

EUROPEAN PARLIAMENT

Working Documents

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DOCUMENT 1-465/83

REPORT

drawn up on behalf of the Committee on Transport

on the proposal from the Commission of the European Communities to the Council (Doc. 1-969/82 - COM(82) 718 final) for a directive amending Directive 65/269/EEC concerning the standardization of certain rules relating to authorizations for the carriage of goods by road between Member States

Rapporteur: Mrs von ALEMANN

By letter of 30 November 1982, the European Parliament was consulted by the Council of the European Communities on the proposal from the Commission for a Council directive amending Directive 65/269/EEC on the standardization of certain rules relating to authorizations for the carriage of goods by road between Member States (Doc. 1-969/82).

On 13 December 1982, this document was referred to the Committee on Transport as the committee responsible and to the Committee on Economic and Monetary Affairs for an opinion.

On 25 January 1983, the Committee on Economic and Monetary Affairs decided not to deliver an opinion.

At its meeting of 26 January 1983, the Committee on Transport appointed Mrs von Alemann rapporteur.

The Committee on Transport considered the draft report at its meeting of 25 May 1983.

At the meeting of 21 June 1983, the committee decided unanimously to recommend that Parliament endorse the Commission proposal with a number of amendments.

The committee then adopted unanimously the motion for a resolution as a whole.

The following took part in the vote: Mr Seefeld (chairman); Mr Kaloyannis (vice-chairman); Mrs von Alemann (rapporteur); Mr Albers, Mr Baudis, Mr Cardia, Mr Moreland (deputizing for Mr Cottrell), Mr Arndt (deputizing for Mr Gabert), Lord Harmer-Nicholls, Mr Hoffmann, Mr Klinkenborg, Mr Marshall, Mr Martin, Mr Janssen van Raay (deputizing for Mr O'Donnell) and Mr Loo (deputizing for Mr Ripa di Meana).

The report was tabled on 22 June 1983.

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The Committee on Transport hereby submits to the European Parliament the following amendments to the Commission's proposal and motion for a resolution together with explanatory statement:

Proposal from the Commission for a Council directive amending Directive 65/269/EEC concerning the standardization of certain rules relating to authorizations for the carriage of goods by road between Member States (Doc. 1-969/82)

Text amended by the European Parliament

Commission proposal

1st - 5th recitals
unchanged

Amendment No. 1

6th recital

Whereas removals by road should therefore be excluded from the scope of the First Council Directive¹ of 23 July 1962 and regulated instead under Directive 65/269/EEC² so that removals by road within the Community are not subject to any quotas and may be undertaken on the basis of multilateral authorizations.

Whereas the Council directive² as finally amended through the 1979 act of accession should be amended by incorporating a multilateral authorization for removals by road.

² OJ No. 88, 4.5.1965, p. 1469/65

¹ OJ No. 70, 6.8.1962, p. 2005/62

² OJ No. 88, 4.5.1965, p. 1469/65

Amendment No. 2

Article 1

Directive 65/269/EEC is hereby amended as follows:

1. In the first paragraph of Article 2, the words 'or other' are deleted.
2. The following new paragraph is inserted in Article 2 after the first paragraph:

The authorizations for removals issued to undertakings having special staff and equipment for this purpose shall apply to removals between Member States and to removals in transit through the territory of Member States. Such removals shall not be subject to any quotas.

3. The model authorization form annexed to this Directive is added to the Annex to Directive 65/269/EEC.

Directive 65/269/EEC is hereby amended as follows:

1. In the first paragraph of Article 2, the words 'or other' are deleted.
2. The model authorization annexed to this directive shall be incorporated in the Annex to Directive 65/269/EEC.

Amendment No. 3

Article 1(a) (new)

The First Council Directive of 23 July 1962 is hereby amended as follows:

In Annex II, the following point is deleted:

4. 'Removals by undertakings having special staff and equipment for this purpose.'

MOTION FOR A RESOLUTION

closing the procedure for consultation of the European Parliament on the proposal from the Commission of the European Communities to the Council for a directive amending Directive 65/269/EEC concerning the standardization of certain rules relating to authorizations for the carriage of goods by road between Member States

The European Parliament,

- having regard to the proposal from the Commission of the European Communities to the Council (COM(82) 718 final)¹,
 - having been consulted by the Council (Doc. 1-969/82),
 - having regard to the report of the Committee on Transport (Doc. 1-465/83),
 - having regard to the votes on the Commission's proposal,
- A. whereas this proposal provides for the introduction of multilateral authorizations for removals by road, thereby simplifying the administrative procedure involved in carrying out removals in the Community,
- B. whereas the introduction of multilateral authorizations restricted to removals is already possible as removals by road do not compete with other modes of transport,
- C. whereas multilateral authorizations for the carriage of other goods should not, however, be introduced until the terms of competition have been sufficiently harmonized,
1. Notes that the introduction of multilateral authorizations for removals by road would represent a further small step towards a common transport policy;

¹ OJ No. C 307, 24.11.1982, p. 4

2. Reaffirms its opinion that the system of quotas and authorizations for the carriage of goods by road must be reviewed in its entirety;
3. Considers it appropriate at the present time for removals to be excluded from the scope of the First Council Directive of 23 July 1962¹;
4. Instructs its President to forward to the Council and the Commission, as Parliament's opinion, the Commission's proposal as voted by Parliament and the corresponding resolution.

