



COUNCIL OF THE EUROPEAN COMMUNITIES  
GENERAL SECRETARIAT



PRESS RELEASE

10361/85 (Presse 172)

1040th Council meeting

- Transport -

Brussels, 14 November 1985

President: Mr Marcel SCHLECHTER  
Minister for Transport  
of the Grand Duchy of Luxembourg



Luxembourg:

Mr Marcel SCHLECHTER

Minister for Transport

Netherlands:

Mrs N. SMIT-KROES

Minister for Transport and  
Public Works

United Kingdom:

Mr Nicholas RIDLEY

Secretary of State for Transport

The Earl of CAITHNESS

Under-Secretary of State for  
Transport

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For the Commission:

Mr Stanley CLINTON DAVIS

Member

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The following also attended as observers:

Spain:

Mr Abel CABALLERO

Minister for Communications and  
Transport

Portugal:

Mr Luiz GOIS FIGUEIRA

Ambassador,  
Permanent Representative

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1986: EUROPEAN ROAD SAFETY YEAR

The Council of the European Communities and the Representatives of the Governments of the Member States of the European Communities, meeting within the Council, adopted conclusions concerning European Road Safety Year (1986) and future Community road safety measures.

In view of the gravity of the scourge represented by road traffic accidents, the Community also intends to make its contribution to the improvement of road safety, adding its initiatives to those taken both nationally and under the aegis of other public or private international organizations.

The Council approved measures in two main fields: awareness programmes and legislation and research.

The Member States expressed the firm intention of co-operating among themselves and with the Commission to ensure that Road Safety Year was a success in the Community.

Public awareness campaigns

The national awareness and road safety education programmes, the aim of which is to make the public aware of the dangers inherent in road traffic and to appeal to the road users' sense of responsibility will be co-ordinated at Community level. Such co-ordination and the measures envisaged by the Commission will give a Community dimension to Road Safety Year.

Member States have been asked to use a common logo symbol to mark their national campaigns and to launch European Road Safety Year by using, among other things, a common poster featuring the Community slogan:

"Europe 86: priority for road safety".

It is worth noting that the guidelines which Member States are asked to observe include a request that the assistance of the media be enlisted in ensuring that public attention is drawn to the essential requirements of road safety.

The Council, moreover, asked the Commission to contact the manufacturers and importers of motor vehicles and motorized two-wheelers in order to get them to refrain from all types of advertising not in the interest of road safety.

The Commission will also study the possibility of organizing in schools a large-scale European competition on road safety themes.

The Netherlands delegation, which will be responsible for the Presidency of the Council in the first half of 1986, stated its intention of officially launching European Road Safety Year at the informal meeting of Community Ministers for Transport which will be held early in 1986.

#### Legislation and research

The Council also hoped to be able to reach a decision before the end of 1986 on a series of legislative proposals and research projects designed to have effects extending beyond 1986. The Commission intends to submit the relevant proposals to it at an early date.

## SOCIAL LEGISLATION IN THE ROAD TRANSPORT SECTOR

### 1. Amendment of legislation

The Council adopted a joint approach to amendment of Regulations Nos 543/69 and 1463/70 concerning certain social legislation relating to road transport and the introduction of recording equipment in road transport.

The amended Regulation No 543/69 introduces a considerable degree of flexibility which is both favourable to transport operations and at the same time promotes opportunities for long-distance drivers to organize their own work. Such flexibility factors include the following:

- the maximum daily driving time is increased from 8 to 9 hours, which may be extended to 10 hours twice in any one week;
- the maximum period of continuous driving is increased from 4 hours to 4 hours 30 minutes;
- the maximum driving time is set at 90 hours over two weeks; the driver must, however, take a weekly rest after a total driving time not exceeding the total length of six consecutive daily driving periods;
- drivers will henceforward be free to take their daily rest in two or three separate parts provided that one of these parts is at least 8 consecutive hours long; this will enable them for example to take a meal and to choose different places for their overnight accommodation;

- carriage of passengers on non-regular services, i.e. basically coach tours, may in future be undertaken by the same driver on 12 consecutive days throughout the year; Member States may extend this derogation to national carriage of passengers on non-regular services.

