

VOTING LIST

Proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 561/2006 as regards minimum requirements on minimum breaks and daily and weekly rest periods in the occasional passenger transport sector

Rapporteur: Henna Virkkunen

Concerned text	AM	Tabled by	Remarks	Rapp	Vote
–	7	Cuffe	Proposal for rejection: if adopted, all amendments fall and the vote is concluded	-	
Article 7 – paragraph 3a (new), Recital 8	CA 1	EPP, S&D, RE, ECR, the Left	If adopted, 41, 49, 44, 51, 50, 43, 3, 45, 46, 47, 21, 20, 19, EMPL 7, 23, 22, 1, 25 and 24 fall If adopted go to ► CA 2	+	
Regulation 2006/561 – Article 7 – paragraph 3a (new)	41	Konečná	Fall if CA 1 adopted		
	42	Lutgen, Franssen	Identical <i>Deletion</i>		
	49	Furore	Falls if CA 1 or 41 adopted		
	44	Cuffe	Falls if CA 1, 41 or 49 adopted		
	51	García Muñoz, Ujhelyi	Falls if CA 1, 41, 49 or 44 adopted		
	50	Vind	Fall if CA 1, 41, 49, 44 or 51 adopted		
	EMPL 11		Vote together		
	EMPL 12				
	43	Marinescu	Falls if CA 1, 41, 49, 44, 51 or 50 adopted		
	3	Virkkunen	Falls if CA 1, 41, 49, 44, 51, 50 or 43 adopted		
	45	Nagtegaal, Oetjen	Falls if CA 1, 41, 49, 44, 51, 50, 43 or 3 adopted		
	46	Deli	Falls if CA 1, 41, 49, 44, 51, 50, 43, 3 or 45 adopted		
	47	Bergkvist			

	48	Grapini	Fall if CA 1, 41, 49, 44, 51, 50, 43, 3, 45 or 46 adopted Identical		
Article 8 – paragraph 2a (new), Article 12 – paragraph 1, Recital 3, Recital 9	► CA 2	EPP, S&D, RE, ECR, the Left	If adopted, 52, 53, 54, 4, 56, 60, EMPL 13, 64, 63, 59, 55, 89, EMPL 2, 9, 10, 11, 12, EMPL 8, 26, EMPL 9, 2, 27 and 28 fall If adopted go to ► CA 3	+	
Regulation 2006/561 – Article 8 – paragraph 2a	52	Cuffe	Fall if CA 2 adopted Vote together		
	58	Cuffe			
	62	Cuffe			
	69	Cuffe			
	53	Grapini	Fall if CA 2 or 52 adopted Vote together		
	57	Grapini			
	61	Grapini			
	66	Grapini			
	54	Bergkvist	Falls if CA 2, 52 or 53 adopted		
	4	Virkkunen	Fall if CA 2, 52, 53 or 54 adopted Vote together		
	5	Virkkunen			
	6	Virkkunen			
	56	Marinescu	Fall if CA 2, 52, 53, 54 or 4 adopted Vote together		
	67	Marinescu			
	60	Vind	Fall if CA 2, 52, 53, 54, 4 or 56 adopted Vote together		
	64	García Muñoz, Cerdas, Vind, Ujhelyi			
	70	García Muñoz, Cerdas, Vind, Ujhelyi			
	EMPL 13		Fall if CA 2, 52, 53, 54, 4, 56 or 60 adopted Vote together		
	EMPL 14				
	EMPL 15				