¹ OJ No. 70, 6.8.1962, p. 2005/62

EXPLANATORY STATEMENT

1. The Commission proposal for a Council directive amending Directive 65/269/EEC concerning the standardization of certain rules relating to authorizations for the carriage of goods by road between Member States - COM(82) 718 final - will be more clearly understood if it is realized that certain types of carriage of goods by road between Member States have already been completely or partly liberalized by the First Council Directive of 23 July 1962¹ and the many amendments thereto.
2. Article 1 of this directive states that certain types of carriage (Annex I) must be exempt from any system of quotas or authorizations and that certain other types of carriage (Annex II) should likewise not be subject to quotas, though they may still be subject to authorization.
3. The scope of the annexes has been broadened a number of times since 1962 and, after more than 20 years, the following types of transport operation have been completely liberalized (Annex I of the directive):
 1. Operations in a zone of 25 km in depth on each side of the frontier up to a total distance of 100 km as the crow flies;
 2. The carriage of goods to or from airports in the event of flights being diverted;
 3. Carriage of luggage in trailers coupled to motor vehicles and in general to and from airports;
 4. Carriage of mail;
 5. Carriage of damaged and broken-down vehicles;
 6. Carriage of refuse and sewage;
 7. Carriage of animal carcasses for quartering;
 8. Carriage of bees and fish fry;
 9. Funeral transport;
 10. Carriage of goods by motor vehicle with a maximum laden weight (including trailers) of 6 tonnes or maximum payload (including trailers) of 3.5 tonnes;
 11. Certain works transport operations;

¹First Council Directive on the establishment of common rules for certain types of carriage of goods by road between Member States

12. Carriage of articles needed for emergency medical care (especially after natural disasters);
13. Carriage of precious goods (e.g. precious metals) by special-purpose vehicles escorted by the police or other security forces;
14. Carriage of spare parts for sea-going vessels and aircraft;
15. Unladen journeys and continuation of the transport operation by vehicles replacing vehicles removed from service;
16. Carriage of objects and works of art for exhibition or for commercial purposes;
17. Occasional carriage of goods exclusively for publicity or information purposes;
18. Carriage of material, properties and animals to or from theatrical, musical or film performances or sporting events, circuses, exhibitions or fairs, or to and from the making of radio or television broadcasts or films.

The quotas have been abolished, although authorizations may still be prescribed - and in practice are prescribed - for the following (Annex II of Directive):

1. Carriage of goods from one Member State into the frontier zone (25 km) of a neighbouring state;
 2. Carriage of supplies for sea-going vessels and aircraft;
 3. Removals by undertakings having special staff and equipment for this purpose;
 4. Carriage of live animals in special vehicles¹.
4. Directive 65/269/EEC, which is to be amended by the Commission proposal under consideration here, governs the granting of authorization for the abovementioned types of transport operation (Annex II), which were partly liberalized by the First Directive of 23 July 1962. These authorizations have hitherto been granted either for a specific period or for a specific number of journeys as bilateral authorizations. The present Commission proposal now envisages the possibility of granting multilateral authorizations for a specific period for one of these types of transport operation, viz. removals within the Community.

¹Special vehicles for the carriage of live animals shall be understood to mean vehicles which have been constructed or permanently modified specially for the carriage of live animals and are licensed as such by the relevant authorities in the Member States.

5. The Commission had, moreover, already submitted a proposal in 1980 providing for the possibility of multilateral authorizations for all the types of transport operation partly liberalized under Annex II of the First Directive of 23 July 1962¹. At the beginning of 1982, the Commission withdrew this proposal, which the European Parliament had endorsed in its resolution of 21 November 1980² by the procedure without report, after the ECMT did not succeed in adopting a resolution to the same effect.

6. The Commission explains the restriction of the multilateral authorization to removals by stating that, in practice, multilateral carriage of goods did not occur in the case of the three other partly liberalized types of transport operation stipulated in Annex II of the Directive of 23 July 1962. At the present time this restriction is also realistic because removals by road do not compete with other modes of transport. It is therefore already possible to achieve concrete results in this limited area.

7. It should be pointed out, however, that the entire problem of quotas and authorizations for the carriage of goods by road, in particular as regards competition with other modes of transport, is still far from a solution.

8. The Commission's proposed amendment of Directive 65/269/EEC does, however, involve the risk of overshooting the objective insofar as repercussions on other types of transport operation cannot be ruled out. At the present time, therefore, removals should be excluded from the scope of the First Council Directive of 23 July 1962³.

¹ Proposal for a directive amending Directive 65/269/EEC - Doc. 1-452/80

² OJ No. C 237, 15.12.1980, p. 66

³ OJ No. 70, 6.8.1962, p. 2005/62