The Regulation is also an important step towards the improvement of drivers' social protection and road safety. In this connection:

- the minimum daily rest period for drivers engaged in the carriage of passengers is increased from 10 to 11 hours, which may be reduced to 9 hours three times in any one week;
- the minimum weekly rest period is increased from 40 to 45 hours, including a daily rest period;
- the minimum break after a period of continuous driving is increased from 30 to 45 minutes for most transport vehicles whose maximum permissible weight does not exceed 20 tonnes.

The list of categories of vehicles to which national exceptions may be granted was also revised. Member States may, after authorization by the Commission, grant exceptions in respect of transport operations carried out in exceptional circumstances.

Amendments to Regulation No 1463/70 have been made with regard to monitoring compliance with the rules, and the obligation to install and use a tachograph will be extended to include regular international passenger transport apart from some frontier-zone services.

The Council has moreover agreed that, on the basis of the reports to be produced by the Commission, it will periodically examine the implementation of the rules in the light of developments in this field.

2. Improvement of the implementation of the social Regulations in road transport

The Council and the representatives of the Member States, meeting within the Council, have adopted a Resolution to improve the implementation of the social Regulations in road transport.

This Resolution refers to implementation of the checks provided for by the social Regulations, implementation of the Regulations, and information and publicity.

With regard to the checks, it provides in particular for the organization of a system of appropriate and regular annual checks, both at the roadside and at undertakings' headquarters, on a large and representative cross-section of drivers, whether resident or not.

As regards the implementation of the Regulations, measures should be taken to ensure that penalties act as a deterrent, to prosecute effectively non-resident drivers committing infringements, and to collect the fines imposed on such drivers.

Finally, as regards information and publicity, periodical publication of the results of roadside checks and of checks on undertakings should be undertaken by the competent authorities, which will inform the Commission within twelve months of the measures which the Member States have taken to put the Resolution into effect.



DEVELOPMENT OF THE COMMON TRANSPORT POLICY

- Conclusions of the Council on action to be taken in the light of the judgement of the Court

Pursuant to the Treaty, and with a view to the implementation of a common transport policy which complies with the judgment handed down by the Court of Justice and of the conclusions of the Milan European Council, the Council:

- recorded its agreement on the following policy approach proposed by the Presidency:

1. creation of a free market in transport with no quantitative restrictions by 1992 at the latest;
2. during the transitional period, progressive adaptation of the bilateral quotas on a non-discriminatory basis, coupled with increases in Community quotas;
3. elimination of distortion of competition during the transitional period;

- requested the Permanent Representatives Committee to continue its discussions on this basis and on the basis of the Commission proposals between now and the Council's next meeting, taking into account the various contributions made by delegations in the Council.

The Permanent Representatives Committee was also requested to take account of the Community Master Plan for transport adopted at this meeting.

14.XI.85

COMMUNITY TRANSPORT MASTER PLAN

The Council,

whereas it is necessary to examine transport problems in an overall context with the aim of improving efficiency and profitability in that sector and with a view to consolidation of the internal market, harmonious integration, economic convergence and social progress;

whereas it is desirable to give the various national policies the possibility of referring to a coherent framework which would take account of their mutual interdependence,

adopted conclusions on a general programme defining the framework of the common transport policy.

The principal common transport policy objectives fixed in the Master Plan must be progressively achieved by 31 December 1992, thus contributing to the implementation of the Community's internal market, of which a common transport policy is an essential component;

The Master Plan is made up of four large "project areas" which correspond to the central problems of the common transport policy, namely:

- the planning of infrastructure axes of Community interest along which the large trade flows pass between the Member States;
- border crossing and transit and in particular all the measures and procedures involved in simplifying and gradually eliminating border controls and formalities;

14.XI.85

- the organization of the transport market with regard to inland transport in general, railways, air transport and sea transport;
- internal transport safety. The Council made particular reference to the conclusions adopted on the same day regarding the European Road Safety Year (1986).

#### WEIGHTS AND DIMENSIONS OF COMMERCIAL VEHICLES

Council Directive 85/3/EEC of 19 December 1984 on the weights, dimensions and certain other technical characteristics of certain road vehicles lays down that the Council shall specify the weight on the driving axle of a five or six-axle combined vehicle, including the weight on a driving axle which is part of a tandem axle or a tri-axle, before 31 December 1985.

As the Commission had, at the end of October 1985, submitted a communication containing new suggestions for solving this problem, the Council held an exchange of views on the new approach suggested by the Commission.

Following this exchange of views the Council instructed the Permanent Representatives Committee to actively pursue its discussions on this matter to enable the Council to take a decision on it at an early date.