	64	García Muñoz, Cerdas, Vind, Ujhelyi	Fall if CA 2, 52, 53, 54, 4, 56, 60 or EMPL 13 adopted Vote together		
	70	García Muñoz, Cerdas, Vind, Ujhelyi			
	63	Lutgen, Franssen	Fall if CA 2, 52, 53, 54, 4, 56, 60, EMPL 13 or 64 adopted Vote together		
	68	Lutgen, Franssen			
	59	Furore	Fall if CA 2, 52, 53, 54, 4, 56, 60, EMPL 13, 64 or 63 adopted Vote together		
	65	Furore			
	55	Nagtegaal, Oetjen	Falls if CA 2, 52, 54, 4, 56, 60, EMPL 13, 64, 63 or 59 adopted		
Regulation 561/2006 – Article 12 – paragraph 1	89	Nagtegaal, Oetjen	Falls if CA 2 adopted		
Article 8 – paragraph 6a, Recital 10, Recital 10a (new)	► CA 3	EPP, S&D, RE, ECR	Roll-call vote requested by Greens/EFA - Check on Rule 218(3) If adopted, 73, 72, 74, 76, 77, 82, 80, 81, 83, 84, 85, 71, EMPL 6, 29, 30, 31 and 32 fall If adopted go to ► 86	+	
Article 1 – paragraph 1 – point 3 – point b – introductory part	73	Grapini	Falls if CA 3 adopted <i>Deletion</i>		
	72	Monteiro de Aguiar	Falls if CA 3 or 73 adopted		
Article 8 – paragraph 6a – subparagraph 1 and point (a)	74	Vind	Fall if CA 3 adopted Identical <i>Deletion</i>		
	75	Lutgen, Franssen			
	EMPL 16				
Regulation 2006/561 – Article 8 – paragraph 6a – subparagraph 1	76	Konečná	Falls if CA 3 or 74 adopted		
	77	Grapini			

Regulation 2006/561 – Article 8 – paragraph 6a – subparagraph 1 – point a	78	García Muñoz, Cerdas, Ujhelyi	Fall if CA 3 or 74 adopted Identical		
	79	Monteiro de Aguiar			
Regulation 2006/561 – Article 8 – paragraph 6a – subparagraph 1 – point aa (new)	82	Cuffe	Fall if CA 3 adopted Identical		
	EMPL 17				
	80	García Muñoz, Cerdas, Vind, Ujhelyi	Falls if CA 3 or 82 adopted		
Regulation 2006/561 – Article 8 – paragraph 6a – subparagraph 1 – point ab (new)	81	Cuffe	Falls if CA 3 adopted <i>Roll call vote requested by Greens/EFA</i> Check on Rule 218(3)		
Regulation 2006/561 – Article 8 – paragraph 6a – subparagraph 1 – points da, db, dc and dd (new)	83	Konečná	Falls if CA 3 adopted		
Regulation 2006/561 – Article 8 – paragraph 6a – subparagraph 2	84	Cuffe	Falls if CA 3 adopted		
Regulation 2006/561 – Article 8 – paragraph 6 – subparagraph 4a (new)	85	Grapini	Falls if CA 3 adopted		
Regulation 2006/561 – Article 8 – paragraph 6 – subparagraph 4a (new)	71	Monteiro de Aguiar	Falls if CA 3 or 85 adopted <i>Very similar to 85</i>		
Regulation 2006/561 – Article 9b (new)	▶ 86	Cuffe	Roll-call vote requested by Greens/EFA Check on Rule 218(3) After vote, go to CA 4	-	
Article 18a (new), Article 18b (new), Article 2 – paragraph 2 a (new), Recitals 1, 4, 5, 6, 10a (new), 10b (new), 11a (new), 11b (new)	▶ CA 4	EPP, S&D, RE, Greens, ECR, the Left	If adopted, 87, 88, 91, 8, EMPL 1, 13, EMPL 3, EMPL 4, 14, 18, EMPL 5, 16, 17, 34, 37, 36, 35, 38, 39 and 40 fall If adopted go to ▶ 90	+	

