport is a key component of a Community policy favouring intermodal transport and the Commission should present, as soon as possible, proposals on the granting of aids for transport by sea, and particularly for port terminals.

(Amendment No. 5)
Article 1

Point 1(e) of Article 3 of Regulation (EEC) No. 1107/70 is hereby replaced by the following:

'(e) Until 31 December 1995, where the aids are granted as a temporary measure and designed to facilitate the development of combined transport, such aids must relate to:

- investment in infrastructure, or
- investment in fixed and moveable facilities necessary for transshipment, or
- investment in transport equipment specifically designed for combined transport and used exclusively in combined transport, or
- other costs incurred in running combined transport services in transit across Austria, Switzerland or the former Republics of Yugoslavia.

Point 1(e) of Article 3 of Regulation (EEC) No. 1107/70 is hereby replaced by the following:

'(e) Until 31 December 2000, where the aids are granted as a temporary measure and designed to facilitate the development of combined transport, such aids must relate to:

- investment in infrastructure and notably in transshipment terminals, or
- investment in fixed and moveable facilities necessary for transshipment, or
- investment in transport equipment specifically designed for combined transport and used exclusively in combined transport, or
- other costs incurred in running combined transport services in transit across all transit countries and, in particular, Austria, Switzerland, Slovenia and the other republics of the former Yugoslavia.

The Commission shall present a progress report on those measures to the Council every two years giving details of where the aids went, their amount and their impact on combined transport. Member States shall supply the Commission with the information needed to compile the report. By 31 December 1995, and on a proposal from the Commission, the Council shall decide on the arrangements to be applied subsequently and, if necessary, on the conditions for terminating them.'

The Commission shall present a progress report on those measures to the Council every two years giving details of where the aids went, their amount and their impact on combined transport. Member States shall supply the Commission with the information needed to compile the report. By 31 December 2000, and on a proposal from the Commission, the Council shall decide on the arrangements to be applied subsequently and, if necessary, on the conditions for terminating them.'

(Amendment No. 6)
New Article 1a

The following new letter (f) is inserted in paragraph 1 of Article 3 of Regulation (EEC) No. 1107/70:

(f) by 30 June 1993 the Commission shall submit to the Council and to the European Parliament a report with proposals on the granting of aids for transport by sea and particularly for port terminals

DRAFT LEGISLATIVE RESOLUTION

embodying the opinion of the European Parliament on the Commission proposal for a Council regulation (EEC) amending Regulation (EEC) No. 1107/70 on the granting of aids for transport by rail, road and inland waterway

The European Parliament,

- having regard to the Commission proposal to the Council (COM(92) 0230 final)¹,
 - having been consulted by the Council pursuant to Article 75 of the EEC Treaty (C3-0400/92),
 - having regard to the report of the Committee on Transport and Tourism (A3-0377/92),
1. Approves the Commission proposal subject to Parliament's amendments and in accordance with the vote thereon;
 2. Calls on the Commission to amend its proposal accordingly, pursuant to Article 149(3) of the EEC Treaty;
 3. Calls on the Council to notify Parliament should it intend to depart from the text approved by Parliament;
 4. Asks to be consulted again should the Council intend to make substantial modifications to the Commission proposal;
 5. Instructs its President to forward this opinion to the Council and Commission.

¹ OJ No. C 282, 30.10.1992, p. 8

B
EXPLANATORY STATEMENT

INTRODUCTION

1. Measures to promote combined transport are one of the key concerns of Community transport policy. There is, of course, a huge imbalance between the various modes of transport, with road transport the most widely-used by far in intra-Community traffic. The increase in the volume of transport in recent years as a result of the implementation of the single market and economic progress and development has been taken up by road transport, thereby creating serious problems in the areas of road safety, congestion, damage to the environment and wasted energy.

The Community's transport resources need to be better managed in the common interest. This means that combined transport and an intermodal approach must be emphasized if transport is to continue to be a driving force in the economy without affecting the public's quality of life or the environment.

2. Combined transport currently accounts for around 4% of total transport. The Community's target is to double this figure within five years and triple it within ten years.

In its resolution of 9 July 1991 on combined transport in the EEC - an evolving situation¹ (Porrazzini Report - A3-0178/91), Parliament made a thorough analysis of the situation regarding combined transport and proposed a number of measures aimed at boosting an intermodal approach and developing combined transport.