AMENDMENT OF THE COMMUNITY QUOTA

The Council adopted a joint position on the Commission's proposal for a Council Regulation amending Regulation (EEC) No 3164/76 on the Community quota for the carriage of goods by road between Member States.

In accordance with the Acts of Accession of Spain and Portugal, this proposal aims in particular at allocating an appropriate number of Community authorizations to these two countries, namely 517 for Spain and 179 for Portugal.

Since the enlargement of the Community will be reflected in expansion of the road haulage market the Council also agreed to additional Community authorizations, which were fixed at 7,5% for the present ten Member States and at 30% for Spain and Portugal.

The Spanish delegation having referred to serious difficulties concerning the joint position arrived at, the President confirmed that the issue qualified for the consultation procedure.

The Portuguese delegation stated that it waived the consultation procedure.

In view of the concern expressed by certain delegations in connection with the methods of calculation applied to calculate their quotas, the Council finally asked the Commission to review in 1986 the rules applied in this field.

MARITIME TRANSPORT

The Council held an initial detailed discussion on the proposals concerning free access to cargoes in ocean trades and freedom to provide services contained in the Commission's memorandum of 15 March 1985.

In view of the difficult position in which the Member States' fleets found themselves, the Council instructed the Permanent Representatives Committee to actively pursue examination of the four Commission proposals as a matter of priority with a view to enabling the Council to act on these proposals at its next meeting devoted to maritime transport issues.

AIR TRANSPORT

The Council heard an interim report on four proposals relating to air transport. After a lengthy discussion the Council asked the Permanent Representatives Committee to continue examining these proposals with a view to their adoption at an early date.

VEHICLE TAXATION

After a policy debate on the problem of the taxation of commercial vehicles, the Council agreed to instruct the Permanent Representatives Committee to continue examining the problem in the light of the statements submitted by the various delegations during the discussions.

COMBINED TRANSPORT

Taking into consideration the remarkable developments which have been taking place in combined transport over a period of several years, the Council has repeatedly acknowledged the desirability of adopting new measures to encourage this form of transport. At the present meeting the Council examined a number of special situations particularly suitable for being made the subject of specific measures. Following its exchange of views the Council was in a position to express a favourable view, without prejudice to the Opinion that the European Parliament would deliver in the matter, with regard to one of the measures, the object of which was to extend the scope of combined transport by inland waterway, currently restricted to containers of 20 feet and over, to cover lorries, trailers, semi-trailers (with or without tractors) and swap bodies.

Containers are not the only combined transport technique used between the Member States for inland waterway transport. The Council therefore considered it desirable to provide for an adjustment to Directive 75/130/EEC on the establishment of common rules for certain types of combined transport of goods between Member States, with a view to facilitating better use of the possibilities offered by the various techniques.

With a view to encouraging combined transport the Council and the Commission also agreed to a measure making it possible to facilitate own-account combined transport operations by road.

The Council instructed the Permanent Representatives Committee to proceed to final formulation of the text of the draft Directive.

OTHER TRANSPORT DECISIONS

System for issuing transport authorizations

The Council adopted in the official languages of the Communities the Regulation amending Regulation (EEC) No 3164/76 on the Community quota for the carriage of goods by road between Member States.

The Council also adopted in the official languages of the Communities the Directive amending Directive 65/269/EEC on the standardization of certain rules relating to authorizations for the carriage of goods by road between Member States.

The aims of the Regulation and the Directive are to put an end to the difficulties encountered in the use of transport authorizations, established by Community rules, for certain vehicle-trailer combinations. They aim at generalizing the system for issuing authorizations for tractors to include combinations of vehicles.

Relations with Austria in the transport field

In the framework of the negotiations undertaken by the Community and Austria in the transport field since 1981, the Council at its meeting on 24 June 1985 noted with interest the Commission's suggestion that discussions be opened with Austria in the railway and combined transport sectors. At the present meeting the Council recorded its agreement on the framework for the discussions that the Commission would hold with the Austrian authorities on co-operation in these two areas.

In the Council's opinion closer co-operation between the Community and Austria in these areas could cover:

- infrastructure development;
- technical and administrative co-operation in the railway sector;
- commercial management of railways, including tariffs.

The Council recognized that such co-operation could also cover issues such as investment in railway equipment and the simplification of border controls and customs formalities.