Regulation 2006/561 – Article 18a (new)	87	Virkkunen	Falls if CA 4 adopted		
Regulation 2006/561 – Article 18b (new)	88	Virkkunen	Falls if CA 4 adopted		
Article 2 – paragraph 2 a (new)	91	Marinescu	Falls if CA 4 adopted		
Article 2 – paragraph -1 (new) Regulation 2006/561/EC – Article 21 a (new)	► 90	Cuffe	After vote, go to ► 15	-	
Recital 1	8	Cuffe	Falls if CA 4 adopted		
	EMPL 1		Falls if CA 4 adopted		
Recital 3	EMPL 2		Falls if CA 2 adopted		
	9	Cuffe	Falls if CA 2 or EMPL 2 adopted		
	10	Furore	Falls if CA 2, EMPL 2 or 9 adopted		
	11	Bergkvist	Falls if CA 2, EMPL 2 or 9 adopted		
	12	Vind	Falls if CA 2 or EMPL 2 adopted		
Recital 4	13	Cuffe	Falls if CA 4 adopted		
	EMPL 3		Falls if CA 4 or 13 adopted		
Recital 5	EMPL 4		Falls if CA 4 adopted		
	14	Cuffe	Falls if CA 4 or EMPL 4 adopted		
Recital 5a (new)	► 15	Ujhelyi	After vote, go to ► 33	-	
Recital 6	18	Cuffe	Falls if CA 4 adopted		
	EMPL 5		Falls if CA 4 or 18 adopted		
	16	Furore	Falls if CA 4 or EMPL 5 adopted		
	17	García Muñoz, Cerdas, Vind, Ujhelyi, Rudner	Falls if CA 4 adopted		
Recital 7	EMPL 6		Falls if CA 3 adopted		
Recital 8	21	Furore	Falls if CA 1 adopted <i>No vote - follows vote on 49</i>		

	20	Cuffe	Falls if CA 1 adopted <i>No vote - follows vote on 44</i>		
	19	García Muñoz, Cerdas, Ujhelyi, Rudner	Falls if CA 1 adopted <i>No vote - follows vote on 51</i>		
	EMPL 7		Falls if CA 1 adopted <i>No vote - follows vote on 50</i>		
	23	Vind	Falls if CA 1 or 50 adopted <i>Similar to EMPL 7</i>		
	22	Lutgen, Franasse	Falls if CA 1, 50 or 23 adopted <i>Similar to EMPL 7 & 23</i>		
	1	Virkkunen	Falls if CA 1 adopted <i>No vote - follows vote on 3</i>		
	25	Nagtegaal, Oetjen	Falls if CA 1 adopted <i>No vote - follows vote on 45</i>		
	24	Bergkvist	Falls if CA 1 adopted <i>No vote - follows vote on 47</i>		
Recital 8a (new)	EMPL 8		Falls if CA 2 adopted <i>No vote - follows vote on 50</i>		
Recital 9	26	Cuffe	Falls if CA 2 adopted		
	EMPL 9		Falls if CA 2 or 26 adopted		
	2	Virkkunen	Falls if CA 2, 26 or EMPL 9 adopted		
	27	García Muñoz, Cerdas, Vind, Ujhelyi, Rudner	Falls if CA 2, 26, EMPL 9 or 2 adopted		
	28	Nagtegaal, Oetjen	Falls if CA 2, 26, EMPL 9, 2 or 27 adopted		
Recital 10	29	Vind	Fall if CA 3 adopted Identical		
	EMPL 10		<i>Deletion</i>		
	30	Cuffe	Falls if CA 3 or 29 adopted		
	31	García Muñoz, Cerdas, Ujhelyi, Rudner, Grapini	Falls if CA 3 or 29 adopted		
Recital 10a (new)	32	García Muñoz, Cerdas, Ujhelyi, Rudner	Falls if CA 3 adopted		

	► 33	Cuffe	After vote, go to ► Final vote	-	
	34	García Muñoz, Cerdas, Vind, Ujhelyi, Bergkvist, Grapini	Falls if CA 4 adopted		
	37	Virkkunen	Falls if CA 4 or 34 adopted		
	36	Grapini	Falls if CA 4, 34 or 37 adopted		
Recital 10b (new)	35	García Muñoz, Cerdas, Vind, Ujhelyi, Grapini	Falls if CA 4 adopted		
Recital 11 a (new)	38	Monteiro de Aguiar	Falls if CA 4 adopted		
Recital 11 b (new)	39	Grapini	Falls if CA 4 adopted		
	40	Virkkunen	Falls if CA 4 or 39 adopted		
Final vote – Draft as amended (Roll-call vote)					



2023/0155(COD)

15.11.2023

COMPROMISE AMENDMENTS

1 - 4

Draft report
Henna Virkkunen
(PE752.842v01-00)

Amending Regulation (EC) No 561/2006 as regards minimum requirements on minimum breaks and daily and weekly rest periods in the occasional passenger transport sector