3. Your rapporteur would emphasize in this brief introduction that there is no question of challenging the fundamental principle that users should have a free choice of modes of transport. However, this principle should not be abused by charging users for the cost of utilizing infrastructure in different ways depending on the mode of transport used; furthermore, external costs (notably safety and pollution) are not reflected in the same manner by all modes of transport, which leads to huge distortions in competitiveness between the different modes. In this connection, the principle referred to above should be interpreted by gradually introducing the concept of the real transport cost, a measure which should be carried out over the long term and on a fair basis in relation to all modes.

THE COMMISSION PROPOSALS

4. Document COM(92) 230 contains a communication concerning the creation of a European combined transport network and its operating conditions and sets out three legislative proposals:

- (i) a proposal for a Council decision concerning the establishment of a combined transport network in the Community;

¹ OJ No. C 240, 16.9.1992, p. 64

- (ii) a draft Council directive amending Directive 75/130/EEC on the establishment of common rules for certain types of combined carriage of goods between Member States, which seeks essentially to include, in the definition of combined transport, maritime transport used in conjunction with another mode of transport;
- (iii) a draft Council regulation amending Regulation No. 1107/70 (on the granting of aids by the Member States for the development of combined transport) by extending the validity of the regulation to 31 December 1995 (the regulation in question expires on 31 December 1992) and enlarging its scope to include aids for moveable material (in particular railway rolling stock) which is specifically designed for the requirements of combined transport.

The document also contains the Commission's Third Report on the granting of aids for combined transport under Regulation (EEC) No. 1107/70, as last amended by Regulation (EEC) No. 1100/89.

5. The first proposal, concerning the establishment of a combined transport network in the Community, is closely linked to the trans-European networks envisaged in Article 129b of the Treaty on European Union and the new decision-making procedures enshrined therein (the co-decision procedure). Your rapporteur therefore believes that, for the present, we must await the ratification and entry into force of the said Treaty before taking a decision on the proposal. This report therefore covers only the second and third Commission proposals.

6. The Council Directive of 17 February 1975 (75/130/EEC)¹ on the establishment of common rules for certain types of combined road/rail carriage of goods between Member States, as last amended by the Council Directive of 27 March 1991 (91/224/EEC)², seeks to introduce a Community definition of the concept of combined transport, lay down certain rules to foster the development of combined transport of goods and facilitate access to the market by abolishing quantitative restrictions and administrative formalities.

Directive 75/130/EEC has been amended on a number of occasions³:

- the initial definition of combined transport (which was solely road/rail transport) was extended to include combined transport by inland waterway,
- the taxes applicable to commercial vehicles used in combined transport were reduced,
- the incentives were extended to cover all types of combined transport, including containerized transport,

¹ OJ No. L 48, 22.2.1975, p. 31

² OJ No. L 103, 23.4.1992, p. 1

³ Directives 79/5/EEC (OJ No. L 5, 9.1.1979, p. 33),
82/3/EEC (OJ No. L 5, 9.1.1982, p. 12),
82/603/EEC (OJ No. L 247, 23.8.1982, p.6),
86/544/EEC (OJ No. L 320, 15.11.1986, p. 33) and
91/224/EEC (OJ No. L 103, 23.4.1991, p. 1)

- cabotage of road transport which is part of combined transport was fully liberalized.

The present Commission proposal to amend Directive 75/130/EEC seeks chiefly to extend the definition of combined transport to include sea transport, while maintaining the requirement of Directive 91/224/EEC (with regard to combined transport by road and inland waterway) that the road legs linked to a sea journey should be limited to a radius of 150 kilometres from the port.

7. Regulation (EEC) No. 1107/70 of 4 June 1970 on the granting of aids for transport by rail, road and inland waterway¹, as last amended by Regulation (EEC) No. 1100/89², grants the Member State the right to provide aid for combined transport (aids for investment in infrastructure, facilities and the operating costs of combined transport services in intra-Community transit traffic through the territory of third countries) and expires on 31 December 1992.

The present Commission proposal seeks:

- (a) to extend the validity of the regulation to 31 December 1995,
- (b) to extend its scope by permitting State aids for equipment specifically designed for combined transport and used exclusively in combined transport,
- (c) to ensure that aids for operating costs incurred in running combined transport services in transit across third countries are limited to Austria, Switzerland and the former Republics of Yugoslavia.

