

COUNCIL OF THE EUROPEAN COMMUNITIES
GENERAL SECRETARIAT

PRESS RELEASE

5383/89 (Presse 39)

1307th Council meeting

- Transport -

Brussels, 14 March 1989

President: Mr José BARRIONUEVO PEÑA

Minister for Transport, Tourism and
Communications of the Kingdom of Spain

The Governments of the Member States and the Commission of the European Communities were represented as follows:

Belgium:

Mr Jean-Luc DEHAENE Deputy Prime Minister and Minister for Communications and Institutional Reforms

Denmark:

Mr Knud OESTERGAARD Minister for Transport

Germany:

Mr Jurgen WARNKE Federal Minister for Transport

Greece:

Mr A. ROUSSOPOULOS General Secretary, Ministry for Transport

Spain:

Mr José BARRIONUEVO PEÑA Minister for Transport, Tourism

Mr Emilio PEREZ TOURIÑO Under-Secretary, Ministry for Transport, Tourism and Communications

France:

Mr Michel DELEBARRE Minister for Transport and the Sea

Ireland:

Mr John WILSON Minister for Tourism and Transport

Italy:

Mr Giorgio SANTUZ Minister for Transport

Luxembourg:

Mr Marcel SCHLECHTER Minister for Transport, Minister for Public Works and Minister for Energy

Netherlands:

Mrs N. SMIT-KROES

Minister for Transport and
Public Works

Portugal:

Mr João de OLIVEIRA MARTINS

Minister for Public Works
Transport and Communications

United Kingdom:

Mr Paul CHANNON

Minister for Transport

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Commission:

Mr Karel VAN MIERT

Member

ADMISSION TO THE OCCUPATION OF ROAD-HAULAGE OPERATOR

The Council agreed to the text of a Directive amending Directives 74/561/EEC, 74/562/EEC and 77/796/EEC on admission to the occupation of road-haulage operator in national and international transport operations.

The Directive is designed to harmonize the essential features of admission to, and exercise of, the occupation in question. It provides for uniform application throughout the Community of the requirements set in Directives 74/561/EEC and 74/562/EEC and is intended to tighten up the minimum conditions which must be met by a transport operator, namely::

- good-repute requirement: transport operators may not have been convicted of serious criminal offences or have committed serious offences against the transport, labour and commercial regulations;
- financial-standing requirement: transport operators have to prove that they have sufficient resources available to ensure the proper launching and proper administration of their undertakings. This may take the form of bank guarantees or of an administrative evaluation of the financial standing of the undertaking;
- professional-competence requirement: transport operators must prove this in the form of adequate professional experience or by passing an examination.

NATIONAL CARRIAGE OF GOODS BY ROAD BY NON-RESIDENT TRANSPORT OPERATORS (CABOTAGE)

The Council resumed its examination of this subject on the basis of a further compromise proposal from the Presidency. The proposal for a Regulation provides essentially for the possibility for any road-haulage operator established in a Member State and entitled to provide international road-haulage services to be allowed to provide national road-haulage services in another Member State.

At the close of the discussion, during which it was possible to make some progress on the matter, the Council instructed the Permanent Representatives Committee to expedite its proceedings so that the Council could adopt the Regulation at its next meeting in June.

WEIGHTS AND DIMENSIONS

The Council agreed on a draft Directive concerning the weights and dimensions of commercial road vehicles. The text adds the following points to Annex I of Directive 85/3/EEC:

1. Maximum authorized weight (MAW) of the tandem axles of motor vehicles where the distance between axles is 1,3 m or greater but less than 1,8 m: 18 tonnes; 19 tonnes where the driving axle is equipped with double tyres and pneumatic suspension or its equivalent.
2. Maximum authorized weight of 2-axle motor vehicles: 18 tonnes.
3. Maximum authorized weight of road trains consisting of a 2-axle motor vehicle and a 2-axle trailer: 36 tonnes.

