



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 02.10.1997

COM(97) 455 final

96/0002 (SYN)

Re-examined proposal for a

COUNCIL REGULATION (EC)

**laying down the conditions under which non-resident carriers may  
operate national road passenger transport services within a Member State**

(presented by the Commission pursuant to Article 189 c (d)  
of the EC Treaty)

## **EXPLANATORY MEMORANDUM**

At its plenary session of 14 to 18 July 1997, the European Parliament approved, subject to a number of amendments, the text of the common position adopted by the Council on 14 April 1997<sup>1</sup> with a view to adopting Council Regulation (EC) No ..... laying down the conditions under which non-resident carriers may operate national road passenger transport services within a Member State.

The Commission has accepted the following amendments:

Amendment 1 concerning recital 5a (new) of the common position, relating to the cabotage of regular services not covered by the Regulation, with some rewording.

Amendment 2, paragraph 1 concerning Article 13 of the common position, relating to the drafting of the report on the implementation of Regulation No 2454/92 and on the operation of regular services in the Member States.

The Commission has not accepted Amendment 2, paragraph 2 concerning the use of the recapitulative statistics referred to in Article 7. In producing the report the Commission will use all available information, not just the recapitulative statistics.

Accordingly, the Commission has amended its proposal as follows:

Annex: 2 amendments

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<sup>1</sup> OJ C 164, 30.5.1997, p. 17.

**Re-examined proposal for**

**COUNCIL REGULATION (EC) No .....**

**laying down the conditions under which non-resident carriers may  
operate national road passenger transport services within a Member State**

The text of the common position adopted by the Council on 14 April 1997 with a view to adopting Council Regulation (EC) No ..... laying down the conditions under which non-resident carriers may operate national road passenger transport services within a Member State, is amended as follows:

| Council common position | Re-examined proposal   |
|-------------------------|--|
| <b>Recital 5a (new)</b> |  |
|                         | <p><u>“Whereas the question of harmonisation of access to the market in regular services not covered by this Regulation will be examined as part of the action to be taken following the Green Paper ‘The Citizens’ Network - fulfilling the potential of public passenger transport in Europe.’</u></p> |

| Council common position   | Re-examined proposal  |
|---|---|
| <b>Article 13</b>   |   |
| <p>The Commission shall report to the European Parliament and the Council before 31 December 1999 on the application of this Regulation and, in particular, on the impact of cabotage transport operations on national transport markets.</p> | <p><u>“1. The Commission shall report to the European Parliament and the Council, before 30 June 1998, on the results of the implementation of Regulation (EEC) No 2454/92 and on the operation of ‘regular services’ in the Member States.</u></p> <p>2. The Commission shall report to the European Parliament and the Council before 31 December 1999 on the application of this Regulation and, in particular, on the impact of cabotage transport operations on national transport markets.”</p> |

Remainder of text unchanged.

**Road passenger transport \*\*II**

**A4-0234/97**

**Decision on the common position adopted by the Council with a view to the adoption of a Council Regulation laying down the conditions under which non-resident carriers may operate national road passenger transport services with a Member State (C4-0172/97 - 96/0002(SYN))**

**(Cooperation procedure: second reading)**

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**Common position of the Council**

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**Amendments by Parliament**

**(Amendment 1)  
Recital 5a (new)**

**(5a) Whereas the Commission has stated that it intends to reexamine the question of harmonization of access to the market in regular services not covered by this Regulation as part of the initiatives it will adopt in response to reactions to the Green Paper: 'The Citizens' Network - fulfilling the potential of public passenger transport in Europe';**

**(Amendment 2)  
Article 13**

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<sup>(1)</sup> OJ C 380, 16.12.1996, p. 35.  
<sup>(2)</sup> OJ C 60, 29.2.1996, p. 10.

The Commission shall report to the Council and Parliament before 31 December 1999 on the application of this Regulation and, in particular, on the impact of cabotage transport operations on national transport markets.

1. The Commission shall report to Parliament and the Council before 30 June 1998 on both the results of the implementation of Regulation (EEC) No 2454/92 and the operation of regular services in the Member States, with a view to new legislative initiatives based on reactions to the Green Paper on 'The Citizens' Network'.

2. The Commission shall report to the Council and Parliament before 31 December 1999 on the application of this Regulation and, in particular, on the impact of cabotage transport operations in national transport markets, using the statistical data referred to in Article 7.

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