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*Plenary sitting*

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**A8-0259/2018**

19.7.2018

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## **REPORT**

on the proposal for a directive of the European Parliament and of the Council amending Directive 92/106/EEC on the establishment of common rules for certain types of combined transport of goods between Member States (COM(2017)0648 – C8-0391/2017 – 2017/0290(COD))

Committee on Transport and Tourism

Rapporteur: Daniela Aiuto.

### ***Symbols for procedures***

- \* Consultation procedure
- \*\*\* Consent procedure
- \*\*\*I Ordinary legislative procedure (first reading)
- \*\*\*II Ordinary legislative procedure (second reading)
- \*\*\*III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

### ***Amendments to a draft act***

#### **Amendments by Parliament set out in two columns**

Deletions are indicated in ***bold italics*** in the left-hand column. Replacements are indicated in ***bold italics*** in both columns. New text is indicated in ***bold italics*** in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

#### **Amendments by Parliament in the form of a consolidated text**

New text is highlighted in ***bold italics***. Deletions are indicated using either the **■** symbol or strikeout. Replacements are indicated by highlighting the new text in ***bold italics*** and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.

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## DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

**on the proposal for a directive of the European Parliament and of the Council amending Directive 92/106/EEC on the establishment of common rules for certain types of combined transport of goods between Member States (COM(2017)0648 – C8-0391/2017 – 2017/0290(COD))**

**(Ordinary legislative procedure: first reading)**

*The European Parliament,*

- having regard to the Commission proposal to Parliament and the Council (COM(2017)0648),
  - having regard to Article 294(2) and Article 91(1) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C8-0391/2017),
  - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
  - having regard to the reasoned opinion submitted, within the framework of Protocol No 2 on the application of the principles of subsidiarity and proportionality, by the Swedish Riksdag, asserting that the draft legislative act does not comply with the principle of subsidiarity,
  - having regard to the opinion of the European Economic and Social Committee of 19 April 2018<sup>1</sup>,
  - after consulting the European Committee of the Regions,
  - having regard to Rule 59 of its Rules of Procedure,
  - having regard to the report of the Committee on Transport and Tourism and the opinion of the Committee on the Environment, Public Health and Food Safety (A8-0259/2018),
1. Adopts its position at first reading hereinafter set out;
  2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;
  3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

### **Amendment 1**

#### **Proposal for a directive**

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<sup>1</sup> Not yet published in the Official Journal.

## Recital 1

*Text proposed by the Commission*

(1) The negative impact of transport on air pollution, greenhouse gas emissions, accidents, noise and congestion *continue to pose problems to the economy, health and well-being of European citizens. Despite the fact that road transport is the main contributor of those negative effects, road freight transport is estimated to grow by 60 per cent by 2050.*

*Amendment*

(1) ***The overall aim of this Directive is to establish a resource-efficient multimodal transport network and to reduce*** the negative impact of transport on air pollution, greenhouse gas emissions, accidents, noise and congestion.

## Amendment 2

### Proposal for a directive

#### Recital 2

*Text proposed by the Commission*

(2) Reducing the negative impact of transport activities remains one of the main goals of the Union's transport policy. Council Directive 92/106/EEC<sup>21</sup> which establishes measures to encourage the development of combined transport, is the only legislative act of the Union to directly incentivise the shift from road freight to lower emission transport modes such as inland waterways, maritime and rail.

*Amendment*

(2) Reducing the negative impact of transport activities remains one of the main goals of the Union's transport policy. Council Directive 92/106/EEC<sup>21</sup> which establishes measures to encourage the development of combined transport, is the only legislative act of the Union to directly incentivise the shift from road freight to lower emission transport modes such as inland waterways, maritime and rail. ***In order to further reduce the negative effects of road freight, research into, and the sharing of, best practices between Member States on solutions leading to better routing, network optimisation, increases in load efficiency and the possibilities for the charging of external costs should be encouraged.***

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<sup>21</sup> Council Directive 92/106/EEC of 7 December 1992 on the establishment of common rules for certain types of combined transport of goods between Member States (OJ L 368, 17.12.1992, p.38).

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<sup>21</sup> Council Directive 92/106/EEC of 7 December 1992 on the establishment of common rules for certain types of combined transport of goods between Member States (OJ L 368, 17.12.1992, p.38).

### Amendment 3

#### Proposal for a directive

##### Recital 3

*Text proposed by the Commission*

(3) The goal of reaching 30% of road freight over 300 km shifted to other modes of transport such as rail or waterborne transport by 2030, and more than 50% by 2050, ***in order to optimise the performance of multimodal logistic chains, including by making greater use of more energy-efficient modes, has been slower than expected and according to the current projections, will not be reached.***

*Amendment*

(3) The goal of reaching 30% of road freight over 300 km shifted to other modes of transport such as rail or waterborne transport by 2030, and more than 50% by 2050, ***is to be achieved via efficiency gains and infrastructure improvements within the rail and waterborne sector.***

### Amendment 4

#### Proposal for a directive

##### Recital 4

*Text proposed by the Commission*

(4) Directive 92/106/EEC has contributed to the development of the Union's policy on combined transport and has helped shift a considerable amount of freight away from road. Shortcomings in the implementation of that Directive, notably ambiguous language and outdated provisions, ***and*** the limited scope of its support measures, have significantly reduced its impact.

*Amendment*

(4) Directive 92/106/EEC has contributed to the development of the Union's policy on combined transport and has helped shift a considerable amount of freight away from road. Shortcomings in the implementation of that Directive, notably ambiguous language and outdated provisions, the limited scope of its support measures, ***as well as the bureaucratic and protectionist obstacles within the rail sector,*** have significantly reduced its impact.

### Amendment 5

#### Proposal for a directive

##### Recital 4 a (new)

*Text proposed by the Commission*

*Amendment*

***(4a) This Directive should pave the way for efficient intermodal and multimodal***

*freight services, offering a level playing field for different modes of transport.*

## Amendment 6

### Proposal for a directive

#### Recital 5

*Text proposed by the Commission*

(5) Directive 92/106/EEC should be simplified and its implementation improved by reviewing the economic incentives to combined transport, with the aim of *encouraging the shift of goods from road transport to modes which are more environmentally friendly, safer, more energy efficient and cause less congestion.*

*Amendment*

(5) Directive 92/106/EEC should be simplified and its implementation improved by reviewing the economic incentives to combined transport, with the aim of *improving the competitiveness of rail and waterborne transport in comparison to* road transport.

## Amendment 7

### Proposal for a directive

#### Recital 6

*Text proposed by the Commission*

(6) The volume of national intermodal operations constitutes 19,3 % of the total intermodal transport in the Union. Such operations currently do not benefit from the support measures provided by Directive 92/106/EEC because of the limited scope of the definition of combined transport. However, the negative effect of national road transport operations, and notably greenhouse gas emissions and congestion, have an impact beyond the national borders. Therefore it is necessary to broaden the scope of Directive 92/106/EEC to national (intra-Member State) combined transport operations in order to support the further development of combined transport in the Union, hence an increase in the modal shift from road to rail, inland waterways and short sea shipping.

*Amendment*

(6) The volume of national intermodal operations constitutes 19,3% of the total intermodal transport in the Union. Such operations currently do not benefit from the support measures provided by Directive 92/106/EEC because of the limited scope of the definition of combined transport. However, the negative effect of national road transport operations, and notably greenhouse gas emissions and congestion, have an impact beyond the national borders. Therefore it is necessary to broaden the scope of Directive 92/106/EEC to national (intra-Member State) combined transport operations in order to support the further development of combined transport in the Union, hence an increase in the modal shift from road to rail, inland waterways and short sea shipping. *The derogation from the cabotage rules*



*continues, however, to apply only to international combined transport operations between Member States. The Member States will be required to carry out effective checks to ensure that those rules are observed and to promote the harmonisation of working and social conditions across the various modes of transport and the different Member States.*

## **Amendment 8**

### **Proposal for a directive Recital 7 a (new)**

*Text proposed by the Commission*

*Amendment*

*(7a) In order to ensure the good functioning of the internal market, the road legs of a combined transport operation should be covered by Regulation (EC) No 1071/2009<sup>1a</sup> of the European Parliament and of the Council and Regulation (EC) No 1072/2009<sup>1b</sup> of the European Parliament and of the Council if they are part of an international transport operation or of a domestic transport operation respectively. It is also necessary to ensure the social protection of drivers performing activities in another Member State. Provisions on posting of drivers, provided for under Directive 96/71/EC of the European Parliament and of the Council<sup>1c</sup>, and on the enforcement of those provisions under Directive 2014/67/EU of the European Parliament and of the Council<sup>1d</sup>, should apply to hauliers operating on the road legs of combined transport operations. Road legs should be considered to be an integral part of a single combined transport operation. In particular, the rules on international transport operations provided for by those Directives should apply to the road legs which are part of an international combined transport operation. In*

*addition, in the event of cabotage operations, the rules on cabotage transport laid down in Regulation 1072/2009 should apply to the road legs which are part of a domestic combined transport operation.*

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*<sup>1a</sup> Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009 establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator and repealing Council Directive 96/26/EC (OJ L300, 14.11.2009, p. 51).*

*<sup>1b</sup> Regulation (EC) No 1072/2009 of the European Parliament and of the Council of 21 October 2009 on common rules for access to the international road haulage market (OJ L300, 14.11.2009, p. 72).*

*<sup>1c</sup> Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services, (OJ L 18, 21.1.1997, p. 1).*

*<sup>1d</sup> Directive 2014/67/EU of the European Parliament and of the Council of 15 May 2014 on the enforcement of Directive 96/71/EC concerning the posting of workers in the framework of the provision of services and amending Regulation (EU) No 1024/2012 on administrative cooperation through the Internal Market Information System ('the IMI Regulation'), (OJ L 159, 28.5.2014, p. 11).*

## **Amendment 9**

### **Proposal for a directive Recital 9 a (new)**

*Text proposed by the Commission*

*Amendment*

*(9a) It is necessary to clarify that crenable trailers and semi-trailers are allowed to have a gross weight of 44 tonnes if the loading units are identified*

## **Amendment 10**

### **Proposal for a directive**

#### **Recital 11**

*Text proposed by the Commission*

(11) The outdated usage of stamps in proving that a combined transport operation has occurred prevent the effective enforcement or the verification of eligibility for the measures provided for in Directive 92/106/EEC. The evidence necessary to prove that a combined transport operation is taking place should be clarified as well as the means by which such evidence is provided. The use and transmission of electronic transport information, which should simplify the provision of relevant evidence and its treatment by the relevant authorities, should be encouraged. The format used should be reliable and authentic. The regulatory framework and initiatives simplifying administrative procedures and the digitalisation of transport aspects, should take into consideration developments at Union level.

*Amendment*

(11) The outdated usage of stamps in proving that a combined transport operation has occurred prevent the effective enforcement or the verification of eligibility for the measures provided for in Directive 92/106/EEC. The evidence necessary to prove that a combined transport operation is taking place should be clarified as well as the means by which such evidence is provided. The use and transmission of electronic transport information, which should simplify the provision of relevant evidence and its treatment by the relevant authorities, should be encouraged *with a view to phasing out the use of paper documents in the future*. The format used should be reliable and authentic. The regulatory framework and initiatives simplifying administrative procedures and the digitalisation of transport aspects, should take into consideration developments at Union level.

## **Amendment 11**

### **Proposal for a directive**

#### **Recital 11 a (new)**

*Text proposed by the Commission*

*Amendment*

*(11a) With a view to making combined transport competitive and attractive to operators, in particular for very small enterprises (VSEs) and small and medium-sized enterprises (SMEs), the*

*potential administrative burden entailed in carrying out a combined transport operation as opposed to a unimodal operation should be minimised.*

## Amendment 12

### Proposal for a directive

#### Recital 12

*Text proposed by the Commission*

(12) The scope of the current economic support measures defined in Directive 92/106/EEC is very limited, consisting of fiscal measures (namely the reimbursement or reduction of taxes) which concern only combined rail/road transport operations. Such measures should be extended to combined transport operations covering inland waterways and maritime transport. Other relevant types of measures, such as infrastructure investment support measures or different economic support measures, should also be supported.