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Brussels, 13 November 1985  
NOTE BIO (85) 368 TO NATIONAL OFFICES  
cc TO MEMBERS OF THE GROUP

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NOON RENDEZ-VOUS, 13 NOVEMBRE 1985 (M. Berendt)  
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Preparation for Transport Council  
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The main item covered was the Transport Council of November 14-15 (see memo 146/85 sent by telex simultaneously). The agenda will begin on Thursday morning with "maritime transport" questions where the Council has made surprising progress since Commission proposals were presented in March 1985.

The Court of Justice judgement against the Council provides the background to several points on the agenda. The legal service of both the Commission and the Council accept that bilateral quotas for lorries are illegal in terms of the judgement and ministers will discuss proposals for phasing these out. They will also be seeking decisions on the social hours regulation, axle weights for lorries and lorry taxation.

The Commission will maintain its pressure on the Council to take decisions in the air transport sector where ministers have signally failed to make progress.

Notes distributed  
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- Reunion entre UNICE, le CEEP et la CES avec la Commission des Communautés Europeennes  
- Declaration commune d'intention UNICE-CES-CEEP sur le dialogue social et les nouvelles technologies  
(these documents, were distributed yesterday after the Val Duchess meeting - 12 November)

IP. 492 : La Commission clot une enquete antidumping concernant des importations de fil machine en provenance du Bresil, du Portugal, de Trinite et Tobago et du Venezuela

P-89 Programme d'action de prevention contre le cancer

Memo 144 : L'information des jeunes et leur passage de l'ecole a la vie adulte - Conference au Luxembourg

Memo 146: Preparation Conseil transport 14-15 novembre

Memo 147 : Reunion au Sommet : Commission Europeenne/Japon  
Tokyo, 17 novembre 1985

Address by Mr. Peter Sutherland, to the Plenary Session of the European Parliament, 13 November 1985 on the 14th Report on Competition Policy of the European Communities.

Deux communiqués conjoints de la conférence ministérielle CE-Amérique Centrale.

Regards,

M. BERENDT (for H. PAEMEN) COMEUR////



Bruxelles, le 14 novembre 1985

NOTE BIO(85) 368 (suite 1) AUX BUREAUX NATIONAUX  
C.C. AUX MEMBRES DU SERVICE DU PORTE-PAROLE

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TRANSPORT COUNCIL - 14 November 1985 (M. BERENDT)  
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MARITIME TRANSPORT  
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Hopes of achieving substantial progress on the four main maritime points of the agenda were disappointed and COREPER has been charged to prepare a successful Council before the end of the year. The president maintained that if sufficient progress could not be made, then he would not fix a further Council.

Only two points were discussed. The proposal for a Community regulation allowing the Community to act against cargo reservation by third countries made significant progress and should be agreed at a further Council, but the four points must be taken as a package and there were serious reservations on the second proposal, FREEDOM TO PROVIDE SERVICES, where the French, Greek and other certain delegations had serious problems. The third and fourth proposals (COMPETITION RULES in the shipping sector and measures against UNFAIR PRICING) were not debated.

ROAD SAFETY YEAR  
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The Council agreed the plans for European Community Road Safety Year which is planned for 1986. National road safety campaigns will be set in a European context, with various special events on a Community basis which the Commission will be responsible for organising (prizes, exchange of publicity material, action jointly with vehicle and motorcycle industry). A logo has been prepared by the Commission.

Mr. Clinton Davis told the Council that the Commission would be proposing a number of practical measures to improve road safety during the course of 1986. These will include :

- extension of roadworthiness testing to private cars;
- improvement of the present directive on braking to include requirements for anti-lock system for heavy goods vehicles;
- side guards and spray suppression on heavy goods vehicles;
- more frequent inspection of vehicles carrying dangerous substances and harmonised professional training for drivers of such vehicles.

The Commission will also be sponsoring research and study work on various aspects of road safety including the 'European dummy', investigation of ways of improving coach and bus safety following an analysis of accidents and creation of a Community road safety data bank.

SOCIAL HOURS FOR BUSES, COACHES AND LORRIES

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The Council has reached agreement on amendments to regulation 543/69 on social hours for drivers of buses and lorries, along the lines agreed at the Council meeting of June 24, 1985. The new text was adopted by unanimous decision of ministers, who rejected a number of points which the Commission regards as essential to road safety. Mr. Clinton Davis said :

"The Commission feels that, in several important respects, the Council's agreement on drivers' working hours and rest periods is unsatisfactory. For example, a driver's daily rest period of 12 hours can be reduced to 8 hours or 9 hours every day of the week - too little in my view for someone engaged in exhausting work such as driving.