Proposal for a regulation
(COM(2023)0256 – C9-0178/2023 – 2023/0155(COD))

Agence Europe

COMPROMISE 1

CA1 - Rules regarding minimum requirements on breaks

Compromise supported by PPE, S&D, Renew, ECR, The Left
and replacing Amendment(s) 3, 44,45,51,41,42,43,46,47,48,49,50,1,19,20,25,21,22,23,24

Proposal for a regulation

Article 1 – paragraph 1 – point 2

Regulation (EC) No 561/2006

Article 7 – paragraph 3 a (new)

Text proposed by the Commission

For a driver engaged in an occasional passenger service the break referred to in the first paragraph may also be replaced by **three** breaks of at least 15 minutes each, distributed over the driving period referred to in the first paragraph, in such a way as to comply with the first paragraph.;

Amendment

For a driver engaged in an occasional passenger service the break referred to in the first paragraph may also be replaced by **two** breaks, of at least 15 minutes each, distributed over the driving period referred to in the first paragraph, in such a way as to comply with the first paragraph.;

(Rules regarding minimum requirements on breaks)

Recital 8

Text proposed by the Commission

(8) More flexibility in the scheduling of breaks for drivers engaged in occasional road passenger transport services should not **prevent those** drivers **from taking** breaks of the minimum duration necessary to enable them to rest properly. Therefore, it is appropriate to set a minimum duration for each break. Therefore, drivers engaged in occasional road passenger transport services should be allowed to split their obligatory break into **three separate** breaks of at least 15 minutes **each, in addition to the other possibility of splitting a break.**

Amendment

(8) More flexibility in the scheduling of breaks for drivers engaged in occasional road passenger transport services should not **cause in any way more fatigue or stress for the** drivers **and it should be ensured that they take** breaks of the minimum duration necessary to enable them to rest properly **and sufficiently.** Therefore, it is appropriate to set a minimum duration for each break. Therefore, drivers engaged in occasional road passenger transport services should be allowed to split their obligatory break into **two** breaks of at least 15 minutes **eachwhile respecting the total required minimum rest time of 45 minutes. More flexibility in the scheduling of these breaks, however, should not prevent drivers from having breaks longer than the required minimum duration or having additional breaks.**

COMPROMISE 2

CA2 - Daily rest derogations

Compromise supported by PPE, S&D, Renew, ECR, The Left and replacing Amendment(s) 52,58,62,69,53,57,61,66,54,4,5,6,56,67,60,64,70, EMPL13, EMPL14,EMPL15,63,68,59,65,55,89

Proposal for a regulation

Article 1 – paragraph 1 – point 3 – point a

Regulation (EC) No 561/2006

Article 8 – paragraph 2 a – subparagraph 1

Text proposed by the Commission

2a. Provided that road safety *is* not thereby jeopardised, a driver engaged in *an* occasional passenger service with a duration of at least **8** days may derogate from paragraph 2, first subparagraph, *in the following ways*:

Amendment

2a. Provided that road safety *and the working conditions of the driver are* not thereby jeopardised, a driver engaged in *a single* occasional passenger service *accompanied by one journey form*, with a duration of at least **6** days may derogate from paragraph 2, first subparagraph *by postponing the daily rest period by at most 1 hour, provided that the total accumulated driving time for that day has not exceeded 7 hours and the maximum daily working time under the applicable law is respected*;

(Daily rest derogations)

Article 1 – paragraph 1 – point 3 – point a

Regulation (EC) No 561/2006

Article 8 – paragraph 2 a – subparagraph 1 – point a

Text proposed by the Commission

(a) *postponing the daily rest period by at most 1 hour, provided that the total accumulated driving time for that day has not exceeded 7 hours*;

Amendment

deleted

(Daily rest derogations)

Article 1 – paragraph 1 – point 3 – point a

Text proposed by the Commission

Amendment

(b) postponing the daily rest period by at most 2 hours, provided that the total accumulated driving time for that day has not exceeded 5 hours.

deleted

(Daily rest derogations)

Article 1 – paragraph 1 – point 3 – point a

Regulation (EC) No 561/2006
Article 8 – paragraph 2 a – subparagraph 2

Text proposed by the Commission

Amendment

Each of the derogations referred to in the first subparagraph, points (a) and (b), may be used only once during the journey referred to in the first subparagraph.