*Amendment*

(12) The scope of the current economic support measures defined in Directive 92/106/EEC is very limited, consisting of fiscal measures (namely the reimbursement or reduction of taxes) which concern only combined rail/road transport operations. Such measures should be extended to combined transport operations covering inland waterways and maritime transport. Other relevant types of measures, such as infrastructure ***and digital-technology*** investment support measures or different economic support measures, should also be supported. ***With regard to digital technologies, a transitional period for the dematerialisation of documents that certify that combined transport has occurred should be provided for. During that period, the inspecting authorities' instruments should be technologically upgraded. Member States should prioritise investment in transshipment terminals in order to reduce congestion on the roads, to alleviate the isolation of industrial areas which lack such infrastructure and to improve the accessibility and physical and digital connectivity of freight handling facilities.***

## Amendment 13

### Proposal for a directive

#### Recital 13

(13) The main infrastructure bottleneck hampering the shift from road freight to other modes of transport is at the transshipment terminal level. The current distribution and coverage of transshipment terminals in the Union, at least along the existing TEN-T Core and Comprehensive network, is insufficient yet the capacity of existing transshipment terminals is reaching its limit and will need to develop in order to cope with overall freight traffic growth. Investing in transshipment terminal capacity may reduce overall transshipment costs, and hence produce a derived modal shift, as demonstrated in some Member States. Member States should therefore ensure, in coordination with the neighbouring Member States and with the Commission, that more combined transport transshipment terminals and transshipment capacity are constructed or made available to transport operators. This would incentivise the use of freight transport alternatives and increase modal shift, thus making combined transport operations more competitive than road transport alone. The increased coverage and capacity of transshipment terminals should, at the very minimum, be established along the existing TEN-T Core and Comprehensive networks. There should be on average at least one suitable transshipment terminal for combined transport located no further than 150 km from any shipment location in the Union.

(13) The main infrastructure bottleneck hampering the shift from road freight to other modes of transport is at the transshipment terminal level, ***and it is aggravated by a lack of coherent implementation of the TEN-T's network.*** The current distribution and coverage of transshipment terminals in the Union, at least along the existing TEN-T Core and Comprehensive network, is insufficient yet the capacity of existing transshipment terminals is reaching its limit and will need to develop in order to cope with overall freight traffic growth. Investing in transshipment terminal capacity may reduce overall transshipment costs, and hence produce a derived modal shift, as demonstrated in some Member States. Member States should therefore ensure, in coordination with the neighbouring Member States and with the Commission, that ***existing transshipment terminals are, where necessary, extended and that*** more combined transport transshipment terminals and transshipment capacity are constructed or made available to transport operators ***or that transshipment points are installed in areas where they are needed.*** This would incentivise the use of freight transport alternatives and increase modal shift, thus making combined transport operations more competitive than road transport alone. The increased coverage and capacity of transshipment terminals should, at the very minimum, be established along the existing TEN-T Core and Comprehensive networks. There should be on average at least one suitable transshipment terminal for combined transport located no further than 150 km from any shipment location in the Union. ***Combined transport should benefit from revenues generated from the levy of external-costs charges provided for under Article 2 of Directive 1999/62/EC of the European Parliament and of the Council<sup>1a</sup>.***

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*<sup>1a</sup> Directive 1999/62/EC of the European Parliament and of the Council of 17 June 1999 on the charging of heavy goods vehicles for the use of certain infrastructures, (OJ L187, 20.07.1999, p. 42).*

## **Amendment 14**

### **Proposal for a directive Recital 13 a (new)**

*Text proposed by the Commission*

*Amendment*

*(13a) Member States should prioritise investment in transshipment terminals to reduce bottlenecks and congestion areas, in particular near urban and sub-urban areas, in order to make it easier to cross natural barriers such as mountain areas, to improve cross-border connections, to reduce harmful airborne emissions and to improve access to and from industrial areas which lack such infrastructure.*

## **Amendment 15**

### **Proposal for a directive Recital 14**

*Text proposed by the Commission*

*Amendment*

(14) Member States should implement additional economic support measures in addition to the existing ones, targeting the various legs of a combined transport operation, in order to reduce the road freight and to encourage the use of other modes of transport such as rail, inland waterways and maritime transport, thereby reducing air pollution, greenhouse gas emissions, road traffic accidents, noise and congestion. Such measures may include the reduction of certain taxes or transport fees, grants for intermodal load units effectively

(14) Member States should implement additional economic support measures in addition to the existing ones, targeting the various legs of a combined transport operation, in order to reduce the road freight and to encourage the use of other modes of transport such as rail, inland waterways and maritime transport, thereby reducing air pollution, greenhouse gas emissions, road traffic accidents, noise and congestion, *as well as encouraging action to boost and implement the digitalisation of the sector and the internal market.*

transported in combined transport operations, or the partial reimbursement of transshipments cost.

Such measures may include the reduction of certain taxes or transport fees, grants for intermodal load units effectively transported in combined transport operations, or the partial reimbursement of transshipments cost, ***among other measures. Such measures could include fostering the integration of connected systems and the automation of operations as well as investment in digital logistics, innovative freight handling systems information and communications technologies and intelligent transport systems, in order to facilitate information flows. Such measures could also include boosting the environmental performance, efficiency and sustainability of combined transport by encouraging the use of clean or low-emission vehicles and alternative fuels, supporting energy efficiency efforts and the use of renewables throughout the combined transport chain and reducing the various types of nuisance associated with transport, including noise.***

## **Amendment 16**

### **Proposal for a directive Recital 14 a (new)**

*Text proposed by the Commission*

*Amendment*

***(14a) The various Union funds and programmes for financing research should continue to support the Member States in achieving the aims of this Directive.***

## **Amendment 17**

### **Proposal for a directive Recital 14 b (new)**

*Text proposed by the Commission*

*Amendment*

***(14b) Investment in logistics is another important lever for making combined transport more competitive. More***

*systematic recourse to digital solutions, including information and communication technologies and smart connected systems, would facilitate data exchange, help to make transshipment operations more efficient and less costly and reduce the time they take.*

## **Amendment 18**

### **Proposal for a directive Recital 14 c (new)**

*Text proposed by the Commission*

*Amendment*

***(14c) Investment in workforce training in the logistics chain, particularly at transshipment terminals, would also help to make combined transport more competitive.***

## **Amendment 19**

### **Proposal for a directive Recital 15**

*Text proposed by the Commission*

*Amendment*

(15) Support measures for combined transport operations should be implemented in compliance with the State aid rules contained in the Treaty on the Functioning of the European Union (TFEU).

(15) Support measures for combined transport operations should be implemented in compliance with the State aid rules contained in the Treaty on the Functioning of the European Union (TFEU). ***State aid facilitates the development of economic activities when it does not affect trading conditions to an extent contrary to the common interest within the meaning of Article 107(3)(c) TFEU, and it is a useful tool to promote the execution of important projects of common European interest within the meaning of Article 107(3)(b) TFEU. Therefore, in such cases, the Commission should consider partially exempting Member States from the requirement to inform the Commission provided for in Article 108(3) TFEU.***



## Amendment 20

### Proposal for a directive Recital 16

*Text proposed by the Commission*

(16) **Support** measures should be coordinated, as needed, between Member States and the Commission.

*Amendment*

(16) **To ensure the avoidance of possible overlapping investments between Member States in close proximity, support** measures should be coordinated, as needed, between Member States and the Commission **by means of close cooperation between the Member States' competent authorities.**

## Amendment 21

### Proposal for a directive Recital 17

*Text proposed by the Commission*

(17) Support measures should also be reviewed on a regular basis by the Member States to ensure their effectiveness and efficiency.

*Amendment*

(17) Support measures should also be reviewed on a regular basis by the Member States to ensure their effectiveness and efficiency, **and their overall impact on the European transport sector, as reflected in the European Strategy for Low Emission Mobility should be assessed. Corrective measures should be taken as needed. The Commission should carry out, on the basis of information supplied by the Member States, an assessment of the various measures that the Member States undertake and the effectiveness of those measures, and should promote the sharing of good practice.**

## Amendment 22

### Proposal for a directive Recital 18 a (new)

*Text proposed by the Commission*

*Amendment*

**(18a) The lack of comparable, reliable**

*statistics is currently impeding the evaluation of combined transport in the Union and the adoption of measures to release its potential.*

## **Amendment 23**

### **Proposal for a directive Recital 19**

*Text proposed by the Commission*

(19) To cope with the evolution of Union transport, and in particular the combined transport market, relevant data and information should be gathered by the Member States and reported to the Commission on a regular basis and the Commission should submit a report to the European Parliament and the Council on the application of this Directive every four years.

*Amendment*

(19) To cope with the evolution of Union transport, and in particular the combined transport market, relevant data and information should be gathered by the Member States and reported to the Commission on a regular basis and the Commission should submit a report to the European Parliament, the Council ***and the Member States' competent authorities*** on the application of this Directive every four years.

## **Amendment 24**

### **Proposal for a directive Recital 19 a (new)**

*Text proposed by the Commission*

*Amendment*

***(19a) The Commission should be responsible for the proper implementation of this Directive and for achieving the objective of developing combined transport EU-wide by 2030 and 2050. To that end, it should regularly assess progress in increasing the share of combined transport in each Member State, on the basis of the information provided by the Member States, and should, if necessary, submit a proposal to amend to this Directive with a view to achieving that Union-wide objective.***

## Amendment 25

### Proposal for a directive

#### Recital 22

##### *Text proposed by the Commission*

(22) Since the objectives of this Directive *to further promote the shift from road transport to more environmentally friendly modes of transport, and hence reduce the negative externalities of the Union transport system*, cannot be sufficiently achieved by the Member States but can rather, by reason of the primarily cross-border nature of freight combined transport and interlinked infrastructure, and of the problems this Directive is intended to address, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality as set out in that Article, this Directive does not go beyond what is necessary in order to achieve those objectives

##### *Amendment*

(22) Since the objectives of this Directive, namely *to make combined transport competitive towards* road transport cannot be sufficiently achieved by the Member States but can rather, by reason of the primarily cross-border nature of freight combined transport and interlinked infrastructure, and of the problems this Directive is intended to address, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality as set out in that Article, this Directive does not go beyond what is necessary in order to achieve those objectives

## Amendment 26

### Proposal for a directive

#### Article 1 – paragraph 1 – point 2

Directive 92/106/EEC

Article 1 – paragraph 2 – point a

##### *Text proposed by the Commission*

(a) in a trailer or semi-trailer, with or without a tractor unit, swap body or container, identified in accordance with the identification regime established pursuant to international standards ISO6346 and EN13044, where the load unit is transhipped between the different modes of transport; or

##### *Amendment*

(a) in a trailer or semi-trailer, with or without a tractor unit, swap body or container, identified in accordance with the identification regime established pursuant to international standards ISO6346 and EN13044, *including cranable semi-trailers with a maximum gross weight allowance of 44 tonnes*, where the *unaccompanied intermodal* load unit is transhipped between the different modes of transport (*unaccompanied combined*

*transport operation*); or

## **Amendment 27**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 2**

Directive 92/106/EEC

Article 1 – paragraph 2 – point b

#### *Text proposed by the Commission*

(b) by a road vehicle that is carried by rail, inland waterways or maritime transport for the non-road leg of the journey.

#### *Amendment*

(b) by a road vehicle that is ***accompanied by its driver and*** carried by rail, inland waterways or maritime transport for the non-road leg of the journey (***accompanied transport operation***).

## **Amendment 28**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 2**

Directive 92/106/EEC

Article 1 – paragraph 2 – subparagraph 1 a (new)

#### *Text proposed by the Commission*

#### *Amendment*

***By way of derogation, point (a) of this paragraph shall until [OJ please insert date 5 years after entry into force of this Directive] also cover non-cranable trailers and semi-trailers in unaccompanied combined transport that are not identified in accordance with the identification regime established pursuant to international standards ISO6346 and EN13044.***

## **Amendment 29**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 2**

Directive 92/106/EEC

Article 1 – paragraph 2 – subparagraph 2

*Text proposed by the Commission*

Non-road legs using inland waterway or maritime transport for which there is no equivalent road transport alternative **or which are unavoidable in a commercially viable transport operation** shall not be taken into consideration for the purposes of the combined transport operations.

*Amendment*

Non-road legs using inland waterway or maritime transport for which there is no equivalent **or commercially viable** road transport alternative shall not be taken into consideration for the purposes of the combined transport operations.

**Amendment 30**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 2**

Directive 92/106/EEC

Article 1 – paragraph 3 – subparagraph 1

*Text proposed by the Commission*

Each road leg referred to in paragraph 2 shall not exceed **the longest of the following distances** in the territory of the Union:

- (a) **150 km in distance as the crow flies;**
- (b) **20% of the distance as the crow flies between the loading point for the initial leg and the unloading point for the final leg, when it amounts to more than the distance referred to in point (a).**

*Amendment*

Each road leg referred to in paragraph 2 shall not exceed **150 km in distance** in the territory of the Union.

**Amendment 31**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 2**

Directive 92/106/EEC

Article 1 – paragraph 3 – subparagraph 3

*Text proposed by the Commission*

The road leg distance limit **may be exceeded** for combined road/rail transport operations, **when authorised** by the Member State or Member States on whose territory the road leg takes place, in order to reach the geographically nearest

*Amendment*

**Exceeding the road leg distance limit specified in this paragraph for combined road/rail transport operations shall be allowed by the Member State or Member States on whose territory the road leg takes place, if this is necessary in order to**

transport terminal which has the necessary operational transshipment capability for loading or unloading in terms of transshipment equipment, terminal capacity and appropriate rail freight services.