4. Maximum authorized weight of articulated vehicles with 4 axles consisting of a 2-axle motor vehicle and a 2-axle semi-trailer: where the distance between the axles of the semi-trailer is
- 1,3 m or greater but not more than 1,8 m: 36 tonnes
 - greater than 1,8 m: 36 tonnes +
- 2 tonnes tolerance where the MAW of the motor vehicle (18 t) and the MAW of the tandem axle of the semi-trailer (20 t) are complied with and the driving axle is equipped with double tyres and pneumatic suspension or its equivalent.
5. 3-axle articulated buses
- maximum authorized weight: 28 tonnes
 - maximum authorized length: 18m.
6. Maximum authorized weight of 3-axle motor vehicles: 25 tonnes; 26 tonnes when the driving axle is equipped with double tyres and pneumatic suspension or its equivalent.
7. Maximum authorized weight of 4-axle motor vehicles with two steering axles: 32 tonnes, although the maximum authorized weight in tonnes of this vehicle may not exceed 5 times the distance in metres between the axes of the foremost and rearmost axles of the vehicle (calculation of the MAW on the basis of the wheelbase).
8. Maximum authorized weight for the driving axle of 4-axle vehicles and combined vehicles: 11,5 tonnes.

The following temporary derogations are allowed for the United Kingdom and Ireland: point 2: 17 tonnes; point 3: 35 tonnes; point 4: 35 tonnes; point 5: 27 tonnes; point 7: 30 tonnes; point 8: 10,5 tonnes. The deadline for these derogations will be fixed at the next Transport Council meeting on 5 June 1989.

At the request of the Council and in connection with the fixing of the axle weight at 11,5 tonnes, the Commission undertook to forward to the Council within a year a proposal on methods of building the vehicles concerned that would lead to a reduction in road damage.

STRUCTURAL IMPROVEMENTS IN INLAND-WATERWAY TRANSPORT

The Council agreed in principle to a Regulation to reduce existing structural over-capacity within the fleet used for the transport of goods on inland waterways in certain Member States.

This Regulation provides in particular for:

- a co-ordinated scrapping scheme operated by means of scrapping funds already set up in each of the Member States concerned
- an "Old for New" measure to prevent the impact of the co-ordinated scrapping scheme from being cancelled out by the bringing of extra vessels into service.

Each Member State may exclude vessels of less than 450 tonnes from the scope of the Regulation if the economic and social situation of the sector so requires. In this case, the Commission should approve a national structural-improvement plan for the sector in question in accordance with the provisions of the Treaty regarding national aids.

AIDS FOR COMBINED TRANSPORT

The Council agreed to the Regulation amending Regulation (EEC) No 1107/70 on the granting of aids for transport by rail, road and inland waterway (combined transport).

The Regulation extends until 31 December 1992 the present system for facilitating the development of combined transport. Aids may consist of:

- investment in infrastructure or in the fixed and movable facilities necessary for trans-shipment
- or the costs of operating the combined transport insofar as intra-Community transit traffic through the territory of third countries is involved.

The Commission will make a progress report to the Council before 30 June 1991 on the application of this provision. In the light of that report and in view of the temporary nature of the system provided for in this Regulation, the Council will decide, under the conditions laid down in the Treaty and on a proposal from the Commission, on the system to be applied subsequently and, if necessary, on the measures to be adopted for terminating it.

NEGOTIATIONS WITH TRANSIT THIRD COUNTRIES

The Council noted a Commission report on the progress of negotiations between the Community, the Republic of Austria, the Swiss Confederation and the Socialist Federal Republic of Yugoslavia.

It should be noted that the Council adopted the mandate for the second phase of the negotiations with these countries at its last meeting in December 1988.

Brussels, 15 March 1989

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NOTE BIO (89) 92 AUX BUREAUX NATIONAUX
cc. aux Membres du Service du Porte-Parole

TRANSPORT COUNCIL (March 14 1989) (M. Berendt)

Ministers reached agreement on four significant issues, three of them by qualified majority voting:

- access to the road haulage profession
- weights and dimensions of goods vehicles
- scrapping provisions for inland waterway vessels
- combined transport

Commissioner Van Miert also reported on the current transit negotiations with Austria, Switzerland and Yugoslavia.

Access to the profession: The Council agreed the criteria to be applied to anyone wishing to set up as a road haulier. Ministers agreed that five years' experience in the business could be an alternative qualification to examination; decided that a financial guarantee would be required based on the size and number of lorries, amounting to 150 ecu per tonne up to a maximum of 3000 ecu per vehicle; and agreed that the rules would be applied for any business using lorries of six tonnes or more. Once these qualitative criteria have been met, the operator would be free to ply his trade throughout the Community.

