

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(78) 688 final.

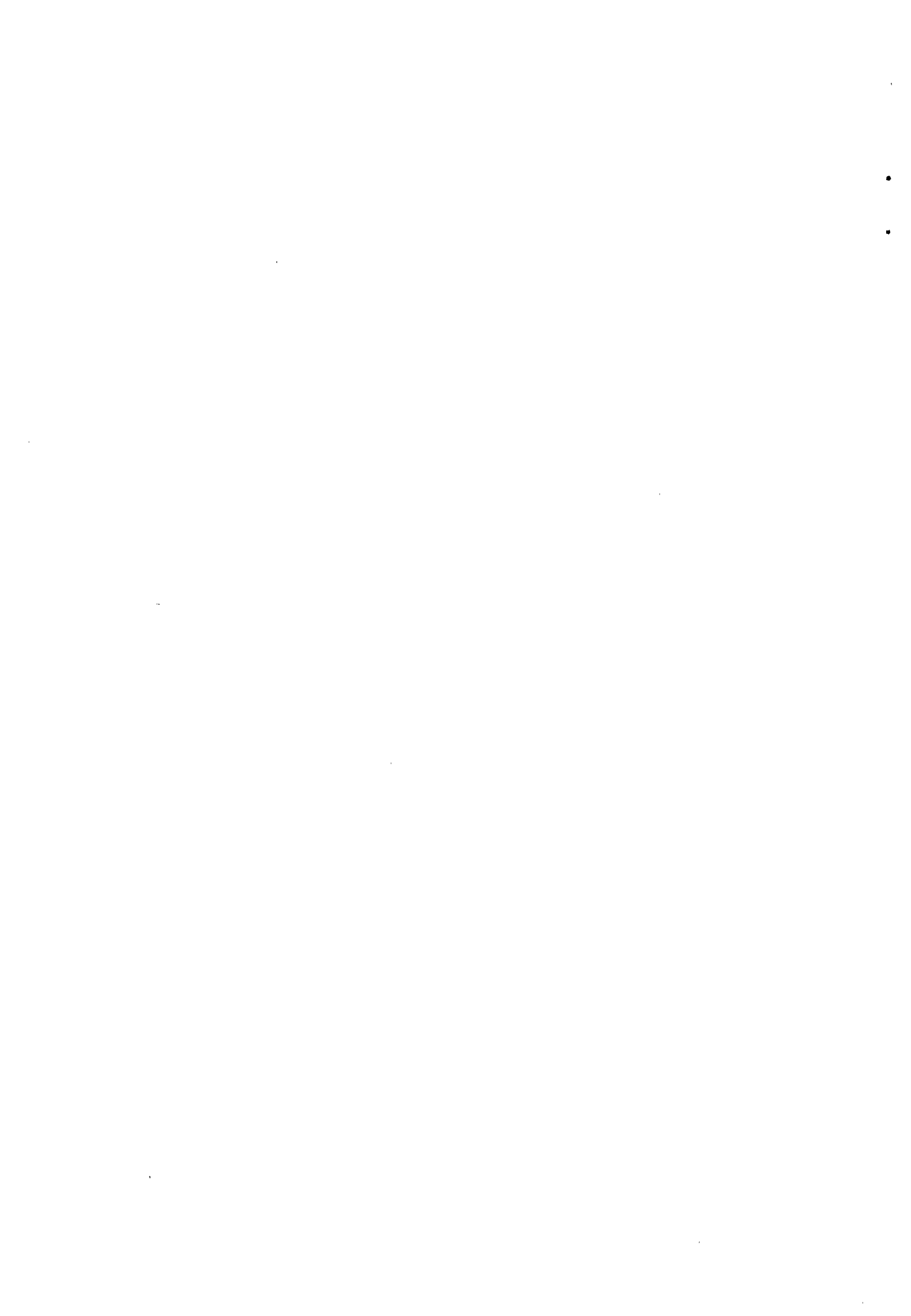
Brussels, 8 December 1978

Proposal for a  
COUNCIL REGULATION (EEC)  
amending Regulation (EEC) No 3164 on the Community quota for  
the carriage of goods by road between Member States

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(submitted to the Council by the Commission)

COM(78) 688 final.



EXPLANATORY MEMORANDUM

1. The Community quota system was introduced by Council Regulation (EEC) No 1018/68 of 19 July 1968<sup>1</sup>.

One of the effects of Council Regulation (EEC) No 3164/76 of 16 December 1976<sup>2</sup> was to give the system a definitive form.

2. Only those road hauliers who are holders of the Community authorization provided for under the abovementioned Regulation (EEC) No 3164/76 or an authorization issued as part of the multilateral quota set up by the European Conference of Ministers of Transport (ECMT) may engage in multilateral road transport operations between Member States. As there are very few of these authorizations and they are issued (for a period of one year) only to those road hauliers who make intensive use of them, undertakings that only occasionally carry out multilateral transport operations have no opportunity of gaining a foothold in the market.

3. As there is a requirement for such multilateral transport operations and such services are often required at short notice but only for a very limited period, there would seem to be a case for introducing short-term authorizations into the Community quota. Authorizations of this type would also facilitate the gradual entry of more transport undertakings into the multilateral transport process; it would not require setting an annual Community quota and would give new operators the opportunity to find out whether they could really adjust to this form of business on a full-time basis.

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<sup>1</sup>OJ No L 175, 23 July 1968, p.13.

<sup>2</sup>OJ No L 357, 29 December 1976, p.1.