*reach the geographically nearest transport terminal or transshipment point which has the necessary operational transshipment capability for loading or unloading, in terms of transshipment equipment, terminal capacity, terminal opening times and appropriate rail freight services, in the absence of a transshipment terminal or point fulfilling all of these conditions within the distance limit . Such excess should be duly justified in accordance with Article 3 paragraph 2, point ea. Member States may reduce the 150 km length of the road leg by up to 50% in the case of combined road/rail operations on a precisely defined part of their territory on the grounds of environmental reasons provided that a suitable terminal is located within that distance limit.*

## Amendment 32

### Proposal for a directive

#### Article 1 – paragraph 1 – point 2

Directive 92/106/EEC

Article 1 – paragraph 4

#### *Text proposed by the Commission*

4. A combined transport operation shall be deemed to take place in the Union where the operation or the part thereof taking place in the Union fulfils the requirements laid down in paragraphs 2 and 3.

#### *Amendment*

4. A combined transport operation shall be deemed to take place in the Union where the operation or the part thereof taking place in the Union fulfils the requirements laid down in paragraphs 2 and 3. *For the purpose of this Directive, the road leg and/or non-road leg or the part thereof taking place out of the territory of the Union shall not be considered to be part of the combined transport operation.*

## Amendment 33

### Proposal for a directive

#### Article 1 – paragraph 1 – point 3

*Text proposed by the Commission*

1. Member States shall ensure that road transport is considered forming part of a combined transport operation covered by this Directive only if the carrier can produce clear evidence that such road transport constitutes a road leg of a combined transport operation ***including the transport of empty load units before and after the transport of goods.***

*Amendment*

1. Member States shall ensure that road transport is considered forming part of a combined transport operation covered by this Directive only if the carrier can produce ***information providing*** clear evidence that such road transport constitutes a road leg of a combined transport operation ***and if that information is duly transmitted to the haulier carrying the transport operation before the start of the operation.***

**Amendment 34**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 3**

Directive 92/106/EEC

Article 3 – paragraph 2 - introductory part

*Text proposed by the Commission*

2. ***The*** evidence referred to in paragraph 1 shall comprise the following details for each combined transport operation:

*Amendment*

2. ***In order to be considered to be clear*** evidence, ***the information*** referred to in paragraph 1 ***shall be presented or transmitted in the format referred to in paragraph 5 and*** shall comprise the following details for each combined transport operation:

**Amendment 35**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 3**

Directive 92/106/EEC

Article 3 – paragraph 2 – point a a (new)

*Text proposed by the Commission*

*Amendment*

***(aa) if different from the shipper, the name, address, contact details and signature of the operator responsible for the routing of the combined transport***

*operation;*

## **Amendment 36**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 3**

Directive 92/106/EEC

Article 3 – paragraph 2 – point e a (new)

*Text proposed by the Commission*

*Amendment*

*(ea) if that distance exceeds the limits referred to in Article 1(3), a justification in accordance with the criteria provided for in the last subparagraph thereof;*

## **Amendment 37**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 3**

Directive 92/106/EEC

Article 3 – paragraph 2 – point f

*Text proposed by the Commission*

*Amendment*

(f) a description, ***signed by the shipper***, of the combined transport operation routing including at least the following details for each leg, including for each mode of transport which constitutes the non-road leg, of the operation within the Union:

(f) a description of the combined transport operation routing, ***signed by the responsible operator for the planning, where the signature can mean an electronic signature***, including at least the following details for each leg, including for each mode of transport which constitutes the non-road leg, of the operation within the Union:

## **Amendment 38**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 3**

Directive 92/106/EEC

Article 3 – paragraph 2 – point f – point ii

*Text proposed by the Commission*

*Amendment*

- (ii) name, address and contact

- (ii) name, address and contact



details of the carrier;

details of the carrier(s);

### Amendment 39

#### Proposal for a directive

##### Article 1 – paragraph 1 – point 3

Directive 92/106/EEC

Article 3 – paragraph 2 – point h – point i

*Text proposed by the Commission*

*Amendment*

- (i) *the place of transshipment to the non-road leg;*

*deleted*

### Amendment 40

#### Proposal for a directive

##### Article 1 – paragraph 1 – point 3

Directive 92/106/EEC

Article 3 – paragraph 2 – point h – point ii

*Text proposed by the Commission*

*Amendment*

- (ii) the distance of the initial road transport leg *as the crow flies* between the place of shipment and the first transshipment terminal;

- (ii) the distance of the initial road transport leg between the place of shipment and the first *transport terminal or transshipment terminal point*;

### Amendment 41

#### Proposal for a directive

##### Article 1 – paragraph 1 – point 3

Directive 92/106/EEC

Article 3 – paragraph 2 – point h – point iii

*Text proposed by the Commission*

*Amendment*

- (iii) if the initial road leg is completed, a signature of the *carrier* confirming that the transport operation of the road leg has been carried out;

- (iii) if the initial road leg is completed, a signature of the *haulier* confirming that the transport operation of the road leg has been carried out;

### Amendment 42

#### Proposal for a directive

### Article 1 – paragraph 1 – point 3

Directive 92/106/EEC

Article 3 – paragraph 2 – point i – point ii

*Text proposed by the Commission*

- (ii) the distance of the final road transport leg **as the crow flies** between the place of transshipment and the place where the combined transport operation ends in the Union);

*Amendment*

- (ii) the distance of the final road transport leg between the place of transshipment and the place where the combined transport operation ends in the Union;

### Amendment 43

#### Proposal for a directive

### Article 1 – paragraph 1 – point 3

Directive 92/106/EEC

Article 3 – paragraph 2 – point j – point ii

*Text proposed by the Commission*

- (ii) when available, a signature or seal of the relevant rail **or port authorities** in the relevant terminals (railway station or port) concerned along the non-road leg operation confirming that the relevant part of the non-road leg has been completed.

*Amendment*

- (ii) when available, a signature or seal of the relevant rail **authority or the responsible body** in the relevant terminals (railway station or port) concerned along the non-road leg operation confirming that the relevant part of the non-road leg has been completed.

### Amendment 44

#### Proposal for a directive

### Article 1 – paragraph 1 – point 3

Directive 92/106/EEC

Article 3 – paragraph 2 – point j a (new)

*Text proposed by the Commission*

*Amendment*

**(ja) when the road leg distance limits are exceeded in accordance with the third subparagraph of Article 1(3) the reasons justifying this.**

## Amendment 45

### Proposal for a directive

#### Article 1 – paragraph 1 – point 3

Directive 92/106/EEC

Article 3 – paragraph 4

*Text proposed by the Commission*

4. The evidence referred to in paragraph 1 shall be presented or transmitted upon the request of the authorised inspecting officer of the Member State where the check is carried out. In case of road side checks, it shall be presented within the duration of such check. **It** shall be in an official language of that Member State or in English. During a roadside check, the driver shall be allowed to contact the head office, the transport manager or any other person or entity which may support him in providing the *evidence* referred to paragraph 2.

*Amendment*

4. The evidence referred to in paragraph 1 shall be presented or transmitted upon the request of the authorised inspecting officer of the Member State where the check is carried out **and in the format referred to in paragraph 5**. In case of road side checks, it shall be presented within the duration of such check, **and within a maximum of 45 minutes**. **If it cannot be made available at the time of the road check, the signatures referred to in point (h)(iii) and point (j) of paragraph 2 shall be presented or transmitted within 5 working days following the check to the competent authority of the Member State concerned.** *The evidence* shall be in an official language of that Member State or in English. During a roadside check, the driver shall be allowed to contact the head office, the transport manager or any other person or entity which may support him in providing the *information* referred to *in* paragraph 2.

## Amendment 46

### Proposal for a directive

#### Article 1 – paragraph 1 – point 3

Directive 92/106/EEC

Article 3 – paragraph 5 – subparagraph 1

*Text proposed by the Commission*

The evidence may be provided through **a transport document fulfilling the requirements laid down in Article 6 of Council Regulation No 11, or through other** existing transport documents **such as**

*Amendment*

The evidence may be provided through existing transport documents such as the **consignment notes provided for under existing international or national transport conventions, until a**

*the Convention on the Contract for the International Carriage of Goods by Road (CMR) transport document or the Uniform Rules Concerning the Contract of International Carriage of Goods by Rail (CIM) transport document.*

*standardised form is laid down by the Commission by way of implementing acts*

#### **Amendment 47**

##### **Proposal for a directive**

##### **Article 1 – paragraph 1 – point 3**

Directive 92/106/EEC

Article 3 – paragraph 5 – subparagraph 2

##### *Text proposed by the Commission*

Such evidence may be presented or transmitted electronically, using a revisable structured format which can be used directly for storage and processing by computers, including supplementing the electronic consignment note *under the Convention on the Contract for the International Carriage of Goods by Road (eCMR) for the road part*

##### *Amendment*

Such evidence may be presented or transmitted electronically, using a revisable structured format which can be used directly for storage and processing by computers, including supplementing the electronic consignment note under *existing international or national transport convention. Member States authorities shall be required to accept electronic information related to the evidence. When exchanges of information between authorities and operators are made by electronic tools, such exchanges and the storage of such information, shall be made using electronic data-processing techniques.*

#### **Amendment 48**

##### **Proposal for a directive**

##### **Article 1 – paragraph 1 – point 3**

Directive 92/106/EEC

Article 3 – paragraph 5 – subparagraph 2 a (new)

##### *Text proposed by the Commission*

##### *Amendment*

*Member States shall move towards a gradual dematerialisation of documentation, and shall provide for a transitional period until the use of the*

## **Amendment 49**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 3**

Directive 92/106/EEC

Article 3 – paragraph 6

#### *Text proposed by the Commission*

6. For the purposes of road side checks, a discrepancy of the transport operation with the provided evidence, notably as regards the routing information in *point (g)* of paragraph 2 shall be permitted, if duly justified, in case of exceptional circumstances outside the control of the *carrier(s)* causing changes in the combined transport operation. To that end, the driver shall be allowed to contact the head office, the transport manager or any other person or entity which may provide additional justification on this discrepancy between provided evidence and actual operation.

#### *Amendment*

6. For the purposes of road side checks, a discrepancy of the transport operation with the provided evidence, notably as regards the routing information in *points (f), (h) and (i)* of paragraph 2 shall be permitted, if duly justified, in case of exceptional circumstances outside the control of the *haulier(s)* causing changes in the combined transport operation. To that end, the driver shall be allowed to contact the head office, the transport manager or any other person or entity which may provide additional justification on this discrepancy between provided evidence and actual operation.

## **Amendment 50**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 4**

Directive 92/106/EEC

Article 5 – paragraph 1

#### *Text proposed by the Commission*

1. Member States shall submit to the Commission in the first instance by [xx/xx/xxxx - **18** months after transposition of the Directive] and every two years thereafter a report providing the following information related to the combined transport operations covered by this Directive on their territory:

#### *Amendment*

1. Member States shall submit to the Commission in the first instance by [xx/xx/xxxx - **12** months after transposition of the Directive] and every two years thereafter a report providing the following information related to the combined transport operations covered by this Directive on their territory:

## Amendment 51

### Proposal for a directive

#### Article 1 – paragraph 1 – point 4

Directive 92/106/EEC

Article 5 – paragraph 1 – point a

*Text proposed by the Commission*

(a) national and cross-border transport network **links** used in combined transport operations;

*Amendment*

(a) national and cross-border transport network **corridors** used in combined transport operations;

## Amendment 52

### Proposal for a directive

#### Article 1 – paragraph 1 – point 4

Directive 92/106/EEC

Article 5 – paragraph 1 – point b

*Text proposed by the Commission*

(b) the volume in twenty-foot equivalent unit (TEU) and in tonne kilometres of combined transport operations by type of operation (rail, **road/inland** waterways, *etc...*) and by geographic coverage (national and intra-Union);

*Amendment*

(b) the **total and yearly** volume in twenty-foot equivalent unit (TEU) and in tonne kilometres of combined transport operations by type of operation (**road leg/non-road leg, namely by rail, inland** waterways and **maritime routes**) and by geographic coverage (national and intra-Union);

## Amendment 53

### Proposal for a directive

#### Article 1 – paragraph 1 – point 4

Directive 92/106/EEC

Article 5 – paragraph 1 – point c

*Text proposed by the Commission*

(c) the number and geographic coverage of terminals servicing combined transport operations and the yearly number of transhipments **on those** terminals;

*Amendment*

(c) **the number of transhipments realised through bimodal technologies and geographic coverage of these transhipment points, as well as** the number, **the location** and geographic coverage of terminals servicing combined transport operations, **with a breakdown by**

*type of operations per terminal (road leg/non-road leg, namely by rail, inland waterways, maritime routes) and the yearly number of transshipments and an assessment of the capacity used in terminals;*

#### **Amendment 54**

##### **Proposal for a directive**

##### **Article 1 – paragraph 1 – point 4**

Directive 92/106/EEC

Article 5 – paragraph 1 – point c a (new)

*Text proposed by the Commission*

*Amendment*

*(ca) changes in the share of combined transport and the various modes of transport on the territory,*

#### **Amendment 55**

##### **Proposal for a directive**

##### **Article 1 – paragraph 1 – point 4**

Directive 92/106/EEC

Article 5 – paragraph 1 – point d

*Text proposed by the Commission*

*Amendment*

(d) an overview of all national support measures used and envisaged, including their respective uptake and assessed impact.

