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'I/A' ITEM NOTE

From: General Secretariat of the Council

To: Permanent Representatives Committee (Part 1)/Council

No. prev. doc.: 7510/19 + ADD 1 - ADD 9
8213/19 + ADD 1 + ADD 3

Subject: COMMISSION DELEGATED REGULATION (EU) .../... of 13.3.2019
supplementing Directive 2010/40/EU of the European Parliament and of
the Council with regard to the deployment and operational use of
cooperative intelligent transport systems
- Decision to extend the time-limit for raising objections to a delegated act

1. The Commission has submitted the above delegated act to the Council in accordance with the procedure set out in Article 290 TFEU and Article 6(3) in conjunction with Article 7 of Directive 2010/40/EU¹.
2. The Commission notified the delegated act to the Council on 13 March 2019, hence the Council has two months, i.e. until 13 May 2019, to object to it. That period for expressing an objection can be prolonged by two months.

¹ Directive 2010/40/EU of the European Parliament and of the Council of 7 July 2010 on the framework for the deployment of Intelligent Transport Systems in the field of road transport and for interfaces with other modes of transport (OJ L 207, 6.8.2010, p. 1.).

3. At the Working Party on Transport, Intermodal Questions and Networks on 15 March, two delegations expressed concerns of a legal and technological nature on the delegated regulation. Some of the concerns were shared by a number of other delegations, while some others expressed support for the delegated act.
4. Following written comments sent to the Council Secretariat², the delegated act was discussed at the meetings of the Intermodal Transport Working Party of 5 April and 3 May. At the Working Party on 3 May, the four delegations that sent written comments presented their concerns and asked for a written Council Legal Service (CLS) opinion as well as an extension of the deadline to raise objections of two months, which they considered necessary in order to be able to receive and fully assess the CLS opinion. Both requests were supported by the majority of delegations. At the same meeting, a considerable number of other delegations reiterated their support for the delegated act.
5. Given the support by the majority of delegations for the requests explained above and the legal concerns expressed, the Presidency decided at the meeting of the Working Party on 3 May to ask the Council Legal Service for an opinion. Furthermore, the Presidency concluded that Coreper and Council would be requested to decide to extend the deadline for raising objections to the delegated regulation by two months, in order to allow delegations sufficient time to analyse the CLS opinion and come to a well-informed final position on the matter.
6. It is therefore suggested that the Permanent Representatives Committee invite the Council to decide to extend the time-limit for raising objections by two months, i.e. until 13 July 2019, in accordance with Article 12(6) of Directive 2010/40/EU.
7. The Commission and the European Parliament are to be informed accordingly.

² Doc. 8213/19 + ADD 1 + ADD 3.