Weights and dimensions: The Council finally adopted the outstanding figures for lorries and buses, some of them after many years of discussion. For buses the new limits will come into force as from July 1 1991 and for other heavy vehicles from January 1 1993. They cover vehicles of two, three and four axles; the limits for five and six axle vehicles were agreed in December 1984, at 40 tonnes total weight and 11.5 tonnes maximum weight on the drive axle.

One element in the agreement related to the end date of the derogations for the United Kingdom and Ireland (38 tonnes and 10 tonnes respectively for the heaviest trucks). The Irish minister said that he was willing to accept a final date of December 31 1996 as proposed by the Commission, on the understanding that structural fund finance would be made available for improving bridges. However, for both countries a formula was agreed unanimously whereby the Commission will make a further proposal within a month setting out the end of the derogation for those vehicle types not yet covered. The Council will decide by qualified majority by the end of June on the basis of the Commission's proposals.

Inland waterways: Ministers agreed the programme proposed by the Commission for a coordinated system allowing the scrapping of surplus barge capacity on the Community's central inland waterway system. Special arrangements were made allowing certain exemptions for boats of under 450 tonnes laden. The scheme will be partly self-financing through a levy; no Community funding is involved.

Combined transport: A regulation was adopted which will permit member states to offer investment aid for developing combined transport. The Commission's original proposal was amended in such a way that operating costs (as opposed to fixed and mobile investment) could only be assisted for transit traffic and not for traffic within the Community. Commissioner Van Miert saw this as a key decision in the context of the transit negotiations with the Community's three neighbours.

Transit: Mr Van Miert reported to the Council on the current stage of the talks with Austria, Switzerland and Yugoslavia. The discussions had not so far made much progress and it was time to take stock and reduce the "political fever" which surrounded the issue. The negotiating mandate given to the Commission already allowed for combined transport to be discussed and since both Italy and Germany were holding bilateral talks with Austria on this question, it was right that the Community should as well.

The Commissioner told the Council that we had to make combined transport sufficiently attractive. It was essential to avoid unilateral measures by any of the three countries which might provoke retaliation from within the Community. He stressed that he was not calling for an extension of the mandate, but understanding and flexibility were needed as the talks continued.

Amitiés



C.D. EHLERMANN

Brussels, 13 March 1989

NOTE BIO (89) 87 AUX BUREAUX NATIONAUX
cc. AUX MEMBRES DU SERVICE DU PORTE-PAROLE

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TRANSPORT COUNCIL March 14 1989 (M. Berendt)

Final agreement now seems likely on the weights and dimensions of commercial vehicles, an issue which has been argued in the Council of Ministers since the earliest days of the Community. This week's Transport Council is expected to take a decision, perhaps by qualified majority, on the basis of the political agreement reached at the last meeting of ministers in December '88.

Denmark still retains a reserve on the maximum axle weight for four-axle lorries (seeking 10 tonnes instead of the general 11.5 tonnes) and Britain and Ireland will come under pressure to accept a final date for their derogation of a 38 tonne maximum weight for lorries (against the 40 tonne general limit) and 10.5 tonnes on the drive axle (against 11.5 tonnes). The Commission has proposed a final date of December 31 1996, by which time the bridges in the two countries should have been upgraded to accept the higher weights.

Access to the profession of road haulier and road cabotage, which would allow an operator to do business in member countries other than the country of residence, are important ingredients in the liberalisation of road transport within the single European market which was agreed in June 1988.

The right of someone to enter the international market for road haulage will be determined by qualitative criteria and ministers will be discussing the definition of 'good repute', 'financial standing' and 'professional competence', on which the Council must agree if the criteria are to be universally accepted.

Cabotage is among the most difficult of issues for the Council to decide, because it implies the right of hauliers from one member country to do business within or between others. The presidency has proposed a three-year transitional arrangement, with no commitment beyond 1992, based on a system of quotas - an approach which the Commission regards as not sufficiently forceful. Belgium and the Netherlands take a similar view. It may nonetheless be decided that this is the most fruitful approach. The question of how tax should be applied to the non-resident operator promises to be one of the most sensitive aspects of this dossier.

The Commission's proposals for a coordinated scheme for scrapping inland waterway vessels may be adopted at the Council, but without the Community financial participation which some member countries were seeking.

Am 4tes

C STATHOPOULOS