Such a derogation may be used only once during the journey referred to in the first subparagraph.

(Daily rest derogations)

Recital 9

Text proposed by the Commission

Amendment

(9) To ensure that greater flexibility in the scheduling of rest periods of drivers engaged in occasional road passenger transport services is not abused, it is essential to clearly delimit the scope of such flexibility and also to provide for appropriate checks. Drivers should therefore be able to postpone the start of their daily rest periods for a maximum period of **1 or 2 hours**, in cases where the driving period for that day has not exceeded **5 or 7** hours respectively, and should postpone the start only when carrying out journeys of **8** days or longer. Such flexibility should be **further** limited **to only one of each derogation** during the period of the tour. **It should be also possible** to counter check such circumstances **with a** printout from the recording equipment or the duty roster, **in**

(9) To ensure that greater flexibility in the scheduling of rest periods of drivers engaged in occasional road passenger transport services is not abused, it is essential to clearly delimit the scope of such flexibility and also to provide for appropriate checks **by the competent national authorities and supported by the European Labour Authority (ELA)**. Drivers should therefore be able to postpone the start of their daily rest periods for a maximum period of **1 hour**, in cases where the driving period for that day has not exceeded **7** hours respectively, and should postpone the start only when carrying out journeys of **6** days or longer. **For journeys of at least 6 days the drivers can once postpone their daily rest by 1 hour**. Such flexibility should **not jeopardise road safety and should be**

addition to the tachograph records.

limited during the period of the tour. *With a view to effective and efficient enforcement and in order* to counter check such circumstances, *a digital journey form should be electronically registered prior to the start of the journey in addition to the tachograph records and the* printout from the recording equipment or the duty roster.

(Daily rest derogations)

Recital 3

Text proposed by the Commission

(3) However, the specificities of the occasional road passenger transport sector are not shared by the road freight transport or the regular road passenger transport sector. Occasional road passenger transport is characterised by high seasonality and different lengths of time spent driving which depend on the touristic activities undertaken by passengers. It needs to accommodate unscheduled and impromptu requests from passengers in terms of additional stops and changes of the route or the schedule, wherever feasible. Occasional road passenger transport generally involves less driving time when compared to freight transport or regular bus services. In addition drivers usually sleep in hotels, and seldom drive at night. On the other hand, drivers during the working time may be subject to some additional activities, often resulting from interactions with passengers.

Amendment

(3) However, the specificities of the occasional road passenger transport sector are not shared by the road freight transport or the regular road passenger transport sector. Occasional road passenger transport is characterised by high seasonality and different lengths of time spent driving *as well as different driving distances* which depend on the touristic activities undertaken by passengers. It needs to accommodate *to passenger needs such as* unscheduled and impromptu requests from passengers in terms of additional stops and changes of the route or the schedule, wherever feasible. Occasional road passenger transport generally involves less driving time when compared to freight transport or regular bus services. In addition drivers usually sleep in hotels, and seldom drive at night. On the other hand, drivers during the working time may be subject to some additional activities, often resulting from interactions with passengers.

(Enforcement and control)

Or. en

COMPROMISE 3

CA3 - Weekly rest derogations, 12-day derogation

Compromise supported by PPE, S&D, Renew, ECR

and replacing Amendment(s)
73,72,74,75,EMPL16,76,77,78,79,82,EMPL17,80,81,83,84,85,71,86

Proposal for a regulation

Article 1 – paragraph 1 – point 3 – point b

Regulation (EC) No 561/2006

Article 8 – paragraph 6 a – subparagraph 1 – point a

Text proposed by the Commission

Amendment

(a) the service lasts at least 24 consecutive hours;

deleted

(Weekly rest derogations, 12-day derogation)

Article 1 – paragraph 1 – point 3 – point b a (new)

Regulation 2006/561/EC

Article 8 – paragraph 6 a – subparagraph 1 – point a (new)

Text proposed by the Commission

Amendment

(b a) a digital journey form with the required information set out in the Regulation (EC) 1073/2009 has been electronically registered prior to the start of the journey.