(d) an overview of all national support measures used and envisaged, including their respective uptake and assessed impact *on the use of combined transport and their effect as regards social and environmental sustainability, bottlenecks, congestion, safety and efficiency.*

#### **Amendment 56**

##### **Proposal for a directive**

##### **Article 1 – paragraph 1 – point 4**

Directive 92/106/EEC

Article 5 – paragraph 1 – point d a (new)

*Text proposed by the Commission*

*Amendment*

*(da) the number and the geographical location of the operations exceeding the road leg distance limit referred to in Article 1(3).*

## **Amendment 57**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 4**

Directive 92/106/EEC

Article 5 – paragraph 1 – point d b (new)

*Text proposed by the Commission*

*Amendment*

*(db) the origins and destinations, at NUTS 3 level, of freight flows on roads of the Trans-European Transport Network (TEN-T) defined in Regulation (EU) No 1315/2013 of the European Parliament and of the Council\*;*

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*\* Regulation (EU) No 1315/2013 of the European Parliament and of the Council of 11 December 2013 on Union guidelines for the development of the trans-European transport network and repealing Decision No 661/2010/EU (OJ L 348, 20.12.2013, p. 1).*

### *Justification*

*Member States shall collect, directly or via bodies they designate, information on road freight flows on major EU axes. While preserving the confidentiality of road hauliers' commercial information, such a measure would help design new combined transport services and foster modal shift.*

## **Amendment 58**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 4**

Directive 92/106/EEC

Article 5 – paragraph 1 a (new)



**1a.** *The Commission shall publish the data transmitted by Member States in a form that makes comparisons between Member States possible.*

## **Amendment 59**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 4**

Directive 92/106/EEC

Article 5 – paragraph 3

*Text proposed by the Commission*

3. On the basis of an analysis of the national reports, in the first instance by [xx/xx/xxx - 9 months after the MS report submission deadline] and every two years thereafter the Commission shall draw up and submit a report to the European Parliament and to the Council on:

*Amendment*

3. On the basis of an analysis of the national reports, ***and statistical data drawn up on the basis of indications and methodologies that are common to the entire Union***, in the first instance by [xx/xx/xxx - 9 months after the MS report submission deadline] and every two years thereafter the Commission shall draw up and submit a report to the European Parliament, the Council ***and the Member States' competent authorities*** on:

## **Amendment 60**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 4**

Directive 92/106/EEC

Article 5 – paragraph 3 – point a

*Text proposed by the Commission*

(a) the economic development of combined transport, notably in light of the evolution of the environmental performance of different modes of transport;

*Amendment*

(a) the economic development of combined transport ***at Member State and Union-wide level***, notably in light of the evolution of the environmental performance of different modes of transport;

## Amendment 61

### Proposal for a directive

#### Article 1 – paragraph 1 – point 4

Directive 92/106/EEC

Article 5 – paragraph 3 – point c

*Text proposed by the Commission*

(c) the effectiveness and efficiency of the support measures provided for in Article 6,

*Amendment*

(c) the effectiveness and efficiency of the support measures provided for in Article 6, ***specifying the measures that it deems to be most effective to serve the original purpose of this Directive and best practices in the Member States;***

## Amendment 62

### Proposal for a directive

#### Article 1 – paragraph 1 – point 4

Directive 92/106/EEC

Article 5 – paragraph 3 – point c a (new)

*Text proposed by the Commission*

*Amendment*

(ca) ***changes in the share of combined transport in each Member State and at Union level, with a view to achieving the Union’s transport objectives by 2030 and 2050;***

## Amendment 63

### Proposal for a directive

#### Article 1 – paragraph 1 – point 4

Directive 92/106/EEC

Article 5 – paragraph 3 – point d

*Text proposed by the Commission*

(d) possible further measures, including a revision of the definition of combined transport as defined in Article 1 and an adaptation of the list of measures provided for in Article 6.

*Amendment*

(d) possible further measures, including a revision of the definition of combined transport as defined in Article 1, ***improvements to data collection and publication of such data at Union level,*** and an adaptation of the list of measures provided for in Article 6, ***including possible amendments to State aid rules.***

## Amendment 64

### Proposal for a directive

#### Article 1 – paragraph 1 – point 4 a (new)

Directive 92/106/EEC

Article 6 – paragraph 1 - subparagraph 1

#### *Present text*

1. Member States shall take the measures necessary to ensure that the taxes listed in paragraph 3 which are applicable to road vehicles (lorries, tractors, trailers *or* semi-trailers) when routed in combined transport are reduced or reimbursed either by a standard amount, or in proportion to the journeys that such vehicles undertake by rail, within limits and in accordance with conditions and rules they fix after consultation with the Commission.

#### *Amendment*

**(4a) In Article 6 (1), the first subparagraph is replaced by the following:**

"1. Member States shall take the measures necessary to ensure that the taxes listed in paragraph 3 which are applicable to road vehicles (lorries, tractors, trailers, semi-trailers, ***inland waterways containers or multi-modal loading units***) when routed in combined transport are reduced or reimbursed either by a standard amount, or in proportion to the journeys that such vehicles undertake by rail ***or inland waterway transport***, within limits and in accordance with conditions and rules they fix after consultation with the Commission."

(<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:31992L0106>)

## Amendment 65

### Proposal for a directive

#### Article 1 – paragraph 1 – point 4 b (new)

Directive 92/106/EEC

Article 6 – paragraph 1 – subparagraph 2

#### *Present text*

The reductions of reimbursements referred to in the first paragraph shall be granted by the State in which the vehicles are registered, on the basis of the rail journeys

#### *Amendment*

**(4b) In Article 6(1), the second subparagraph is replaced by the following:**

"The reductions of reimbursements referred to in the first paragraph shall be granted by the State in which the vehicles are registered, on the basis of the rail ***or inland waterway*** journeys effected within

effected within that State.

that State."

(<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:31992L0106>)

## Amendment 66

### Proposal for a directive

#### Article 1 – paragraph 1 – point 4 c (new)

Directive 92/106/EEC

Article 6 – paragraph 1 – subparagraph 3

#### *Present text*

Member States may, however, grant these reductions or reimbursements on the basis of the rail journeys which take place partially or wholly outside the Member State in which the vehicles are registered.

#### *Amendment*

**(4c) In Article 6(1), the third subparagraph is replaced by the following:**

"Member States may, however, grant these reductions or reimbursements on the basis of the rail journeys **or inland waterway** which take place partially or wholly outside the Member State in which the vehicles are registered."

(<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:31992L0106>)

## Amendment 67

### Proposal for a directive

#### Article 1 – paragraph 1 – point 5

Directive 92/106/EEC

Article 6 – paragraph 4 – subparagraph 1 – introductory part

#### *Text proposed by the Commission*

4. Where necessary for the achievement of the aim referred to in paragraph 8, Member States shall take the necessary measures to support investment in **transhipment terminals** as regards:

#### *Amendment*

4. Where necessary for the achievement of the aim referred to in paragraph 8, Member States shall take the necessary measures to support investment in **transport terminals and transhipment points** as regards:

## Amendment 68

### Proposal for a directive

#### Article 1 – paragraph 1 – point 5

Directive 92/106/EEC  
Article 6 – paragraph 4 – subparagraph 1 – point a

*Text proposed by the Commission*

(a) the construction ***and, where necessary, the expansion of such transshipment terminals*** for combined transport;

*Amendment*

(a) the construction, ***in areas where no suitable facilities are available within the distance limit referred to in Article 1 (3), of transport terminals or the installation of transshipment points*** for combined transport, ***unless there is no need of such facilities due to a lack of economic relevance or for reasons related to the geographic or natural features of a given area;***

## **Amendment 69**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 5**  
Directive 92/106/EEC  
Article 6 – paragraph 4 – subparagraph 1 – point a a (new)

*Text proposed by the Commission*

*Amendment*

***(aa) the expansion, in areas where additional terminal capacity is needed, of existing terminals or the installation of additional transshipment points and, following an assessment of the economic impacts showing that the market would not be negatively affected and that new terminals are necessary, and provided that environmental concerns have been taken into account, the construction of new terminals for combined transport;***

## **Amendment 70**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 5**  
Directive 92/106/EEC  
Article 6 – paragraph 4 – subparagraph 1 – point b

*Text proposed by the Commission*

*Amendment*

(b) the increase of operational

(b) the increase of operational

efficiency in existing terminals.

efficiency in existing terminals, ***including by ensuring access to those terminals.***

## Amendment 71

### Proposal for a directive

#### Article 1 – paragraph 1 – point 5

Directive 92/106/EEC

Article 6 – paragraph 4 – subparagraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

***Support measures to combined transport shall be deemed to be compatible with the internal market within the meaning of Article 107(3) TFEU and shall be exempted from the notification requirement of Article 108(3) TFEU, provided that they would not represent more than 35% of the entire operation costs.***

## Amendment 72

### Proposal for a directive

#### Article 1 – paragraph 1 – point 5

Directive 92/106/EEC

Article 6 – paragraph 4 – subparagraph 2

*Text proposed by the Commission*

*Amendment*

Member States shall coordinate with neighbouring Member States and with the Commission and ensure that, when such measures are implemented, priority is given to ensuring a balanced and sufficient geographical distribution of suitable facilities in the Union, and notably on the TEN-T Core and Comprehensive networks, allowing that any location in the Union is not situated at a distance farther than ***150 km*** from such terminal.

Member States shall coordinate with neighbouring Member States and with the Commission and ensure that, when such measures are implemented, priority is given to ensuring a balanced and sufficient geographical distribution of suitable facilities in the Union, and notably on the TEN-T Core and Comprehensive networks, allowing that any location in the Union is not situated at a distance farther than ***the limit referred to in point (a) of Article 1 (3)*** from such terminal. ***When taking the measures referred to in this paragraph, Member States shall take due account of the need to:***

- (a) reduce congestion, in particular near urban and sub-urban areas or in areas with natural constraints;*
- (b) improve cross-border connections;*
- (c) alleviate the isolation of areas lacking infrastructure while taking into account the specific needs and constraints of peripheral and outermost regions;*
- (d) improve accessibility and connectivity in particular as regards the access infrastructure to transshipment terminals; and*
- (e) accelerate the shift to digitalisation; and*
- (f) reduce the impact of freight on the environment and on public health, by promoting, for instance, vehicle efficiency, the use of alternative and less pollutant fuels, the use of renewable energies, including in terminals, or by the more efficient use of transport networks via the implementation of information and communication technologies.*

### **Amendment 73**

#### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 5**

Directive 92/106/EEC

Article 6 – paragraph 4 – subparagraph 4

#### *Text proposed by the Commission*

Member States may establish additional conditions for the eligibility for the support.

#### *Amendment*

Member States may establish additional conditions for the eligibility for the support. ***They shall make those conditions known to interested parties.***

### **Amendment 74**

#### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 5**

Directive 92/106/EEC

Article 6 – paragraph 5 – subparagraph 1

*Text proposed by the Commission*

Member States *may* take additional measures, to improve the competitiveness of combined transport operations as compared to equivalent alternative road transport operations.

*Amendment*

**By 31 December 2021**, Member States *shall* take additional measures *of an economic and legislative nature*, to improve the competitiveness of combined transport operations as compared to equivalent alternative road transport operations, *in particular with a view to reducing the time and costs involved in transshipment operations*.

## **Amendment 75**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 5**

Directive 92/106/EEC

Article 6 – paragraph 5 – subparagraph 2 a (new)

*Text proposed by the Commission*

*Amendment*

**With a view to reducing the time and costs involved in combined transport operations, the measures referred to in the first subparagraph shall include at least one or more of the following incentives:**

**(a) exempting hauliers from external-cost charges and/or congestion charges referred to in Article 2 of Directive 1999/62/EC, favouring in particular vehicles powered by alternative fuels as referred to in Article 2 of Directive 2014/94/EU of the European Parliament and of the Council <sup>1a</sup>;**

**(b) reimbursing undertakings performing operations as part of a combined transport the charges for the use of certain infrastructure;**

**(c) exempting hauliers from the limitations imposed under national traffic bans.**

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<sup>1a</sup> **Directive 2014/94/EU of the European Parliament and of the Council of 22 October 2014 on the deployment of**



## **Amendment 76**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 5**

Directive 92/106/EEC

Article 6 – paragraph 5 – subparagraph 2 b (new)

*Text proposed by the Commission*

*Amendment*

*When taking additional measures, Member States shall also take due account of the need to accelerate the shift towards the digitalisation of the combined transport sector and shall in particular:*

*(a) foster the integration of connected systems and the automation of operations;*

*(b) improve the investments in digital logistics, information and communication technologies and intelligent transport systems; and*

*(c) phase out the use of paper documents in the future.*

## **Amendment 77**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 5**

Directive 92/106/EEC

Article 6 – paragraph 5 a (new)

*Text proposed by the Commission*

*Amendment*

*5 a. Such additional measures shall contain incentives favouring the use of non-road transport legs. Member states shall include measures for strengthening the competitiveness of waterborne transport, such as financial incentives for using short sea shipping routes or inland waterways or for the creation of new short sea links.*

## Justification

*Short sea shipping and transport using inland waterways should be included among the transport modes eligible for national incentives in a non-discriminatory manner.*

### Amendment 78

#### Proposal for a directive

##### Article 1 – paragraph 1 – point 5

Directive 92/106/EEC

Article 6 – paragraph 8

#### *Text proposed by the Commission*

8. Member States shall ensure that support measures for combined transport operations aim at reducing the road freight and encourage the use of other modes of transport such as rail, inland waterways and maritime transport, thereby reducing air pollution, greenhouse gas emissions, road traffic accidents, noise and congestion.;

#### *Amendment*

8. Member States shall ensure that support measures for combined transport operations aim at reducing the road freight and encourage the use of other modes of transport such as rail, inland waterways, maritime transport ***or low-emission vehicles, or the use of lower-emission alternative fuels such as biofuels, electricity from renewable sources, natural gas or hydrogen fuel cells***, thereby reducing air pollution, greenhouse gas emissions, road traffic accidents, noise and congestion.