This decision was taken within minutes of a decision to launch a European Road Safety Year for 1986. There appears to be no consistency in ministers' thinking."

The main elements of the Council decision were as follows :

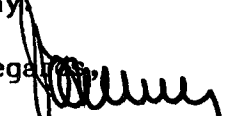
Maximum daily driving time	: 9 hours, with 10 hours twice a week (previously 8 hours)
Maximum continuous driving	: 4 1/2 hours (previously 4 hours)
Weekly driving time	: average 45 hours calculated over two weeks, but with a weekly rest to be taken after not more than 6 consecutive driving days (12 days for coaches)
Daily rest time	: 11 hours, which may be cut to 9 hours three time a week. 12 hours when the rest period is split
Minimum weekly rest	: 45 hours (previously 40 hours) reduceable to 36 hours (at home) or 24 hours (away from home)

The regulation is scheduled to take effect as from 29 September 1986 (summer time ends in most Member States). The Spanish delegation, observers at the Council, have requested a two-year transitional period for introduction of the new legislation (no decision as yet). The Portuguese delegation is considering its position.

The new regulation will provide various exemptions to the social hours regulation including goods vehicles of less than 3.5 tonnes, passenger vehicles for up to nine persons including driver, regular passenger services of up to 50 km, circus vehicles, milk collection vehicles, etc. These exemptions are further extended for traffic within a Member State, including passenger vehicles for up to 17 persons including driver.

The Council continues this evening and will reconvene Friday

Regards,

  
H. PAEMEN, Comeur ////

Bruxelles, le 15 novembre 1985

Note Bio(85) 368 (suite 2 et fin) aux Bureaux Nationaux  
cc: aux Membres du Service du Porte-Parole

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TRANSPORT COUNCIL  
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The Council concluded before midnight having finished its agenda, so will not resume this morning.

Court of Justice judgement  
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Ministers agreed a slim text outlining the Council's response to the Court judgement, in which they accepted the Presidency's proposals as follows :

- creation of a free market in the transport sector by 1992 at the latest, without quantitative restrictions
- progressive adaptation on a non-discriminatory basis, of the bilateral lorry quotas over the 'transitional period' (i.e. up to 1992)
- elimination of conditions of competition during the transitional period.

Mr Clinton Davis welcomed the Council's commitment, but warned that this political agreement must be translated into a detailed decision. The Community must now establish satisfactory transitional arrangements. 'Our first task as Commission is to review our existing proposals to see what action is now required of us'.

COREPER will continue work on these matters on the basis of the Commission proposals. It will take account of the 'Master Plan' for transport, which was agreed at the Council.

Community quotas  
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Ministers of the Ten were able to accept the Commission's proposals for an increase in Community lorry quotas for 1986, following assurances to the Greek delegation that any particular national problems would be taken into account by the Commission when quotas were decided for subsequent years. However, no formal decision has yet been taken because the opinion of the European Parliament and the Economic and Social Committee is still awaited and the Spanish, under the consultation procedure, are demanding an increase in proposed quota from 673 (proposed by Commission) to 741. Portugal had no problem with the proposed 233.

Air transport

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Discussion on air tariffs, capacity sharing and competition policy in the air sector followed the expected pattern, with Ireland, the Netherlands and the United Kingdom seeking a more open and competitive air transport sector, and France, Italy and Greece requiring a much more cautious approach. Mr Clinton Davis expressed the Commission's disappointment with the lack of progress, supported by a letter from Commissioner Sutherland pointing out the Commission's legal responsibilities to ensure application of the Treaty rules on competition.

The British Minister told the Council that if the Court of Justice, in its judgement on the Nouvelles Frontieres case, decided that agreements between airlines were illegal, then he would block any attempt in the Council to protect the sector unless the Council was prepared to accept a more competitive system with safeguards.

This issue was referred back to COREPER.

Other issues sent back to COREPER were axle weights for heavy vehicles, combined transport and heavy vehicle taxation. There is no formal commitment to hold another Council this year, although a maritime Council will be fixed if sufficient progress can be made at official level.

Regards  
H. PAEMEN, COMEUR