Article 1 – paragraph 1 – point 3 – point b a (new)

Regulation (EC) No 561/2006

Article 8 – paragraph 6 a – subparagraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(b a) in paragraph 6a, the following points (e), (f), (g) and (h) are inserted:

(e) In order to ensure effective and efficient enforcement of the sector-specific rules, specific administrative requirements and control measures should be established in the road transport sector, taking full advantage of digital tools.

(f) To allow for checks on the derogation to postpone the daily rest period and the possibility to postpone the weekly rest period for up to 12 consecutive 24 hour

periods to be carried out during the roadside inspections, the European Commission shall develop a multilingual interface, to which operators have access and via which they shall submit the electronic journey forms before the start of the journey. For this purpose, the Commission may also explore the possibility to develop one or more new modules for IMI.

(g) To facilitate the control of compliance with the 12-day derogation rules set out in in this Regulation, the books of journey forms specified in the Article 12 and Article 17 of Regulation 1073/2009, shall be replaced by electronic journey forms within 6 months from the entering into force of the amended derogation. The electronic form shall include all features specified under Regulation 1073/2009.

(h) The operator ensures that the driver has at his or her disposal an electronic journey form and an obligation for the driver to keep and make available when requested at the roadside, and a copy of the electronic journey form submitted via IMI before the start of the journey. The form shall be accessible in real time and solely used for the purpose of controls and enforcement.

(Weekly rest derogations, 12-day derogation)

Article 1 – paragraph 1 – point 3 – point b a (new)

Regulation (EC) No 561/2006

Article 8 – paragraph 6a – subparagraph 2

Text proposed by the Commission

Amendment

(b a) In paragraph 6a, subparagraph 2 is replaced by the following:

"The Commission shall regularly monitor the use of this derogation in order to ensure road safety is not negatively impacted, in particular by checking that the total accumulated driving and working time during the period covered by

the derogation is not contributing to driver fatigue and stress, or a general deterioration in the working conditions of drivers across the sector, also taking into account additional professional driving performed by drivers."

The Commission shall monitor closely and regularly the use made of this derogation in order to ensure the preservation of road safety under very strict conditions, in particular by checking that the total accumulated driving time during the period covered by the derogation is not excessive or contributing to driver fatigue and stress, also taking into account additional professional driving and other activities performed by drivers. By 4 December 2012, the Commission shall draw up a report assessing the consequences of the derogation in respect of road safety as well as social aspects. If it deems it appropriate, the Commission shall propose amendments to this Regulation in this respect.

(Weekly rest derogations, 12-day derogation)

Recital 10

Text proposed by the Commission

(10) Limiting the possibility to postpone the weekly rest period for up to 12 consecutive 24-hour periods exclusively to occasional international passenger services has a negative impact in terms of undistorted and fair competition between operators, especially small and medium enterprises. Occasional national passenger services might as well provide their services under the same conditions as occasional international passenger services in terms of the distance travelled or the duration or services rendered to passengers. Occasional national passenger services should therefore also benefit from such possibility.

Amendment

(10) Limiting the possibility to postpone the weekly rest period for up to 12 consecutive 24-hour periods exclusively to occasional international passenger services has a negative impact in terms of ***equal treatment and*** undistorted and fair competition between operators, especially small and medium enterprises. Occasional national passenger services might as well provide their services under the same conditions as occasional international passenger services in terms of the distance travelled or the duration or services rendered to passengers. Occasional national passenger services should therefore also benefit from such possibility.

(Weekly rest derogations, 12-day derogation)

Recital 10 a (new)

Text proposed by the Commission

Amendment

(10 a) In order to ensure effective and efficient enforcement, improved control measures and requirements should be established taking full advantage of digital tools. To allow for checks on the derogation to postpone the daily rest period and the possibility to postpone the weekly rest period for up to 12 consecutive 24 hour periods, a digital journey form should be electronically registered prior to the start of the journey in addition to the tachograph records and the printout from the recording equipment or the duty roster. The digital forms should be accessible in real time during road side checks and be solely used for controls of compliance and enforcement. For this purpose the Commission should develop a multilingual interface on the basis of the IMI system to allow operators to upload their digital journey forms.