### Amendment 79

#### Proposal for a directive

##### Article 1 – paragraph 1 – point 7

Directive 92/106/EEC

Article 9a – paragraph 3

#### *Text proposed by the Commission*

3. Member States shall publish in an easily accessible manner and free of charge the relevant information concerning the measures adopted pursuant Article 6, as well as other relevant information for the purposes of the application of the present Directive.

#### *Amendment*

3. Member States shall publish in an easily accessible manner ***on the internet*** and free of charge the relevant information concerning the measures adopted pursuant Article 6, as well as other relevant information for the purposes of the application of the present Directive.

### Amendment 80

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 7**  
Directive 92/106/EEC  
Article 9a – paragraph 4

*Text proposed by the Commission*

4. The Commission shall publish and update, where necessary, the list of competent authorities referred to in paragraph 1, as well as a list of the measures referred to in Article 6.;

*Amendment*

4. The Commission shall publish ***on the internet*** and update, where necessary, the list of competent authorities referred to in paragraph 1, as well as a list of the measures referred to in Article 6.;

**Amendment 81**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 8**  
Directive 92/106/EEC  
Article 10a – paragraph 2

*Text proposed by the Commission*

2. The power to adopt delegated acts referred to in Article 5(2) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this (amending) Directive]

*Amendment*

2. The power to adopt delegated acts referred to in Article 5(2) shall be conferred on the Commission for ***a*** period of ***five years*** from [date of entry into force of this (amending) Directive]. ***The Commission shall draw up a report in respect of the delegation of power no later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

## EXPLANATORY STATEMENT

### Commission proposal

Directive 92/106/EEC (the Combined Transport Directive) sets common rules for certain types of combined transport of goods. It aims at reducing road freight transport by bringing together rail, inland waterway and sea transport. The Combined Transport Directive is the only legal instrument at Union level to directly incentivise the shift from road freight to lower emission transport modes. Intermodal transport largely uses modes of transport – such as rail, inland waterways and maritime transport – that cause less negative externalities (emissions, noise and accidents).

The revision of the present rules follows a fitness check of the existing legislation by the Commission, including consultations with Member States and stakeholders. This check showed that, although the impact of the Combined Transport Directive has been modest, it is one of the instruments enhancing the uptake of intermodal freight transport. Its effectiveness and efficiency could be improved by addressing identified shortcomings. In the current situation, the main problems are: 1) less advantageous conditions compared to road transport; and 2) insufficient capacity and density of the intermodal infrastructure. The revised directive will, in particular:

- clarify and extend the definition of combined transport;
- improve the monitoring of eligibility and enforcement conditions;
- improving the reporting and monitoring conditions of the Directive; and
- increase the effectiveness of incentives.

The Commission proposes to extend the scope to domestic transport. Each road leg of the combined transport operation shall not exceed 150 km in distance as the crow flies, or 20% of the distance as the crow flies of the whole combined transport route, when it amounts to more than 150 km. Member States may allow derogation in certain cases. Cabotage exemptions shall apply only to vehicles carrying on road legs which are part of international combined transport operations.

Clear evidence shall be provided to define a combined transport operation. The Commission proposes a list of documents that the carrier should make available at road checks. Such evidence may be presented or transmitted electronically.

According to the Commission proposal, Member States shall submit to the Commission a report providing information related to the combined transport operations on their territory. The Commission shall draw up and submit a report assessing the economic development, the effects of the implementation of the Directive, the effectiveness and efficiency of the support measures adopted by the Member States, possible further measures, including a revision of the definition of combined transport.

Regarding the increase of effectiveness of incentives, Member States shall take the necessary measures to support investment in transshipment terminals, ensuring that any location in the Union is not situated at a distance farther than 150 km from such terminals.

Finally, Member States shall designate one or more competent authority to ensure the implementation of this Directive.

## **Rapporteur's position**

Your rapporteur underlines the importance of favouring combined transport for the delivery of goods.

Combined transport can be an important way to reduce the impact of transportation on health and on environment, supporting the shift to less polluting modalities and helping to achieve the targets in terms of reducing greenhouse gas emissions.

Therefore, combined transport is an opportunity to modernise the transport sector and improve freight logistics, decongesting traffic and improving the management of transshipment terminals. There is a need of measures in terms of infrastructure investments and economic incentives.

Your rapporteur overall supports the Commission proposal and acknowledges the findings of the preceding REFIT evaluation, but she considers that there are a number of areas where the proposal needs to be strengthened and therefore amended. Further technical work to clarify the definition of combined transport should also facilitate the implementation of the updated rules in Member States.

### *Scope and definition*

The rapporteur proposes to better define the vehicles included in the scope of the Directive, making a distinction between vehicles/load units accompanied or not by their drivers.

In order to avoid discrimination among operators and competition problems between Member States, it should be mandatory for all Member States to allow, as a general rule, to exceed the maximum road leg distance limit but under very clear conditions and criteria applying to the whole Union.

More clarity is needed to define combined transport operations with third countries, especially for the calculation of the distance limit for each road leg. Your rapporteur makes clearer that legs out of the territory of the Union should not be taken into account for the purpose of this Directive.

### *Evidence and digital means*

The rapporteur welcomes the detailed list of information to be provided by carriers at road checks, and she provides for some clarification.

Nevertheless, it is necessary to allow for some flexibility for ex post controls in case of some evidence related to the initial road transport leg, and to the non-road leg.

Digitalisation will considerably increase the efficiency and competitiveness of combined transport operations. The rapporteur proposes a series of measures to help phasing out the use of paper systems and encourage operators and Member States to make the shift more quickly. Reductions of costs, less administrative burden and more efficiency will help boosting the advantages of combined transport, rather than other modalities.

### *Cabotage and posting of drivers*

The rapporteur believes that the cabotage rules exemption for the international road legs helps boosting the combined transport sector, but she wants to make sure that the existing legislation is properly applied with a view to prevent illegal cabotage operations.

The cabotage exemption, as defined in Article 4, applies to cross-border transport operations,

but it will not apply to the road legs of the domestic combined transport operation. The first operations compete head-on with cross-border pure road haulage.

To ensure the social protection of drivers performing activities in a different Member State, provisions on posting of drivers in Directives 96/71 and 2014/67 should apply to road legs in all types of operations.

Furthermore, the rapporteur proposes more clarity regarding the application of cabotage exemptions, and the posting of drivers.

#### *Member States' reporting and Commission's assessment*

The rapporteur welcomes the reporting system proposed by the Commission, and she believes that a more precise data collection will help assessing the effects of the implementation of the directive on the development of combined transport.

The rapporteur proposes an explicit reference to national targets to ensure more transparency, efficiency and consistency with the directive objectives. Targets shall be linked in particular to the development of combined transport, the impact on health and the environment, the reduction of road congestion and the increase of transport safety.

Transparency should be guaranteed and comparable data should be published at Union level. Commission should consider to improve data collection and publication through the amendment of the Eurostat regulation.

#### *Fiscal incentives*

The rapporteur believes that further fiscal measures should be adopted by Member States in order to create an economic advantage for combined transport compared to other modes of transport. Possible exemptions from infrastructure charges (for both rail and road legs), external-costs charges, and congestion charges could be put in place, in particular for vehicles powered by alternative fuels.

#### *Measures to support investment in infrastructures and operation*

The rapporteur welcomes the proposal of the Commission to ensure a balanced and sufficient geographical distribution of suitable facilities in the Union, and notably on the TEN-T Core and Comprehensive networks. Member States shall take due account of the need to reduce congestion, improve cross-border connections, improve accessibility and connectivity, and accelerate the shift to digitalisation.

It is necessary to distinguish between the construction of new combined transport terminals and the expansion of existing ones as needs are different according to geographical areas. In areas where additional terminal capacity is needed, the expansion of existing transshipment terminals should be considered, and where necessary the construction of new terminals.

In case state aids are provided for the construction of new terminals, Member States should check that this will not affect existing ones, including by conducting economic equilibrium tests if necessary.

17.5.2018

## **OPINION OF THE COMMITTEE ON THE ENVIRONMENT, PUBLIC HEALTH AND FOOD SAFETY**

for the Committee on Transport and Tourism

on the proposal for a directive of the European Parliament and of the Council amending Directive 92/106/EEC on the establishment of common rules for certain types of combined transport of goods between Member States (COM(2017)0648 – C8-0391/2017 – 2017/0290(COD))

Rapporteur for opinion: Michel Dantin

### **SHORT JUSTIFICATION**

In the 2011 White Paper ‘Roadmap to a Single European Transport Area – Towards a competitive and resource efficient transport system’, the target was set to shift 30% of the Union’s road freight to other carriers, such as rail transport or shipping, by 2030 and 50% by 2050.

Directive 92/106/EEC is the only EU legal instrument that provides a framework for such a modal shift and, 25 years after its entry into force, it is as relevant as ever. Air pollution in the EU causes 400 000 premature deaths every year, the annual death toll on the roads is 26 000, and the estimated cost of congestion is 1.1% of the Union’s GDP. Combined transport is part of the answer in addressing the negative impact of transport.

However, with the transport sector changing and new technologies becoming more widespread, and because some of the provisions of the directive are unclear or obsolete, and it has not been adequately implemented in the Member States, it now needs to be revised so as to release the full potential of combined transport in Europe.

Overall, the rapporteur welcomes the Commission proposal, which addresses many of the current shortcomings, clarifying the text and removing certain impediments to the modal shift. In particular, he supports the revised definition of combined transport, extending the scope to include national operations, the use by operators of electronic documentation, expanding the support measures, intensifying cooperation between Member States on infrastructure investments, and the exchange of information on modal-shift activities.

The rapporteur proposes strengthening the text in several major respects.

## **Legal clarifications**

The rapporteur proposes a number of clarifications to avoid divergent interpretation. They concern, in particular, the rules on cabotage in combined transport at national level and the criteria for derogating from the 150 km rule.

## **Rationalisation of infrastructure investment**

The rapporteur takes the view that transshipment terminals should be the priority focus for investment in combined transport infrastructure, with the emphasis on extending existing infrastructure and making it more efficient. Where it is proposed to create new terminals, the rapporteur believes prior impact assessments should be carried out to ensure that the planned investments are economically and environmentally relevant, taking due account of the local geographical and natural constraints.

## **Improving logistics**

The cost of transshipment operations and the time they take are a key factor explaining combined transport's lack of competitiveness vis-à-vis unimodal transport. In the rapporteur's view, combined transport can be made more attractive through recourse to digital solutions, information and communication technologies and connected transport systems, as well as better training for the workforce in the sector.

## **Promoting clean energies and technologies**

Although one of the directive's main aims is to reduce air pollution, the existing text makes no provision for measures to encourage the use of energy efficient vehicles and infrastructure, energy from renewable sources or innovative technology and digital solutions. The rapporteur sets out a number of proposals in these areas, specifying the scope of possible support measures.

## **Strengthening support measures aimed at operators**

The rapporteur wants to require each Member State, by 31 December 2021, to introduce at least one additional support measure to reduce the impact of freight on the environment and public health.

He also proposes that support measures be better targeted. Member States should prioritise investment in transshipment terminals to reduce bottlenecks and congestion areas, in particular near urban and suburban areas, to make it easier to cross natural barriers such as mountain areas, to improve cross-border connections, to reduce harmful airborne emissions and to improve access to and from industrial areas which lack such infrastructure.

## **Statistics and EU target for modal shift**

The Union target is to shift 30% of road freight to other carriers by 2030 and 50% by 2050. However, monitoring of the development of combined transport in the Member States and at Union level remains patchy, largely because the statistics available are not robust. The rapporteur is seeking to tighten the Member States' reporting obligations and is calling on the Commission to monitor the achievement of the Union's targets for combined transport.



## AMENDMENTS

The Committee on the Environment, Public Health and Food Safety calls on the Committee on Transport and Tourism, as the committee responsible, to take into account the following amendments:

### Amendment 1

#### Proposal for a directive

##### Recital 1

###### *Text proposed by the Commission*

(1) The negative impact of transport on air pollution, greenhouse gas emissions, accidents, noise and congestion continue to pose problems to the economy, health and well-being of European citizens. Despite the fact that road transport is the main contributor of those negative effects, road freight transport is estimated to grow by 60 per cent by 2050.