COMMENTS ON THE PROPOSALS TO AMENDMENT DIRECTIVE 75/130/EEC

8. Your rapporteur welcomes the inclusion of maritime transport in the definition of combined transport, given the huge strategic importance of this mode, and hopes that this measure will make an effective contribution to a Community policy which seeks to favour intermodal and combined transport.

However, a prerequisite for an intermodal approach is the possibility of combining several types of transport and not merely two types. Consequently, many of the amendments put forward by your rapporteur to the Commission proposal seek precisely to establish a definition of combined transport as involving two or more means of transport.

9. The idea of limiting any initial or final road journey which is part of a combined transport journey is an important point, since, as everyone is aware, one of the key objectives of Community policy in this field is to divert the carriage of goods from road to other means of transport. However, the radius of 150 km envisaged for road transport journeys linked to a sea journey seems extremely restrictive, especially if one takes into account the situation of certain peripheral regions in the Community where rail services for transporting goods are highly inadequate. It is precisely these regions that should constitute a privileged market for combined transport, which is particularly competitive over long distances and can thus make an effective contribution to

¹ OJ No. L 130, 15.6.1970, p. 1

² OJ No. L 116, 28.4.1989, p. 24

solving the transport problems of the Community's peripheral regions. In this connection, your rapporteur proposes that, for a transitional period of 10 years, the limit be increased to 200 km by the Member States in agreement with the Commission, providing this is justified by the capacity of the rail network and the river transport network, and does not pose any risk of distorting competition. Your rapporteur also proposes that sea journeys forming part of a combined transport journey should be of at least 120 km, to prevent a short sea journey linked to a long road journey being considered as combined transport (Amendment No. 6).

10. Your rapporteur also proposes measures relating to tax incentives, including common rules for the reimbursement of road taxes on road vehicles using combined transport. Such rules were included in a Commission proposal submitted on 25 January 1990 (COM(89) 564 final)¹ to revise Directive 75/130/EEC; however, this part of the proposal was not adopted by the Council. Nevertheless, your rapporteur goes against the latter proposal in believing that it is up to the Commission, and not the Member States, to initiate harmonization of this kind.

11. Your rapporteur also proposes that the Commission submit a report together with proposals on the harmonization of regulations, technical specifications and standards relating to combined transport. Such harmonization would constitute an important measure for encouraging this type of transport, as has already been pointed out in the Porrazzini Report on combined transport (see paragraph 2 of this explanatory statement).

12. Lastly, your rapporteur proposes a realistic date for the transposition of this directive by the Member States (1 July 1993 instead of 1 January 1993).

COMMENTS ON THE PROPOSAL TO AMEND REGULATION 1107/70

13. Given the inclusion of sea transport in the definition of combined transport, together with the strategic importance of this mode for Community transport policy, as referred to above, your rapporteur is surprised that the revision of this regulation on State aids for transport does not include aids for sea transport.

This is clearly a delicate matter, but such aids, in particular those for port terminals for transshipment from rail to sea transport and vice-versa, are crucial for promoting combined transport. Combined transport accounts for only a small proportion of the total market and it seems that market mechanisms alone are not enough to induce operators to use this mode of transport. To do this it is essential to include ports in the system of multimodal terminals and platforms, since ports constitute the interface between maritime and land-based transport.

14. The Commission's report on the granting of aids for combined transport under Regulation (EEC) No. 1107/70 shows that this regulation was applied in varying ways by the different Member States and that seven States made no use of it at all. It would therefore appear to be necessary to amend this regulation more thoroughly than the Commission would propose.

¹ OJ No. C 34, 14.2.1990, p. 8

15. In this connection, your rapporteur proposes that the Commission submit a report to the Council and European Parliament by 30 June 1993 accompanied by proposals on a system of aids for maritime transport and, in particular, for port terminals.

16. Different considerations have caused your rapporteur to propose that aid for the operating costs of combined transport services used for transit through the territory of third countries should not be limited, as the Commission proposes, to Austria, Switzerland and the former Yugoslavia. One should not forget that some of the Community's Member States are located on its periphery (and have to cross other Community countries to reach their trade partners) nor, above all, should one forget the need to encourage relations with the countries of Central and Eastern Europe in the field of combined transport, as stated in the Prague Declaration.

17. Lastly, the date of 1995 proposed by the Commission for the expiry of this regulation is too close. Investment in infrastructure projects requires large-scale funding and the planning and implementation stages take time. Your rapporteur proposes extending this date to 31 December 2000.