(Weekly rest derogations, 12-day derogation)

Or. en

COMPROMISE 4

CA4 - Enforcement and control

Compromise supported by PPE, S&D, Renew, Verts/ALE, ECR, The Left and replacing Amendment(s) 87,88,91,90,8,EMPL1, EMPL2,9,10,11,12,13,EMPL3, EMPL4,14,15,18,EMPL5,16,17,EMPL6,21,20,19,EMPL7,23,22,1,25,24,EMPL8,26,EMPL9, 2,27,28,29,EMPL10,30,31,32,33,34,37,36,35,38,39,40

Proposal for a regulation

Recital 11 a (new)

Text proposed by the Commission

Amendment

(11 a) Proper enforcement of rules is a precondition for a functional single market and the respect of the interests of drivers, passengers and businesses. Social partners at European and national level can play an essential role in the enforcement of existing regulations on driving and working time of road transport workers, including drivers of occasional road passenger services. The Union and the Member States should promote cooperation with and between Social partners and enforcement authorities, with the objective to contribute to the proper implementation of the provisions of this Regulation, including developing guidelines and issuing recommendations. The Commission and the Member States may provide social partners with relevant information in this regard. In order to ensure uniform conditions for the implementation of this Regulation, the Commission, after receiving inputs from the interested stakeholders, should prepare guidelines to promote a common approach on the application of this Regulation across the Union, with a view to establish a common interpretation by enforcement authorities of the provisions of this Regulation;

(Enforcement and control)

Recital 10 b (new)

Text proposed by the Commission

Amendment

(10 b) To ensure efficient and high-quality occasional passenger transport services as well as good working and driving conditions for drivers, the Commission should carry out an assessment report two years after the adoption of these new rules in order to study their effect on working conditions and the attractiveness of the sector as well as to evaluate the enforcement of these rules. When relevant, the Commission

should consider proposing new measures based on the findings of the report.
(Enforcement and control)

Article 2 – paragraph 2 a (new)
Regulation (EC) No 561/2006
Article 2 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

The Commission shall, by [one year after this Regulation enters into force] submit the legislative proposals it deems necessary to amend Regulation (EU) No 165/2014 of the European Parliament and of the Council of 4 February 2014 on tachographs in road transport, repealing Council Regulation (EEC) No 3821/85 on recording equipment in road transport and amending Regulation (EC) No 561/2006 of the European Parliament and of the Council on the harmonisation of certain social legislation relating to road transport (OJ L 60, 28.2.2014, p. 1) and other relevant legislation in order to take into account the present regulation in a way that smart tachographs offer, the options ‘regular passenger service’ and ‘occasional passenger service’ for the bus services option as appropriate for enforcement of this Regulation.
(Enforcement and control)

Recital 6

Text proposed by the Commission

Amendment

(6) More flexible rules in the scheduling of the breaks and rest periods of drivers engaged in occasional road passenger transport services should in no way jeopardise the safety of drivers, road safety, increase the level of fatigue of drivers or lead to a deterioration in working conditions. Such flexibility should therefore not alter the current rules on the total minimum breaks, on maximum

(6) More flexible rules in the scheduling of the breaks and rest periods of drivers engaged in occasional road passenger transport services should in no way jeopardise the safety of drivers, road safety, increase the level of fatigue of drivers or lead to a deterioration in working conditions. Such flexibility should therefore not alter the current rules on the total minimum breaks, on maximum

driving periods per day and per week **and**
on the maximum fortnightly driving time.

driving periods per day and per week, on
the maximum fortnightly driving time **and**
on maximum working time.

(Enforcement and control)

Recital 11 a (new)

Text proposed by the Commission

Amendment

(11 a) Recital 11c (new) In order to allow for proper enforcement of this Regulation Commission should shall submit a new proposal of the Regulation 165/2014 and other relevant legislation in such a way to facilitate the verification of compliance by control authorities, that the smart tachograph should shall also record whether the vehicle has been employed for the carriage of goods or passengers, as required by Regulation (EC) No 561/2006, and, if the carriage of passenger is regular or occasional.

Or. en