###### *Amendment*

(1) The negative impact of transport on air pollution, greenhouse gas emissions, accidents, noise and congestion continues to pose problems to the economy, health and well-being of European citizens. ***Transport currently accounts for around 23,2% of total greenhouse gas emissions in the Union and, in 2014, road transport was responsible for 72,8% of the greenhouse gas emissions in the Union transport sector. Air pollution in the Union causes 400 000 premature deaths every year, the annual death toll on the roads is 26 000, and the estimated cost of congestion is 1,1% of the Union's GDP.*** Despite the fact that road transport is the main contributor of those negative effects, road freight transport could grow by 60 per cent by 2050.

### Amendment 2

#### Proposal for a directive

##### Recital 2

###### *Text proposed by the Commission*

(2) Reducing the negative impact of transport activities remains one of the main goals of the Union's transport policy. Council Directive 92/106/EEC<sup>21</sup> which establishes measures to encourage the development of combined transport, is the only legislative act of the Union to directly

###### *Amendment*

(2) Reducing the negative impact of transport activities remains one of the main goals of the Union's transport policy. Council Directive 92/106/EEC<sup>21</sup> which establishes measures to encourage the development of combined transport, is the only legislative act of the Union to directly

incentivise the shift from road freight to lower emission transport modes such as inland waterways, maritime and rail.

incentivise the shift from road freight to lower emission transport modes such as inland waterways, maritime and rail. ***In order to further reduce the negative externalities of road freight, research into, and the sharing of best practices between Member States on solutions to better routing, network optimisation, increases in load efficiency and the possibilities for the charging of external costs should be encouraged.***

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<sup>21</sup> Council Directive 92/106/EEC of 7 December 1992 on the establishment of common rules for certain types of combined transport of goods between Member States (OJ L 368, 17.12.1992, p.38).

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<sup>21</sup> Council Directive 92/106/EEC of 7 December 1992 on the establishment of common rules for certain types of combined transport of goods between Member States (OJ L 368, 17.12.1992, p.38).

### **Amendment 3**

#### **Proposal for a directive Recital 3**

##### *Text proposed by the Commission*

(3) The goal of reaching 30 % of road freight over 300 km shifted to other modes of transport such as rail or waterborne transport by 2030, and more than 50 % by 2050, in order to optimise the performance of multimodal logistic chains, including by making greater use of more energy-efficient modes, has been slower than expected and according to the current projections, will not be reached.

##### *Amendment*

(3) The goal of reaching 30 % of road freight over 300 km shifted to other modes of transport such as rail or waterborne transport by 2030, and more than 50 % by 2050, in order to optimise the performance of multimodal logistic chains, including by making greater use of more energy-efficient modes, has been slower than expected and according to the current projections, will not be reached. ***Given the still untapped potential of combined transport, the implications of improving this Directive are significant in terms of the contribution the sector makes to realising the targets set in the Paris Climate Agreement.***

### **Amendment 4**

#### **Proposal for a directive**

## Recital 4 a (new)

*Text proposed by the Commission*

*Amendment*

***(4a) This Directive should pave the way for efficient intermodal and multimodal freight services, offering a level playing field for modes of transport.***

## Amendment 5

### Proposal for a directive

#### Recital 5

*Text proposed by the Commission*

*Amendment*

(5) Directive 92/106/EEC should be simplified and its implementation improved by reviewing the economic incentives to combined transport, with the aim of encouraging the shift of goods from road transport to modes which are more environmentally friendly, safer, more energy efficient and cause less congestion

(5) Directive 92/106/EEC should be simplified and its implementation improved by reviewing ***and enhancing*** the economic incentives to combined transport, with the aim of encouraging the shift of goods from road transport to ***less polluting*** modes which are more environmentally friendly, safer, more energy efficient and cause less congestion. ***In view of that, research on, and the sharing of, best practices on the shift from road to rail should be encouraged.***

## Amendment 6

### Proposal for a directive

#### Recital 6

*Text proposed by the Commission*

*Amendment*

(6) The volume of national intermodal operations constitutes 19,3 % of the total intermodal transport in the Union. Such operations currently do not benefit from the support measures provided by Directive 92/106/EEC because of the limited scope of the definition of combined transport. However, the negative effect of national road transport operations, and notably greenhouse gas emissions and congestion, have an impact beyond the national borders. Therefore it is necessary to

(6) The volume of national intermodal operations constitutes 19,3% of the total intermodal transport in the Union. Such operations currently do not benefit from the support measures provided by Directive 92/106/EEC because of the limited scope of the definition of combined transport. However, the negative effect of national road transport operations, and notably greenhouse gas emissions and congestion, have an impact beyond the national borders. Therefore it is necessary to

broaden the scope of Directive 92/106/EEC to national (intra-Member State) combined transport operations in order to support the further development of combined transport in the Union, hence an increase in the modal shift from road to rail, inland waterways and short sea shipping.

broaden the scope of Directive 92/106/EEC to national (intra-Member State) combined transport operations in order to support the further development of combined transport in the Union, hence an increase in the modal shift from road to rail, inland waterways and short sea shipping. ***The derogation to cabotage rules continues, however, to apply only to international combined transport operations between Member States. The Member States will have to carry out effective checks to ensure that those rules are observed and to promote the harmonisation of working and social conditions across the various modes of transport and the different Member States.***

#### *Justification*

*Article 4 of Directive 92/106/EEC, concerning the derogation to the cabotage rules, is unchanged in the Commission proposal. Because the directive's scope is being extended to cover national combined transport operations, it should be explicitly clarified that the derogation does not apply to national operations.*

### **Amendment 7**

#### **Proposal for a directive Recital 8**

##### *Text proposed by the Commission*

(8) The current definition of combined transport includes different distance limits for the road legs of a combined transport operation, according to the mode of the non-road leg, and, for rail, the absence of a fixed distance limit but instead takes account of the notion of “nearest suitable terminal” to provide some flexibility to take account of specific situations. That definition has raised many difficulties in its implementation due to various interpretations and specific difficulties to establish the conditions for implementation. It would be useful to lift those ambiguities while also ensuring that some measure of flexibility is retained.

##### *Amendment*

(8) The current definition of combined transport includes different distance limits for the road legs of a combined transport operation, according to the mode of the non-road leg, and, for rail, the absence of a fixed distance limit but instead takes account of the notion of “nearest suitable terminal” to provide some flexibility to take account of specific situations. That definition has raised many difficulties in its implementation due to various interpretations and specific difficulties to establish the conditions for implementation. It would be useful to lift those ambiguities while also ensuring that some measure of flexibility is retained. ***The***

*Commission, in order to create a level playing field for Member States in applying the rules, should stipulate the criteria applicable when there is recourse to the flexibility provision. In particular, the availability and efficiency of combined transport infrastructure need to be taken into account.*

#### *Justification*

*This flexibility is essential so that opportunities for combined transport are not limited. The criteria governing the scope of the EU-wide derogation need to be spelled out, however, so as to avoid differences in interpretation between Member States and to ensure that all operators are treated equally in the internal market.*

### **Amendment 8**

#### **Proposal for a directive Recital 11 a (new)**

*Text proposed by the Commission*

*Amendment*

*(11a) With a view to making combined transport competitive and attractive to operators, in particular to very small enterprises (VSEs) and to small and medium-sized enterprises (SMEs), the potential administrative burden entailed in carrying out a combined transport operation as opposed to a unimodal operation should be minimised.*

### **Amendment 9**

#### **Proposal for a directive Recital 12**

*Text proposed by the Commission*

*Amendment*

(12) The scope of the current economic support measures defined in Directive 92/106/EEC is very limited, consisting of fiscal measures (namely the reimbursement or reduction of taxes) which concern only combined rail/road transport operations. Such measures should be extended to

(12) The scope of the current economic support measures defined in Directive 92/106/EEC is very limited, consisting of fiscal measures (namely the reimbursement or reduction of taxes) which concern only combined rail/road transport operations. Such measures should be extended to

combined transport operations covering inland waterways and maritime transport. Other relevant types of measures, such as infrastructure investment support measures or different economic support measures, should also be supported.

combined transport operations covering inland waterways and maritime transport. Other relevant types of measures, such as infrastructure **and digital technology** investment support measures or different economic support measures, should also be supported.

## Amendment 10

### Proposal for a directive Recital 13

#### *Text proposed by the Commission*

(13) The main infrastructure bottleneck hampering the shift from road freight to other modes of transport is at the transshipment terminal level. The current distribution and coverage of transshipment terminals in the Union, at least along the existing TEN-T Core and Comprehensive network, is insufficient yet the capacity of existing transshipment terminals is reaching its limit **and will need to develop in order** to cope with overall freight traffic growth. Investing in transshipment terminal capacity may reduce overall transshipment costs, and hence produce a derived modal shift, as demonstrated in some Member States. **Member States should therefore ensure, in coordination with the neighbouring Member States and with the Commission, that more combined transport transshipment terminals and transshipment capacity are constructed or made available to transport operators. This would incentivise the use of freight transport alternatives and increase modal shift, thus making combined transport operations more competitive than road transport alone. The increased coverage and capacity of transshipment terminals should, at the very minimum, be established along the existing TEN-T Core and Comprehensive networks. There should be on average at least one suitable transshipment terminal for combined**

#### *Amendment*

(13) The main infrastructure bottleneck hampering the shift from road freight to other modes of transport is at the transshipment terminal level. The current distribution and coverage of transshipment terminals in the Union, at least along the existing TEN-T Core and Comprehensive network, is **in some cases** insufficient yet the capacity of existing transshipment terminals is reaching its limit **while other terminals are not exploited according to their real capacities that could enable** to cope with overall freight traffic growth. Investing in transshipment terminal capacity, **network optimisation and the development of new transshipment techniques** may reduce overall transshipment costs, and hence produce a derived modal shift, as demonstrated in some Member States.

*transport located no further than 150 km from any shipment location in the Union.*

## **Amendment 11**

### **Proposal for a directive Recital 13 a (new)**

*Text proposed by the Commission*

*Amendment*

*(13a) Member States should ensure, in coordination with the neighbouring Member States and with the Commission, that a network of efficient, modernised and fully exploited terminals is made available to transport operators to meet existing and future demand for transport infrastructure. This would incentivise the use of freight transport alternatives and increase modal shift, thus making combined transport operations more competitive than road transport alone. The coverage and increased capacity of transshipment terminals should, at the very minimum, be established along the existing TEN-T Core and Comprehensive networks. There should be on average at least one suitable transshipment terminal for combined transport located no further than 150 km as the crow flies from any shipment location in the Union, also taking into account economic criteria.*

## **Amendment 12**

### **Proposal for a directive Recital 14**

*Text proposed by the Commission*

*Amendment*

(14) Member States should implement additional economic support measures in addition to the existing ones, targeting the various legs of a combined transport operation, in order to reduce the road freight and to encourage the use of other modes of transport such as rail, inland waterways and maritime transport, thereby reducing air pollution, greenhouse gas

(14) Member States should implement additional economic support measures in addition to the existing ones, targeting the various legs of a combined transport operation, in order to reduce the road freight and to encourage the use of other modes of transport such as rail, inland waterways and maritime transport, ***or to reduce the carbon footprint of the road***

emissions, road traffic accidents, noise and congestion. Such measures may include the reduction of certain taxes or transport fees, grants for intermodal load units effectively transported in combined transport operations, or the partial reimbursement of transshipments cost.

*freight sector*, thereby reducing air pollution, greenhouse gas emissions, road traffic accidents, noise and congestion. Such measures *should apply mainly to sensitive areas, such as in mountainous regions, large urban-industrial nodes, cross-border connections, industrial areas which lack such infrastructure and transshipment terminals in order to reduce bottlenecks and congestion. They* may include the reduction of certain taxes or transport fees, grants for intermodal load units effectively transported in combined transport operations, or the partial reimbursement of transshipments cost, *which will contribute to reducing the socio-economic costs of transport, the health risks of pollution and noise, while serving the interests of citizens, businesses and the environment.*

### **Amendment 13**

#### **Proposal for a directive Recital 14 a (new)**

*Text proposed by the Commission*

*Amendment*

*(14a) The Member States should implement additional measures to boost the environmental performance, efficiency and sustainability of combined transport by encouraging zero and low emission modes of transports and alternative fuels, supporting energy efficiency efforts and the use of renewables throughout the combined transport chain and reducing the various types of nuisance associated with transport, including noise, particular in the rail sector and close to urban areas.*

### **Amendment 14**

#### **Proposal for a directive**



## Recital 14 b (new)

*Text proposed by the Commission*

*Amendment*

***(14b) The various Union funds and programmes for financing research should continue to support the Member States in realising the aims of this Directive.***

## Amendment 15

**Proposal for a directive**

**Recital 14 c (new)**

*Text proposed by the Commission*

*Amendment*

***(14c) Investment in logistics is another important lever for making combined transport more competitive. More systematic recourse to digital solutions, including information and communication technologies and smart connected systems, would facilitate data exchange, help to make transshipment operations more efficient and less costly and reduce the time they take.***

## Amendment 16

**Proposal for a directive**

**Recital 14 d (new)**

*Text proposed by the Commission*

*Amendment*

***(14d) Investment in workforce training in the logistics chain, particularly at transshipment terminals, would also help to make combined transport more competitive.***

## Amendment 17

**Proposal for a directive**

**Recital 15**

*Text proposed by the Commission*

*Amendment*

(15) ***Support*** measures for combined

(15) ***Without prejudice to the State aid***

transport operations *should be implemented in compliance with the State aid rules contained in the Treaty on the Functioning of the European Union (TFEU).*

*rules contained in the Treaty on the Functioning of the European Union (TFEU), a certain degree of flexibility should apply in respect of support measures for combined transport operations in order to encourage the use of State aid.*

## Amendment 18

### Proposal for a directive

#### Recital 16

*Text proposed by the Commission*

(16) *Support* measures should be coordinated, as needed, between Member States and the Commission.

