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Report

drawn up on behalf of the Committee on Regional Policy and Transport

on the proposal from the Commission of the European Communities to the Council (Doc. 238/72) for a directive amending the first Council Directive on the establishment of certain common rules for international transport (carriage of goods for hire or reward)

Rapporteur: Mr J. HILL
Chairman of the Committee

THE HISTORY OF THE

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By letter of 7 December 1972 the President of the Council of the European Communities requested the European Parliament to deliver an opinion on the proposal from the Commission of the European Communities to the Council for a directive amending the first Directive of 23 July 1962 on the establishment of certain common rules for international transport (carriage of goods for hire or reward).

On 11 December 1972 Parliament referred this proposal to the Committee on Transport as the committee responsible.

The Committee on Transport appointed Mr James HILL rapporteur on 1 February 1973.

The newly set up Committee on Regional Policy and Transport discussed the report at its meeting of 26 June 1973 and unanimously adopted the motion for a resolution together with explanatory statement.

The following were present: Mr James Hill, chairman and rapporteur; Mr Baas (deputizing for Mr Bourdellès), Mr Bangemann (deputizing for Mr Durieux), Mr Delmotte, Mr Gerlach, Mr Guldberg, Mr Herbert, Mr Johnston, Mr Noè and Mr Starke.

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The Committee on Regional Policy and Transport hereby submits to the European Parliament the following motion for a resolution together with explanatory statement:

MOTION FOR A RESOLUTION

embodying the European Parliament's opinion on the proposal from the Commission of the European Communities to the Council for a directive amending the first Council Directive on the establishment of certain common rules for international transport (carriage of goods for hire or reward)

The European Parliament,

- having regard to the proposal from the Commission of the European Communities to the Council (COM(72)1358 final);
 - having been consulted by the Council (Doc. 238/72);
 - having regard to the report of the Committee on Regional Policy and Transport (Doc. 127/73);
1. Welcomes the Commission's proposal to extend the liberalization of trans-national carriage in small lorries and for certain types of transport to carriage on own account.
 2. Approves the Commission's proposal as it stands;
 3. Instructs its President to forward this resolution and its committee's report to the Council and Commission of the European Communities.

EXPLANATORY STATEMENT

1. The Commission's proposal concerns two amendments to be made to the 'first Council Directive on the establishment of certain common rules for international transport (carriage of goods for hire or reward)' of 23 July 1962 (OJ No. 70, 6 August 1962, p. 2005).
2. The main points covered by the "First Directive" (which related entirely to hire or reward traffic) were:
 - I. The liberalisation of the carriage of goods on both sides of frontiers up to a distance of 25 kms. as the crow flies
 - II. The liberalisation of the carriage of certain categories of goods
 - III. The removal of quota restrictions on certain types of transport including the carriage of goods in vehicles, the total laden weight of which does not exceed 6 tons.
3. The first Amendment proposed is that authorisation requirements for carriage of goods in small vehicles should be abolished in addition to the removal of quota restrictions already provided for in the Directive. This is to be done by transferring this type of transport from Annex II to Annex I.

At the same time the Amendment fixes the upper limit for vehicles used at 3.5 tons maximum admissible carrying capacity instead of 6 tons total laden weight.

According to the Commission this will not make any effective change in the current situation, since 6 tons total laden weight corresponds to about 3 tons carrying the capacity.

4. The second Amendment proposed is that exemption from both authorisation and quota requirements for the types of carriage specified in Annex I should apply to transport on own account as well as to transport for hire or reward.

This is to be done by changing the title of the Directive and inserting a new Paragraph in Article 1¹.

5. Your committee would like to take this opportunity to draw attention to the fact that the 'First Directive' has already been amended by Council Directive 72/426/EEC of 19 December 1972, on the basis of the Treaties of Accession and without consulting Parliament.¹ The amendment was as follows:

¹OJ No. L 291, 28 December 1972, p. 155.

1. The following was added to Annex 1.1:

'In the case of carriage between Member States whose territories are separated solely by an area of sea, no account shall be taken of the distance travelled on board a means of sea transport specially constructed and equipped for the carriage of commercial vehicles and operated as a regular service.'

2. The following was added to Annex II.1:

'In the case where a Member State does not have a common land frontier with another Member State, the distance of 25 km as the crow flies shall be calculated from the point where the vehicle is unloaded from a means of sea transport specially constructed and equipped for the carriage of commercial vehicles and operated as a regular service.'

6. Your committee considers that when the new amending directive has been adopted the entire directive should be re-issued.