4. To begin with, relatively few short-term Community authorizations could be issued, replacing - at each Member State's discretion - up to 10% of the annual quota of Community authorizations allocated to that Member State. Each short-term Community authorization would be valid for 10 days. One annual Community authorization could be broken down into 40 short-term authorizations.

5. The decision on the model short-term Community authorization would be taken at Community level; its technical features would be such as to make it easily distinguishable from the annual Community authorization.

6. For inspection purposes, all transport operations carried out under short-term Community authorizations could be logged on a record sheet. The forms used for international transport operations carried out under cover of annual Community authorizations could be used for this purpose.

COUNCIL REGULATION (EEC)

amending Regulation (EEC) No 3164/76 on the Community quota for the carriage of goods by road between Member States

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THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 75 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

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

Whereas the introduction of a common transport policy entails, inter alia, the establishment of common rules for the carriage of goods by road between Member States; whereas these rules must be drawn up so as to ensure equal treatment for all road haulage operators from the various Member States;

Whereas, in addition, the introduction of a permanent system of Community authorizations pursuant to Council Regulation (EEC) No 3164/76<sup>1</sup>, as last amended by Regulation (EEC) No 3024/77<sup>2</sup>, has resulted in the more intensive and efficient use of licensed capacity and the gradual matching of interested undertakings to the requirements of traffic between Member States;

Whereas it would be desirable to make it possible for undertakings to meet emergency and short-term calls on road haulage services by granting special Community authorizations tailored to these requirements;

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<sup>1</sup>OJ L 357 of 29 December 1976, p.1.

<sup>2</sup>OJ L 358 of 31 December 1977, p.4.

Whereas it would be desirable for the Member States to contribute towards the gradual introduction of new road haulage undertakings to multilateral transport operations without requiring the competent authorities to grant annual Community authorizations; whereas a solution of this type would enable undertakings to assess their ability to adjust by actually engaging in such transport operations,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3164/76 is amended as follows:

1. An Article 3a, worded as follows, is inserted:

Article 3a

- "1. By 1 January each year, Member States may apply to have a maximum of 10% of their Community authorizations converted with effect from that date into short-term Community authorizations valid for a period of 10 days.
2. One Community authorization may be converted into 40 short-term Community authorizations.
3. Short-term Community authorizations must conform to the model shown in Annex Ia. This Annex also sets out the conditions subject to which these authorizations may be used.
4. In exchange for an equivalent number of annual Community authorizations, the Commission shall issue short-term Community authorizations to the Member States for allocation to road hauliers."

2. An Annex Ia, the text of which is given in Annex I to this Regulation, is added.

3. Article 4(1) is amended to read as follows:

"1. Transport operations effected under Community authorizations valid for one calendar year or short-term Community authorizations shall be entered on a record sheet, a model of which, together with the general provisions on use and the supply of information, is contained in Annex II".

This Regulation shall enter into force on 1 January 1980.

Article 2

This Regulation shall be binding in its entirety and directly applicable in all Member States.

ANNEX Ia

(a)

(Thick paper - format 15 x 21 cm)

(First page of short-term Community authorization)

(Text to be worded in the official language or languages of the Member State issuing the authorization; translations in the other official languages of the Community to be given on pages (e) and (f))

COMMISSION OF THE EUROPEAN COMMUNITIES	(Impressed stamp of the Commission of the European Communities)	State issuing the authorization international distinguishing sign	Competent authority or agency
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COMMUNITY AUTHORIZATION (1) No ..... /1 (to 40)

for the carriage of goods by road for hire or reward between the Member States of the European Economic Community

This authorization entitles .....  
.....  
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to carry goods by road for hire or reward, by means of a single vehicle or a coupled combination of vehicles, from any Member State of the European Economic Community by any route to any other Member State thereof, and to move such vehicle or combination unladen over any part of the territory of the aforesaid Community.

This authorization is valid for a period of 10 days from ..... to .....  
Issued at ....., date .....

(3)

- (1) International distinguishing signes of Member States ;  
Belgium (B), Denmark (DK), Germany (D), France (F), Ireland (IRL),  
Italy (I), Luxembourg (L), Netherlands (NL), United Kingdom (GB).
- (2) Name, or registered business name, and full address of carrier.
- (3) Signature and stamp of the competent authority or agency issuing the authorization.

VALID FOR A SHORT PERIOD

(colored strip)

(coloured strip)



(Second page of short-term Community authorization)

(Text to be worded in the official language or languages of the Member State issuing the authorization; translations in the other official languages of the Community to be given on pages (c) and (d))

#### GENERAL PROVISIONS

This authorization permits the international carriage of goods by road for hire or reward from any Member State of the European Economic Community by any route to any other Member State, but does not authorize the carrying out of any transport operation for hire or reward entirely within the territory of one Member State.

It is not valid for transport operations between a Member State and a non-member State, nor is it valid on the territory of a non-member State for transport in transit through that non-member State.

It is personal to the holder and non-transferable.

It may be withdrawn by the competent authority of the Member State which issued it, inter alia, if in their opinion they are under-utilized.

It may be used for only one vehicle at a time (1).

It must be carried in the vehicle and must be accompanied by a book of record sheets for all international transport operations effected under it.

The authorization and the book of record sheets for international transport operations must be produced together whenever required by an authorized inspecting officer.

The holder is required to comply in the territory for each Member State with the laws, regulations and administrative provisions of that State, and in particular with those concerning transport and road traffic.

This authorization must be returned to the competent issuing authority or agency with 2 days following its date of expiry.