*Amendment*

(16) *To ensure the avoidance of possible overlapping investments between Member States in close proximity, support measures should be coordinated, as needed, between Member States and the Commission by means of close cooperation between the Member States' competent authorities.*

## Amendment 19

### Proposal for a directive

#### Recital 17

*Text proposed by the Commission*

(17) Support measures should also be reviewed on a regular basis by the Member States to ensure their effectiveness and efficiency.

*Amendment*

(17) Support measures should also be reviewed on a regular basis by the Member States to ensure their effectiveness and efficiency, *and corrective measures should be taken as needed. The Commission should provide, on the basis of information supplied by the Member States, an analysis of the various measures the Member States undertake and the effectiveness of those measures, and should promote the sharing of good practice.*

#### *Justification*

*The dissemination of good practice – i.e. support measures introduced by Member States which prove particularly effective – should be stepped up so as to provide Member States with*

information they can use when selecting investments and support measures in the combined transport field.

## Amendment 20

### Proposal for a directive Recital 18 a (new)

*Text proposed by the Commission*

*Amendment*

***(18a) The lack of comparable, reliable statistics is currently impeding the evaluation of combined transport in the Union and the adoption of measures to release its potential.***

## Amendment 21

### Proposal for a directive Recital 19

*Text proposed by the Commission*

*Amendment*

(19) To cope with the evolution of Union transport, and in particular the combined transport market, relevant data and information should be gathered by the Member States and reported to the Commission on a regular basis and the Commission should submit a report to the European Parliament and the Council on the application of this Directive every four years.

(19) To cope with the evolution of Union transport, and in particular the combined transport market, relevant data and information should be gathered by the Member States and reported to the Commission on a regular basis and the Commission should submit a report to the European Parliament, the Council ***and the Member States' competent authorities*** on the application of this Directive every four years.

## Amendment 22

### Proposal for a directive Recital 19 a (new)

*Text proposed by the Commission*

*Amendment*

***(19a) The Commission should be responsible for the proper implementation of this Directive and for achieving the objective of developing combined***

*transport EU-wide by 2030 and 2050. To that end, it should regularly assess progress in increasing the share of combined transport in each Member State, on the basis of the information provided by the Member States, and should, if necessary, present a proposal to amend to this Directive with a view to achieving that Union-wide objective.*

*Justification*

*The Commission should play a greater role in monitoring European objectives in the field of combined transport, taking remedial measures where necessary.*

**Amendment 23**

**Proposal for a directive**

**Recital 20**

*Text proposed by the Commission*

(20) Transparency is important for all stakeholders involved in combined transport operations, notably those affected by this Directive. To support such transparency, and promote further cooperation, competent *authorities* should be identified in each Member State.

*Amendment*

(20) Transparency is important for all stakeholders involved in combined transport operations, notably those affected by this Directive. To support such transparency, and promote further cooperation, *a* competent *authority* should be identified in each Member State.

*Justification*

*With a view to ensuring greater visibility for the contact point and consistency in the implementation of the Directive as well as reducing administrative overlap and to facilitating monitoring of implementation, the number of competent authorities should be cut to one per Member State.*

**Amendment 24**

**Proposal for a directive**

**Recital 22**

*Text proposed by the Commission*

(22) Since the objectives of this Directive to further promote the shift from road transport to more environmentally

*Amendment*

(22) Since the objectives of this Directive to further promote the shift from road transport to more environmentally

friendly modes of transport, and hence reduce the negative externalities of the Union transport system, cannot be sufficiently achieved by the Member States but can rather, by reason of the *primarily* cross-border nature of freight combined transport and interlinked infrastructure, and of the problems this Directive is intended to address, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality as set out in that Article, this Directive does not go beyond what is necessary in order to achieve those objectives

friendly modes of transport, and hence reduce the negative externalities of the Union transport system, cannot be sufficiently achieved by the Member States but can rather, *notably* by reason of the cross-border nature of freight combined transport and interlinked infrastructure, and of the problems this Directive is intended to address, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality as set out in that Article, this Directive does not go beyond what is necessary in order to achieve those objectives

## Amendment 25

### Proposal for a directive

#### Article 1 – paragraph 1 – point 2

Directive 92/106/EEC

Article 1 – paragraph 3 – subparagraph 2

#### *Text proposed by the Commission*

The road leg distance limit may be exceeded for combined *road/rail* transport operations, *when authorised by the Member State or Member States on whose territory the road leg takes place*, in order to reach the geographically nearest transport terminal which has the necessary operational transshipment capability for loading or unloading in terms of transshipment equipment, terminal capacity and appropriate rail freight services.

#### *Amendment*

The road leg distance limit may be exceeded for combined transport operations, in order to reach the geographically nearest transshipment terminal – *including in cases when that is in another Member State* – which has the necessary operational transshipment capability for loading or unloading in terms of transshipment equipment, terminal capacity, *terminal opening hours* and appropriate rail freight services. *With a view to avoiding differences in interpretation between Member States, the Commission shall adopt a delegated act in accordance with Article 10(a), supplementing this Directive, laying down the criteria under which combined transport operators may exceed the road leg distance limit for combined transport operations. The Member States shall be responsible for ensuring compliance with*

*these rules by operators and shall forward to the Commission the necessary information concerning authorisations, including the justification for granting derogations and the duration thereof.*

## **Amendment 26**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 2**

Directive 92/106/EEC

Article 1 – paragraph 4

#### *Text proposed by the Commission*

4. A combined transport operation shall be deemed to take place in the Union where the operation or the part thereof taking place in the Union fulfils the requirements laid down in paragraphs 2 and 3.

#### *Amendment*

4. A combined transport operation shall be deemed to take place in the Union where the operation or the part thereof taking place in the Union fulfils the requirements laid down in paragraphs 2 and 3. ***A combined transport operation may, for the purposes of this Directive, begin or end in, or pass through, a third country.***

## **Amendment 27**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 4**

Directive 92/106/EEC

Article 5 – paragraph 1 – point c

#### *Text proposed by the Commission*

(c) the number and geographic coverage of terminals servicing combined transport operations and the yearly number of transshipments on those terminals;

#### *Amendment*

(c) the number and geographic location coverage of terminals servicing combined transport operations and the yearly number of transshipments on those terminals ***related to their respective used capacity;***

#### *Justification*

*Information is needed on the effective location and accessibility of the concerned terminals as well as an updated assessment of their respective used capacity or potential improvement.*

## **Amendment 28**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 4**  
Directive 92/106/EEC  
Article 5 – paragraph 1 – point c a (new)

*Text proposed by the Commission*

*Amendment*

**(ca) changes in the share of combined transport and the various modes of transport on the territory,**

## **Amendment 29**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 4**  
Directive 92/106/EEC  
Article 5 – paragraph 3

*Text proposed by the Commission*

*Amendment*

3. On the basis of an analysis of the national reports, in the first instance by [xx/xx/xxx - 9 months after the MS report submission deadline] and every two years thereafter the Commission shall draw up and submit a report to the European Parliament and to the Council on:

3. On the basis of an analysis of the national reports, **including also statistical data drawn up on the basis of indications and methodologies that are common to the entire Union**, in the first instance by [xx/xx/xxx - 9 months after the MS report submission deadline] and every two years thereafter the Commission shall draw up and submit a report to the European Parliament, the Council **and the Member States' competent authorities** on:

*Justification*

*This amendment stresses the importance of the statistical data that must be provided by the Member States and based on an EU-wide common methodology.*

## **Amendment 30**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 4**  
Directive 92/106/EEC  
Article 5 – paragraph 3 – point a

*Text proposed by the Commission*

*Amendment*

(a) the economic development of

(a) the economic development of

combined transport, notably in light of the evolution of the environmental performance of different modes of transport;

combined transport *at Member State and Union-wide level*, notably in light of the evolution of the environmental performance of different modes of transport;

### Amendment 31

#### Proposal for a directive

##### Article 1 – paragraph 1 – point 4

Directive 92/106/EEC

Article 5 – paragraph 3 – point c

*Text proposed by the Commission*

(c) the effectiveness and efficiency of the support measures provided for in Article 6,

*Amendment*

(c) the effectiveness and efficiency of the support measures provided for in Article 6, *specifying the measures deemed to be most effective to serve the original purpose of this Directive and best practices in the Member States*;

### Amendment 32

#### Proposal for a directive

##### Article 1 – paragraph 1 – point 4

Directive 92/106/EEC

Article 5 – paragraph 3 – point c a (new)

*Text proposed by the Commission*

*Amendment*

(ca) *changes in the share of combined transport in each Member State and at Union level, with a view to achieving the Union's objectives by 2030 and 2050*;

*Justification*

*The Commission should play a greater role in monitoring European objectives in the field of combined transport, taking remedial measures where necessary.*

### Amendment 33

#### Proposal for a directive

##### Article 1 – paragraph 1 – point 5

Directive 92/106/EEC

Article 6 – paragraph 4 – point a



*Text proposed by the Commission*

(a) *the construction and, where necessary, the expansion of combined transport such* transshipment terminals;

*Amendment*

(a) the expansion of transshipment terminals *or, where necessary, the construction of new combined transport terminals. Prior to those investments, an impact assessment, whose purpose shall be to ensure the achievement of the aims of this Directive and the economic and environmental relevance of such investments shall be conducted, taking due account of the geographical and natural constraints of the relevant area. Member States shall prioritise investment in development of new transshipment techniques and the development of transshipment terminals to reduce bottlenecks and congestion areas;*

#### **Amendment 34**

##### **Proposal for a directive**

##### **Article 1 – paragraph 1 – point 5**

Directive 92/106/EEC

Article 6 – paragraph 4 – point b

*Text proposed by the Commission*

(b) the increase of operational efficiency in existing terminals.

*Amendment*

(b) the increase of operational efficiency in existing transshipment terminals *which enable the establishment of a network of terminals in the Union to meet freight traffic demand, by fostering, among other things, the integration of connected systems and the automation of operations as well as investment in digital logistics, information and communications technologies and intelligent transport systems.*

#### **Amendment 35**

##### **Proposal for a directive**

##### **Article 1 – paragraph 1 – point 5**

Directive 92/106/EEC

Article 6 – paragraph 4 – subparagraph 2

*Text proposed by the Commission*

Member States shall coordinate with neighbouring Member States and with the Commission and ensure that, when such measures are implemented, priority is given to ensuring ***a balanced and suitable facilities in the Union***, and notably on the TEN-T Core and Comprehensive networks, allowing that any location in the Union is not situated at a distance farther than 150 km from such terminal.

*Amendment*

Member States shall coordinate with neighbouring Member States, ***particularly via close cooperation between their competent authorities***, and with the Commission and ensure that, when such measures are implemented, priority is given to ensuring a sufficient geographical distribution of ***transshipment terminals Union-wide***, and notably on the TEN-T Core and Comprehensive networks, allowing that any location in the Union is not situated at a distance farther than 150 km ***as the crow flies*** from such terminal. ***Member States may derogate from this 150-km rule if these facilities have no economic relevance or for reasons related the geographic or natural features of a given area. Such derogations shall be duly justified by the competent authority.***

**Amendment 36**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 5**

Directive 92/106/EEC

Article 6 – paragraph 5 – subparagraph 1

*Text proposed by the Commission*

Member States ***may*** take additional ***measures***, to improve the competitiveness of combined transport operations as compared to equivalent alternative road transport operations.

*Amendment*

***By 31 December 2021***, Member States ***shall*** take ***at least one additional measure of an economic and legislative nature***, to improve - ***also through the use of technologies*** - the competitiveness of combined transport operations as compared to equivalent alternative road transport operations, ***in particular with a view to reducing the time and costs involved in transshipment operations.***

*Justification*

*This amendment seeks to further commit Member States to determining policies and measures to promote and develop combined transport, making it more efficient; those policies and measures should be both economic and legislative and should be pursued in particular through the use of technology.*

## Amendment 37

### Proposal for a directive

#### Article 1 – paragraph 1 – point 5

Directive 92/106/EEC

Article 6 – paragraph 5 – subparagraph 2

*Text proposed by the Commission*

Such measures may address any or part of a combined transport operation, such as the operation of a road or non-road leg including the vehicle used on such a leg, or such as the load unit *or* the transshipment operations.

*Amendment*

Such measures may address any or part of a combined transport operation, such as the operation of a road or non-road leg including the vehicle used on such a leg, or such as the load unit, the transshipment operations *or labour force training*.

## Amendment 38

### Proposal for a directive

#### Article 1 – paragraph 1 – point 5

Directive 92/106/EEC

Article 6 – paragraph 5 a (new)

*Text proposed by the Commission*

*Amendment*

***5a. By 31 December 2021, Member States shall take at least one additional measure to reduce the impact of freight on the environment and public health, by promoting, for instance, vehicle efficiency, the use of alternative and less pollutant fuels, the use of renewable energies, including in terminals, or the more efficient use of transport networks via the implementation of information and communication technologies.***

## Amendment 39

### Proposal for a directive

#### Article 1 – paragraph 1 – point 5

Directive 92/106/EEC

Article 6 – paragraph 6

*Text proposed by the Commission*

*Amendment*

6. Member States shall ***report to the Commission on the measures taken pursuant to this Article and their specifications.***

6. Member States shall ***assess the impact of such support measures, and re-evaluate their needs at least every four years and, where necessary, adapt*** the measures.

#### Amendment 40

##### Proposal for a directive

##### Article 1 – paragraph 1 – point 5

Directive 92/106/EEC

Article 6 – paragraph 7

##### *Text proposed by the Commission*

7. Member States shall ***assess the impact of such support measures, and re-evaluate their needs at least every four years and where necessary adapt*** the measures.

##### *Amendment*

7. Member States shall ***report to the Commission, in accordance with the conditions laid down in Article 5 (1), on the measures taken pursuant to this Article, detailing them and their impact and disclosing any remedial measures taken or planned, together with a precise schedule.***

#### Amendment 41

##### Proposal for a directive

##### Article 1 – paragraph 1 – point 5

Directive 92/106/EEC

Article 6 – paragraph 8

##### *Text proposed by the Commission*

8. Member States shall ensure that support measures for combined transport operations aim at reducing the road freight and encourage the use of other modes of transport such as rail, inland waterways and maritime transport, thereby reducing air pollution, greenhouse gas emissions, road traffic accidents, noise and congestion.;

##### *Amendment*

8. Member States shall ensure that support measures for combined transport operations aim at reducing the road freight and encourage the use of other modes of transport such as rail, inland waterways, maritime transport ***or low-emission vehicles, or the use of lower-emission alternative fuels such as biofuels, electricity from renewable sources, natural gas or hydrogen fuel cells***, thereby reducing air pollution, greenhouse gas emissions, road traffic accidents, noise and congestion.

### *Justification*

*Since one of the directive's principal objectives is to reduce emissions of airborne pollutants, the use of lower-emission vehicles and fuels, particularly in road transport, should be encouraged. Low-carbon heavy goods vehicles have significant potential for decarbonising transport.*

## **Amendment 42**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 7**

Directive 92/106/EEC

Article 9a – paragraph 1 – subparagraph 1

#### *Text proposed by the Commission*

Member States shall designate one *or more* competent authority to ensure the implementation of this Directive and to act as the main point of contact for its implementation.

#### *Amendment*

Member States shall designate one competent authority to ensure the implementation of this Directive and to act as the main point of contact for its implementation.

### *Justification*

*With a view to ensuring greater visibility for the contact point and consistency in the implementation of the Directive as well as reducing administrative overlap and to facilitating monitoring of implementation, the number of competent authorities should be cut to one per Member State.*

## **Amendment 43**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 7**

Directive 92/106/EEC

Article 9a – paragraph 1 – subparagraph 2

#### *Text proposed by the Commission*

Member States shall notify the other Member States and the Commission of the competent *authorities* referred to in the first subparagraph.

#### *Amendment*

Member States shall notify the other Member States and the Commission of the competent *authority* referred to in the first subparagraph.

### *Justification*

*With a view to ensuring greater visibility for the contact point and consistency in the implementation of the Directive as well as reducing administrative overlap and to facilitating*

*monitoring of implementation, the number of competent authorities should be cut to one per Member State.*

#### **Amendment 44**

##### **Proposal for a directive**

##### **Article 1 – paragraph 1 – point 7**

Directive 92/106/EEC

Article 9a – paragraph 2

##### *Text proposed by the Commission*

2. Member States shall ensure that national competent authorities cooperate with ***the competent authorities from other member States***. For such purpose, Member States shall ensure that competent authorities provide each other with the information necessary for the application of the present Directive. In respect of the information exchanged, the receiving authority shall ensure the same level of confidentiality as the originating authority.

##### *Amendment*

2. Member States shall ensure that national competent authorities cooperate with ***one another, particularly in upgrading cross-border transport connections and ensuring the continuity and consistency of investments on both sides of the border***. For such purpose, Member States shall ensure that competent authorities provide each other with the information necessary for the application of the present Directive. In respect of the information exchanged, the receiving authority shall ensure the same level of confidentiality as the originating authority.

## PROCEDURE – COMMITTEE ASKED FOR OPINION

|   |  |
|---|--|
| <b>Title</b>  | Common rules for certain types of combined transport of goods between Member States  |
| <b>References</b>   | COM(2017)0648 – C8-0391/2017 – 2017/0290(COD)  |
| <b>Committee responsible</b><br>Date announced in plenary       | TRAN<br>29.11.2017   |
| <b>Opinion by</b><br>Date announced in plenary                  | ENVI<br>29.11.2017   |
| <b>Rapporteur</b><br>Date appointed                             | Michel Dantin<br>29.1.2018   |
| <b>Discussed in committee</b>                                   | 19.3.2018  |
| <b>Date adopted</b>   | 17.5.2018  |
| <b>Result of final vote</b>                                     | +: 53<br>–: 1<br>0: 3  |
| <b>Members present for the final vote</b>                       | Pilar Ayuso, Zoltán Balczó, Ivo Belet, Biljana Borzan, Paul Brannen, Soledad Cabezón Ruiz, Nessa Childers, Birgit Collin-Langen, Miriam Dalli, Seb Dance, Stefan Eck, José Inácio Faria, Karl-Heinz Florenz, Francesc Gambús, Elisabetta Gardini, Gerben-Jan Gerbrandy, Jens Gieseke, Julie Girling, Sylvie Goddyn, Françoise Grossetête, Andrzej Grzyb, Jytte Guteland, György Hölvényi, Anneli Jäätteenmäki, Benedek Jávor, Urszula Krupa, Jo Leinen, Peter Liese, Lukas Mandl, Valentinas Mazuronis, Susanne Melior, Rory Palmer, Massimo Paolucci, Piernicola Pedicini, Bolesław G. Piecha, Pavel Poc, John Procter, Julia Reid, Annie Schreijer-Pierik, Davor Škrlec, Claudiu Ciprian Tănăsescu, Ivica Tolić, Adina-Ioana Vălean, Damiano Zoffoli |
| <b>Substitutes present for the final vote</b>                   | Nikos Androulakis, Nicola Caputo, Esther Herranz García, Jan Huitema, Peter Jahr, Karol Karski, Ulrike Müller, Stanislav Polčák, Bart Staes, Tiemo Wölken  |
| <b>Substitutes under Rule 200(2) present for the final vote</b> | John Flack, Jaromír Kohlíček, Miltiadis Kyrkos   |

## FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

| 53        | +   |
|-----------|---|
| ALDE      | Gerben-Jan Gerbrandy, Jan Huitema, Anneli Jäätteenmäki, Valentinas Mazuronis, Ulrike Müller   |
| ECR       | John Flack, Karol Karski, Urszula Krupa, Boleslaw G. Piecha, John Procter   |
| EFDD      | Piernicola Pedicini   |
| ENF       | Sylvie Goddyn   |
| PPE       | Pilar Ayuso, Ivo Belet, Birgit Collin-Langen, José Inácio Faria, Karl-Heinz Florenz, Francesc Gambús, Elisabetta Gardini, Jens Gieseke, Julie Girling, Françoise Grossetête, Andrzej Grzyb, Esther Herranz García, György Hölvényi, Peter Jahr, Peter Liese, Lukas Mandl, Stanislav Polčák, Annie Schreijer-Pierik, Ivica Tolić, Adina-Ioana Vălean |
| S&D       | Nikos Androulakis, Biljana Borzan, Paul Brannen, Soledad Cabezón Ruiz, Nicola Caputo, Nessa Childers, Miriam Dalli, Seb Dance, Jytte Guteland, Miltiadis Kyrkos, Jo Leinen, Susanne Melior, Rory Palmer, Massimo Paolucci, Pavel Poc, Claudiu Ciprian Tănăsescu, Tiemo Wölken, Damiano Zoffoli  |
| VERTS/ALE | Benedek Jávor, Davor Škrlec, Bart Staes   |

| 1    | -          |
|------|------------|
| EFDD | Julia Reid |

| 3       | 0                            |
|---------|------------------------------|
| GUE/NGL | Stefan Eck, Jaromír Kohlíček |
| NI      | Zoltán Balczó                |

Key to symbols:

+ : in favour

- : against

0 : abstention



## PROCEDURE – COMMITTEE RESPONSIBLE

|   |   |              |          |
|---|---|--------------|----------|
| <b>Title</b>  | Common rules for certain types of combined transport of goods between Member States   |              |          |
| <b>References</b>   | COM(2017)0648 – C8-0391/2017 – 2017/0290(COD)   |              |          |
| <b>Date submitted to Parliament</b>                               | 8.11.2017   |              |          |
| <b>Committee responsible</b><br>Date announced in plenary         | TRAN<br>29.11.2017  |              |          |
| <b>Committees asked for opinions</b><br>Date announced in plenary | ENVI<br>29.11.2017  |              |          |
| <b>Rapporteurs</b><br>Date appointed                              | Daniela Aiuto<br>11.12.2017   |              |          |
| <b>Discussed in committee</b>                                     | 1.2.2018  | 25.4.2018    | 9.7.2018 |
| <b>Date adopted</b>   | 9.7.2018  |              |          |
| <b>Result of final vote</b>                                       | +:<br>-:<br>0:  | 34<br>4<br>2 |          |
| <b>Members present for the final vote</b>                         | Daniela Aiuto, Lucy Anderson, Marie-Christine Arnautu, Georges Bach, Izaskun Bilbao Barandica, Deirdre Clune, Michael Cramer, Luis de Grandes Pascual, Andor Deli, Karima Delli, Isabella De Monte, Ismail Ertug, Jacqueline Foster, Dieter-Lebrecht Koch, Merja Kyllönen, Miltiadis Kyrkos, Bogusław Liberadzki, Peter Lundgren, Marian-Jean Marinescu, Georg Mayer, Gesine Meissner, Markus Pieper, Gabriele Preuß, Christine Revault d'Allonnes Bonnefoy, Dominique Riquet, Claudia Schmidt, Keith Taylor, Peter van Dalen, Wim van de Camp, Marie-Pierre Vieu, Elissavet Vozemberg-Vrionidi, Janusz Zemke, Roberts Zīle, Kosma Złotowski, Elżbieta Katarzyna Łukacijewska |              |          |
| <b>Substitutes present for the final vote</b>                     | Maria Grapini, Karoline Graswander-Hainz, Werner Kuhn   |              |          |
| <b>Substitutes under Rule 200(2) present for the final vote</b>   | Anna Hedh, Krzysztof Hetman   |              |          |
| <b>Date tabled</b>  | 19.7.2018   |              |          |

## FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE

| 34        | +  |
|-----------|--|
| ALDE      | Izaskun Bilbao Barandica, Gesine Meissner, Dominique Riquet, Pavel Telička   |
| EFDD      | Daniela Aiuto  |
| GUE/NGL   | Merja Kyllönen, Marie-Pierre Vieu  |
| PPE       | Georges Bach, Deirdre Clune, Andor Deli, Krzysztof Hetman, Dieter-Lebrecht Koch, Werner Kuhn, Elżbieta Katarzyna Łukacijewska, Marian-Jean Marinescu, Markus Pieper, Claudia Schmidt, Elissavet Vozemberg-Vrionidi, Luis de Grandes Pascual, Wim van de Camp |
| S&D       | Lucy Anderson, Isabella De Monte, Ismail Ertug, Maria Grapini, Karoline Graswander-Hainz, Anna Hedh, Miltiadis Kyrkos, Bogusław Liberadzki, Gabriele Preuß, Christine Revault d'Allonnes Bonnefoy, Janusz Zemke  |
| VERTS/ALE | Michael Cramer, Karima Delli, Keith Taylor   |

| 4   | -   |
|-----|---|
| ECR | Jacqueline Foster, Roberts Ziļe, Kosma Złotowski, Peter van Dalen |

| 2   | 0                                    |
|-----|--------------------------------------|
| ENF | Marie-Christine Arnautu, Georg Mayer |

Key to symbols:

+ : in favour

- : against

0 : abstention