



Council of the
European Union

Brussels, 12 November 2019
(OR. en)

Interinstitutional File:
2017/0122(COD)

7914/4/19
REV 4

TRANS 230
SOC 250
CODEC 800

WORKING DOCUMENT

From:	General Secretariat of the Council
To:	Delegations
No. prev. doc.:	ST 7914/3/19 REV 3
No. Cion doc.:	ST 9670/17
Subject:	Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 561/2006 as regards on minimum requirements on maximum daily and weekly driving times, minimum breaks and daily and weekly rest periods and Regulation (EU) 165/2014 as regards positioning by means of tachographs – Preparation for the third trilogue

In preparation of the Land Transport Working Group on 14 November 2019, delegations will find annexed the four-column table, as resulting from the second trilogue, with new suggestions and considerations in the 4th column, in order to prepare for a revised trilogue mandate.

Changes compared to the previous document are to be found:

for recitals, in lines 4, 8-12, 15, 20, 27, 29, 33-44, 49, 62, 64, 308, 311; and

for Articles: in lines 76, 133/136, 147, 156/157.

Please note that the most political issues (lines 72-79, 87, 98, 99, 103, 107-112, 114-118, 122-130, 186-224, 230-244, 271, 277) are also addressed separately in document ST 13218/19.

Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 561/2006 as regards on minimum requirements on maximum daily and weekly driving times, minimum breaks and daily and weekly rest periods and Regulation (EU) 165/2014 as regards positioning by means of tachographs

2017/0122 (COD)

	COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340*	Council/General Approach, doc. 15084/18	Compromise
1.	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION, Having regard to the Treaty on the Functioning of the European Union, and in particular Article 91(1) thereof, Having regard to the proposal from the European Commission, After transmission of the draft legislative act to the national parliaments, Having regard to the opinion of the European Economic and Social Committee¹, Having regard to the opinion of the Committee of the Regions², Acting in accordance with the ordinary legislative procedure³, (1) OJ C 197, 8.6.2018, p. 45. (2) OJ C 176, 23.5.2018, p. 57. (3) Position of the European Parliament of 4 April 2019.			
2.	Whereas:			

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ANNEX

TREE.2.A

JL/el/km/pl/km

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EN

COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340* Amendment 346 Recital I	Council/General Approach, doc. 15084/18	Compromise
3.			
4.	(1) Good working conditions for drivers and fair business conditions for road transport undertakings are of paramount importance to creating a safe, efficient and socially accountable road transport sector. To facilitate that process it is essential that the Union social rules in road transport are clear, fit for purpose, easy to apply and to enforce and implemented in an effective and consistent manner throughout the Union.	(1) Good working conditions for drivers and fair business conditions for road transport undertakings are of paramount importance to creating a safe, efficient and socially accountable road transport sector. To facilitate that process it is essential that the Union social rules in road transport are clear, fit for purpose, easy to apply and to enforce and implemented in an effective and consistent manner throughout the Union.	B Compromise proposal (1) Good working conditions for drivers and fair business conditions for road transport undertakings are of paramount importance to creating a safe, efficient, [...] socially accountable road transport sector in order to ensure non-discrimination <i>and attract qualified workers</i>. To facilitate that process it is essential that the Union social rules in road transport are clear, <i>proportionate</i>, fit for purpose, easy to apply and to enforce and implemented in an effective and consistent manner throughout the

COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340*	Council/General Approach, doc. 15084/18	Compromise
5.	Amendment 347 Recital 2		Union.
6.	(2) Having evaluated the effectiveness and efficiency of the implementation of the existing set of Union social rules in road transport, and in particular Regulation (EC) No 561/2006 of the European Parliament and of the Council³, certain deficiencies were identified in the existing legal framework. Unclear and unsuitable rules on weekly rest, resting facilities, breaks in multi-manning and the absence of rules on the return of drivers to their home, lead to diverging interpretations and enforcement practices in the Member States. Several Member States recently adopted unilateral measures further increasing legal uncertainty and unequal	(2) Having evaluated the effectiveness and efficiency of the implementation of the existing set of Union social rules in road transport, and in particular Regulation (EC) No 561/2006 of the European Parliament and of the Council³, certain deficiencies were identified in the existing legal framework. Unclear and unsuitable rules on weekly rest, resting facilities, breaks in multi-manning and the absence of rules on the return of drivers to their home, lead to diverging interpretations and enforcement practices in the Member States. Several Member States recently adopted unilateral measures further increasing legal uncertainty and unequal	C

COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340*	Council/General Approach, doc. 15084/18	Compromise
treatment of drivers and operators. ³ Regulation (EC) No 561/2006 of the European Parliament and of the Council of 15 March 2006 on the harmonisation of certain social legislation relating to road transport and amending Council Regulations (EEC) No 3821/85 and (EC) No 2135/98 and repealing Council Regulation (EEC) No 3820/85	further increasing legal uncertainty and unequal treatment of drivers and operators. <i>On the other hand, the maximum driving periods per day and per week, as set out in Regulation (EC) No 561/2006, are effective in improving the social conditions of road drivers and road safety in general and therefore steps should be taken to ensure that they are respected.</i> ⁴ Regulation (EC) No 561/2006 of the European Parliament and of the Council of 15 March 2006 on the harmonisation of certain social legislation relating to road transport and amending Council Regulations (EEC) No 3821/85 and (EC) No 2135/98 and repealing Council Regulation (EEC) No 3820/85	treatment of drivers and operators. ³ Regulation (EC) No 561/2006 of the European Parliament and of the Council of 15 March 2006 on the harmonisation of certain social legislation relating to road transport and amending Council Regulations (EEC) No 3821/85 and (EC) No 2135/98 and repealing Council Regulation (EEC) No 3820/85	

COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340*	Council/General Approach, doc. 15084/18	Compromise
(OJ L 102, 11.4.2006, p. 1).	Council Regulation (EEC) No 3820/85 (OJ L 102, 11.4.2006, p. 1).	(OJ L 102, 11.4.2006, p. 1).	
7.	Amendment 348 Recital 2a (new)		
8.	<i>(2a) It is in the interests of road safety and enforcement that all drivers should be fully aware of both the rules on driving and rest times and the availability of rest facilities. Therefore, it is appropriate for Member States to work to produce guidance that presents this Regulation in a clear and simple manner, gives useful information on parking and rest facilities and underlines the importance combating fatigue.</i>		B [NOTE: linked to lines 122-130 and 186-224. Compromise will only be proposed once agreement on the approach towards parkings is reached] Compromise proposal <i>(2a) It is in the interests of road safety and enforcement that all drivers should be fully aware of the rules on driving and rest times and the dangers of fatigue. The availability of rest facilities is of utmost importance in this regard. Therefore, [...] the Commission should provide full information</i>

COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340*	Council/General Approach, doc. 15084/18	Compromise
			on safe and secure parkings through a user friendly website. That information should be kept up to date[...] NOTE: Commission proposal for parkings' Article: <i>The Commission shall ensure that the list of all publicly accessible safe and secure parkings is published on a single official website that is regularly updated.</i>
9.	Amendment 349 Recital 2b (new)		
10.	<i>(2b) It is in the interests of road safety to encourage transport undertakings to adopt a safety culture which includes safety policies and procedures issued by senior management, the commitment to implementing safety policy shown by the line management and the</i>		B Compromise proposal: (2b) To promote road safety, it is important to encourage transport undertakings to adopt a safety culture which is adhered to at all levels [...]. In particular, in

COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340*	Council/General Approach, doc. 15084/18	Compromise
	<i>willingness to comply with safety rules shown by the workforce. There should be a clear focus on road transport safety issues, including fatigue, liability, journey planning, rostering, performance-based pay and 'just in time' management.</i>		order to avoid infringements of driving and rest rules, or endangering road safety, it should not be permitted to link performance-based pay with the time needed for the transportation of passengers to their destination or for the delivery of goods.
11.	Amendment 350 Recital 3		
12.	(3) The ex-post evaluation of Regulation (EC) No 561/2006 confirmed that inconsistent and ineffective enforcement of the Union social rules was mainly due to unclear rules, inefficient use of the control tools and insufficient administrative cooperation between the Member States.	(3) The ex-post evaluation of Regulation (EC) No 561/2006 confirmed that inconsistent and ineffective enforcement of the Union social rules was mainly due to unclear rules, inefficient use of the control tools and insufficient administrative cooperation between the Member States.	B Compromise proposal (3) The ex-post evaluation of Regulation (EC) No 561/2006 confirmed that inconsistent and ineffective enforcement of the Union social rules was mainly due to unclear rules, <i>to</i> inefficient <i>and unequal</i> use of the control tools and <i>to</i> insufficient

COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340* <i>European internal market.</i>	Council/General Approach, doc. 15084/18	Compromise
13.			administrative cooperation between the Member States. <i>This has a negative effect on the internal market as well.</i>
		(3a) In order to improve clarity and consistency, the exemption from the scope of Regulation (EC) No 561/2006 for the non-commercial use of a vehicle should be defined.	B [Note: linked to new definition in line 84] (3a) In order to improve clarity and consistency, the exemption from the scope of Regulation (EC) No 561/2006 for the non-commercial use of a vehicle should be defined.

	COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340* Amendment 351 Recital 4	Council/General Approach, doc. 15084/18	Compromise
14.				
15.	(4) Clear, suitable and evenly enforced rules are also crucial for achieving the policy objectives of improving working conditions for drivers, and in particular ensuring undistorted competition between operators and contributing to road safety for all road users.	(4) Clear, suitable and evenly enforced rules are also crucial for achieving the policy objectives of improving working conditions for drivers, and in particular ensuring undistorted <i>and fair</i> competition between operators and contributing to road safety for all road users.	(4) Clear, suitable and evenly enforced rules are also crucial for achieving the policy objectives of improving working conditions for drivers, and in particular ensuring undistorted competition between operators and contributing to road safety for all road users.	B (4) Clear, suitable and evenly enforced rules are also crucial for achieving the policy objectives of improving working conditions for drivers, and in particular ensuring undistorted <i>and fair</i> competition between operators and contributing to road safety for all road users.
16.		Amendment 352 Recital 4a (new)		
17.		(4a) <i>Any national rules applied to road transport must be proportionate as well as justified and must not hinder or make less attractive the exercise of fundamental freedoms guaranteed by the Treaty, such as the free movement of goods and the</i>		C

COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340*	Council/General Approach, doc. 15084/18	Compromise
	<i>freedom to provide services in order to maintain or even increase the competitiveness of the European Union</i>		
18.	Amendment 353/rev Recital 4b (new)		
19.	(4b) In order to ensure a European-wide level playing field in road transport, this Regulation should apply to all vehicles exceeding 2,4 tonnes engaged in international transport.		C [NOTE: linked to line 73]
20.	(5) The existing requirement on breaks turned out to be unsuitable and impractical for drivers in a team. Therefore, it is appropriate to adapt the requirement on recording breaks to the specificity of the transport operations carried out by drivers driving in a team.	(5) The existing requirement on breaks turned out to be unsuitable and impractical for drivers in a team. Therefore, it is appropriate to adapt the requirement on recording breaks to the specificity of the transport operations carried out by drivers driving in a team, without jeopardising the safety of the driver and road safety.	B Keep GA

	COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340* Amendment 354 Recital 5a (new)	Council/General Approach, doc. 15084/18	Compromise
21.				
22.		<i>(5a) Transporting goods is fundamentally different from transporting people. Coach drivers are in close contact with their passengers and should be in a position to take breaks with greater flexibility without extending driving periods or shortening rest periods and breaks.</i>		C (NOTE linked to operative part in line 121) - merged into proposal for line 67
23.		Amendment 355 Recital 6		
24.	(6) Drivers engaged in long-distance international transport operations spend long periods away from their home. The current requirements on the regular weekly rest unnecessarily prolong those periods. It is thus desirable to adapt the provision on the regular weekly rest in such a way that it is easier for drivers to carry out transport	(6) Drivers engaged in long-distance international transport operations spend long periods away from their home. The current requirements on the regular weekly rest unnecessarily prolong those periods. It is thus desirable to adapt the provision on the regular weekly rest in such a way that it is easier for drivers to carry out transport	(6) Drivers engaged in long-distance international transport operations spend long periods away from their home. The current requirements on the regular weekly rest [...] may prolong those periods unnecessarily. It is thus desirable to adapt the provision on the regular weekly rest in such a way that it is easier for drivers to carry out transport	B [Note: EP amendment depends on details concerning "return to home" (lines 98, 99)]

	COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340*	Council/General Approach, doc. 15084/18	Compromise
	operations in compliance with the rules and to reach their home for a regular weekly rest, and be fully compensated for all reduced weekly rest periods.	operations in compliance with the rules and to reach their home <i>or a destination of their choosing</i> for a regular weekly rest, and be fully compensated for all reduced weekly rest periods.	operations in compliance with the rules and to reach their home for a regular weekly rest, and be fully compensated for all reduced weekly rest periods.	
25.	It is also necessary to provide that operators organise the work of drivers in such a way that these periods away from home are not excessively long.	It is also necessary to provide that operators organise the work of drivers in such a way that these periods away from home are not excessively long. <i>When a driver chooses to spend this rest period at home, the transport undertaking should provide the driver with the means to return.</i>	It is also necessary to provide that operators organise the work of drivers in such a way that these periods away from home are not excessively long and that drivers can benefit from long rest periods taken in compensation for reduced weekly rest periods. Organising the return should allow reaching an operational centre of the undertaking in its Member State of establishment or the driver's place of residence. The operator should be able to prove the organisation of the regular return through tachograph records, duty	C [Note: depends on details concerning "return to home" (lines 98, 99)]

COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340*	Council/General Approach, doc. 15084/18	Compromise
		rosters of the drivers or similar evidence.	
26.	Amendment 356 Recital 6a (new)		
27.	(6a) <i>Where the work of a driver predictably includes activities for the employer other than his/her professional driving tasks, such as loading / unloading, finding parking space, maintaining the vehicle, route preparation etc, the time he/she needs to perform these tasks should be taken into account when determining both his/her working time, the possibility for adequate rest and pay.</i>		B Council: prefer deletion. The proposal on amending Directive 2006/22 contains new Article 11(3) which allows Commission to adopt implementing act for a common approach towards recording "working time"

	COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340*	Council/General Approach, doc. 15084/18	Compromise
28.		Amendment 357 Recital 6b (new)		
29.		<i>(6b) In order to safeguard working conditions of the drivers at places of loading and unloading, owners and operators of such facilities should provide the driver with the access to hygienic facilities.</i>		B Council: delete. As an only programmatic aspiration this is not convincing
30.		Amendment 358 Recital 6c (new)		
31.		<i>(6c) Rapid technological progress is resulting in the development of autonomous driving systems with increasing levels of sophistication. In the future, those systems could allow for a differentiated usage of vehicles the manoeuvring of which does not involve a driver. This could lead to new operational possibilities, such as truck</i>		C [Note: linked to amendment in line 169]

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	<i>platooning. As a result, existing legislation, including rules on driving and resting times, will need to be adapted, for which progress at the UNECE Working Party level is essential. The Commission shall come forward with an evaluation report of the use of autonomous driving systems in the Member States, accompanied, if appropriate, by a legislative proposal to take into account the benefits of autonomous driving technologies. The intention of this legislation is to guarantee road safety, a level-playing field and proper working conditions, whilst enabling the EU to pioneer new innovative technologies and practices.</i>		

	COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340* Amendment 359 Recital 7	Council/General Approach, doc. 15084/18	Compromise
32.				
33.	(7) There are differences among Member States in the interpretation and implementation of the weekly rest requirements as regards the place where the weekly rest should be taken. It is therefore appropriate to clarify that requirement to ensure that drivers are provided with adequate accommodation for their regular weekly rest periods if they are taken away from home.	(7) There are differences among Member States in the interpretation and implementation of the weekly rest requirements as regards the place where the weekly rest should be taken. <i>In order to ensure good working conditions and the safety of drivers, it is therefore appropriate to clarify that requirement to ensure that drivers are provided with [...] quality and gender friendly accommodation or another location as chosen by the driver and paid for by the employer for their regular weekly rest periods if they are taken away from home.</i> <i>Member States should ensure the availability of sufficient secure parking</i>	(7) [...] In order to promote social progress it is appropriate to specify where the weekly rest may be taken ensuring that drivers enjoy adequate rest conditions. The quality of accommodation is particularly important during the regular weekly rest, which the driver should spend away from the vehicle's cabin in a suitable accommodation, at the cost of the employer.	C Council: Last part of EP text is sufficiently covered in the recitals on parking infrastructure (lines 35, 37, 39, 42)

COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340* <i>areas that are adapted to the needs of the drivers.</i>	Council/General Approach, doc. 15084/18	Compromise
34.	Amendment 360 Recital 7a (new)		
35.	(7a) Dedicated Parking areas should have all of the facilities necessary for good resting conditions, that is to say sanitary, culinary, security and others.		C Council: Commission should draft one compromise recital covering lines 35, 37, 41, 62 and referring to the study, certification efforts and the need for harmonised quality standards
36.	Amendment 361 Recital 7b (new)		
37.	(7b) Adequate resting facilities are crucial for improving drivers working conditions in the sector and maintaining road safety. As rest in the cabin is characteristic for the transport sector and in certain cases desirable from a comfort and suitability perspective,	(7a) Safe and secure parking areas equipped with adequate resting facilities are crucial for improving working conditions in the sector and maintaining road safety. Therefore it is of utmost importance to promote a development of parking infrastructure, including rest areas, which	C Council: Commission should draft one compromise recital covering lines 35, 37, 41, 62 and referring to the study, certification efforts and the need for harmonised quality standards

COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340*	Council/General Approach, doc. 15084/18	Compromise
	<i>drivers should be allowed to take their rest in their vehicle, if the vehicle is equipped with suitable sleeping facilities. Therefore the creation of dedicated parking areas should not be disproportionately hindered or obstructed by Member States.</i>	would guarantee desired safety, security and service standards.	
38.	Amendment 362 Recital 7c (new)		
39.	<i>(7c) The revised TEN-T guidelines foresee the development of parking area's on motorways approximately every 100 km to provide parking space for commercial road users with an appropriate level of safety and security and therefore Member States should be encouraged to implement the TEN-T guidelines and</i>	It is important that sufficient opportunities of co-funding by the European Union exist in accordance with current and future Union legal acts establishing the conditions for financial support, in order to accelerate and promote the construction of this parking infrastructure. However, Member States are not obliged to finance additional parking	B Compromise proposal: <i>(7c) The revised TEN-T guidelines envisage the development of parking area's on motorways approximately every 100 km to provide commercial road users with parking space that has an appropriate level of safety and security. In order to accelerate and promote</i>

COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340* <i>sufficiently support and invest in safe and suitably adapted parking areas.</i>	Council/General Approach, doc. 15084/18 infrastructure on their territory beyond their existing obligations under the Union guidelines for TEN-T infrastructure. The Commission should review the availability of safe and secure parking areas.	Compromise the construction of adequate parking infrastructure, it is important that sufficient opportunities for co-funding by the Union are available in accordance with current and future Union legal acts establishing the conditions for that financial support. However, Member States are not bound to finance additional parking infrastructure on their territory beyond their current obligations under the Union guidelines for TEN-T infrastructure.
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	COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340* Amendment 363 Recital 7d (new)	Council/General Approach, doc. 15084/18	Compromise
40.				
41.		<i>(7d) In order to provide good quality affordable rest facilities, the Commission and Member States should encourage the establishment of social, commercial, public and other enterprises for the operation of dedicated parking areas.</i>		B Council: Commission should draft one compromise recital covering lines 35, 37, 41, 62 and referring to the study, certification efforts and the need for harmonised quality standards
42.	(8) Drivers are often faced with unforeseen circumstances which make it impossible to reach a desired destination for taking a weekly rest without violating Union rules. It is desirable to make it easier for drivers to cope with those circumstances and enable them to reach their destination for a weekly rest without breaching the requirements on maximum driving times.		(8) Drivers are [...] faced with unforeseeable circumstances which make it impossible to reach a desired destination for taking a weekly rest without violating Union rules. It is desirable to make it easier for drivers to cope with those circumstances and enable them to reach their destination for a weekly rest. Such exceptional circumstances are sudden circumstances that are unavoidable and may not be	B (8) Drivers are [...] faced with unforeseeable circumstances which make it impossible to reach a desired destination for taking a weekly rest without violating Union rules. It is desirable to make it easier for drivers to cope with those circumstances and enable them to reach their destination for a weekly rest. Such exceptional

COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340*	Council/General Approach, doc. 15084/18	Compromise
		anticipated, where it unexpectedly becomes impossible to apply the Regulation's provisions in their entirety for a short period of time. In order to ensure proper enforcement, the driver should document the circumstances. In addition, a safeguard should ensure that driving time is not excessive [...].	circumstances are sudden circumstances that are unavoidable and may not be anticipated, where it unexpectedly becomes impossible to apply the Regulation's provisions in their entirety for a short period of time. In order to ensure proper enforcement, the driver should document the <u>exceptional circumstances resulting in departing from the rules</u>. In addition, a safeguard should ensure that driving time is not excessive [...].

	COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340* Amendment 364 Recital 8a (new)	Council/General Approach, doc. 15084/18	Compromise
43.				
44.		(8a) <i>Many road transport operations within the Union involve transport by ferry or by rail for part of the journey. Clear, appropriate provisions regarding rest periods and breaks should therefore be laid down for such operations.</i>		B [NOTE: linked to lines 133, 136, 301] (8a) <i>Many road transport operations within the Union involve transport by ferry or by rail for part of the journey. Clear, appropriate provisions regarding rest periods and breaks should therefore be laid down for such operations.</i>
45.	(9) To reduce and prevent diverging enforcement practices and to further enhance the effectiveness and efficiency of cross-border enforcement it is crucial to establish clear rules for regular administrative cooperation between Member States.		(9) To reduce and prevent diverging enforcement practices and to further enhance the effectiveness and efficiency of cross-border enforcement it is crucial to establish clear rules for regular administrative cooperation between Member States.	(9) To reduce and prevent diverging enforcement practices and to further enhance the effectiveness and efficiency of cross-border enforcement it is crucial to establish clear rules for regular administrative cooperation between Member States.

	COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340* Amendment 365 Recital 9a (new)	Council/General Approach, doc. 15084/18	Compromise
46.				
47.		(9a) <i>In order to guarantee effective enforcement, it is essential that the competent authorities, when carrying out roadside checks should be able to ascertain that driving times and rest periods have been properly observed on the day of the check and over the preceding 56 days.</i>		B [NOTE: linked to lines 315, 318, 321] (9a) <i>In order to guarantee effective enforcement, it is essential that the competent authorities, when carrying out roadside checks, should be able to ascertain that driving times and rest periods have been properly observed on the day of the check and over the preceding 56 days.</i>

	COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340* Amendment 366 Recital 9b (new)	Council/General Approach, doc. 15084/18	Compromise
48.				
49.		<i>(9b) In order to ensure that rules are clear, easy to understand and enforceable, information must be made accessible to the drivers. This should be achieved through the coordination of the Commission. Drivers should also receive information on rest areas and secure parking to allow for better planning of journeys. Furthermore, through the Commission's coordination a free telephone hotline should be installed to alert control services in case undue pressure is put on drivers, fraud or illegal behaviour.</i>		C Council: Sufficiently covered in line 8

COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340*	Council/General Approach, doc. 15084/18	Compromise
50.	Amendment 367 Recital 9c (new)		
51.	(9c) <i>Article 6 of Regulation (EC) No 1071/2009 obliges Member States to apply common classification of infringements when assessing good repute. Member States should take all measures necessary to ensure that national rules on penalties applicable to infringements of Regulation (EC) No 561/2006 and Regulation (EU) No 165/2014 are implemented in an effective, proportionate and dissuasive manner. Further steps are needed to ensure that all penalties applied by Member States are non-discriminatory and proportionate to the seriousness of infringement.</i>		B

	COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340*	Council/General Approach, doc. 15084/18	Compromise
52.	(10) In order to ensure uniform conditions for the implementation of Regulation (EC) No 561/2006 implementing powers should be conferred on the Commission in order to clarify any of the provisions of that Regulation and to establish common approaches on their application and enforcement. Those powers should be exercised in accordance with Regulation (EU) No 182/2011⁴. 4 Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).		(10) In order to ensure uniform conditions for the implementation of Regulation (EC) No 561/2006 implementing powers should be conferred on the Commission in order to clarify any of the provisions of that Regulation and to establish common approaches on their application and enforcement. Those powers should be exercised in accordance with Regulation (EU) No 182/2011⁴. 4 Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).	(10) In order to ensure uniform conditions for the implementation of Regulation (EC) No 561/2006 implementing powers should be conferred on the Commission in order to clarify any of the provisions of that Regulation and to establish common approaches on their application and enforcement. Those powers should be exercised in accordance with Regulation (EU) No 182/2011⁴. 4 Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's

COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340*	Council/General Approach, doc. 15084/18	Compromise
			exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).
53.	Amendment 368 Recital 11		
54.	(11) To enhance cost-effectiveness of enforcement of the social rules [...] the current and [...] <i>smart</i> tachograph systems should be [...] <i>mandatory in international transport</i>. Therefore the functionalities of the tachograph should be improved to allow for more precise positioning [...].	(11) To enhance cost-effectiveness of enforcement of the social rules the potential of the current and future tachograph systems should be fully exploited. Therefore the functionalities of the tachograph should be improved to allow for more precise positioning, in particular during international transport operations.	B [NOTE: see line 73]

	COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340* Amendment 369 Recital 11a (new)	Council/General Approach, doc. 15084/18	Compromise
55.				
56.		<i>(11a) The rapid development of new technologies and digitalisation throughout the Union economy and the need for a level playing field among companies in international road transport make it necessary to shorten the transitional period for the installation of the smart tachograph in registered vehicles. The smart tachograph will contribute to simplified controls and thus facilitate the work of national authorities.</i>	For the same purpose, the installation of smart tachographs should be advanced in the existing fleets which operate in international transport using analogue or digital tachographs.	B

	COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340*	Council/General Approach, doc. 15084/18	Compromise
57.			(11a) In particular, in vehicles which are not equipped with a smart tachograph, the crossing of Member State borders should be recorded in the tachograph at the nearest stopping place at or after the border.	B [Note: accompanies lines 296-298] (11a) In particular, in vehicles which are not equipped with a smart tachograph, the crossing of Member State borders should be recorded in the tachograph at the nearest <u>possible</u> stopping place at or after the border
58.			(11b) To ensure that drivers, operators and control authorities benefit at the soonest from the advantages of smart tachographs including their automated recording of border crossings, the existing vehicle fleet should be equipped with such devices within an appropriate period after the entry into force of the	B

COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340*	Council/General Approach, doc. 15084/18	Compromise
		detailed technical provisions thus ensuring sufficient time for preparation.	
59.	Amendment 370 Recital 11b (new)		
60.	<i>(11b) Taking into account the wide-spread use of smartphones and the continuous development of their functionalities, and in view of the deployment of Galileo, which offers increasing opportunities for real time localisation, which many mobile already use, the Commission should explore the possibility of developing and certifying a mobile application that offers the same benefits as those offered by the smart tachograph, at the same associated costs.</i>		C

	COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340* Amendment 371 Recital 11c (new)	Council/General Approach, doc. 15084/18	Compromise
61.				
62.		<i>(11c) In order to guarantee appropriate health and safety standards for drivers, it is necessary to establish or upgrade secure parking areas, adequate sanitary facilities and quality accommodation. A sufficient network of parking areas should exist within the Union.</i>		C Commission should present one compromise recital covering lines 35, 41, 37, 62 and referring to the study, certification efforts and the need for harmonised quality standards
63.			(11c) To reduce the burden on operators and control authorities in case that a control officer removes the seal of a tachograph for control purposes, the re-sealing by the control officer should be allowed under certain well documented circumstances.	B [Note: associated with GA amendment to Article 22(5), lines 288-292] (11c) To reduce the burden on operators and control authorities in case that a control officer removes the seal of a tachograph for control purposes, the re-sealing by the control officer should be allowed under certain well

COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340*	Council/General Approach, doc. 15084/18	Compromise
			documented circumstances.
64.		(11d) It is important that road transport operators established in third countries, while performing road transport operations in the territory of the EU, are subject to rules which are equivalent to this legislation. The Commission should assess the fulfilment of this principle at EU level and propose adequate solutions to be negotiated by the EU in the context of AETR.	B

	COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340*	Council/General Approach, doc. 15084/18	Compromise
65.	(12) Regulations (EC) No 561/2006 and (EU) 165/2014 of the European Parliament and of the Council⁵ should therefore be amended accordingly. 5 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).		(12) Regulations (EC) No 561/2006 and (EU) 165/2014 of the European Parliament and of the Council⁵ should therefore be amended accordingly. 5 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).	(12) Regulations (EC) No 561/2006 and (EU) 165/2014 of the European Parliament and of the Council⁵ should therefore be amended accordingly. 5 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).

	COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340* Amendment 372 Recital 12a (new)	Council/General Approach, doc. 15084/18	Compromise
66.				
67.		(12a) Acknowledges that transporting goods is different from transporting people. Coach drivers are in close contact with their passengers and should be given more suitable conditions within the framework of this Regulation without extending driving times or shortening rest periods and breaks. Therefore, the Commission shall evaluate if specific rules for this sector can be adopted, especially for occasional services as defined in Article 2 paragraph 1 point 4 of Regulation (EC) No 1073/2009 of the European Parliament and the Council of 21 October 2009 on common rules for access to		C (NOTE: no additional recital line 22) (12a) [...] <i>Transporting goods is different from transporting people. [...] Therefore, the Commission shall evaluate if more adequate rules for passenger transport should be proposed [...], especially for occasional services as defined in [...] point 4 of Article 1 of Regulation (EC) No 1073/2009 of the European Parliament and the Council of 21 October 2009 on common rules for access to the international market for coach and bus services.</i>

COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340* <i>the international market for coach and bus services.</i>	Council/General Approach, doc. 15084/18	Compromise
68.	HAVE ADOPTED THIS REGULATION:		
69.	<i>Article 1</i>	<i>Article 1</i>	<i>Article 1</i>
70.	Regulation (EC) No 561/2006 is amended as follows:	Regulation (EC) No 561/2006 is amended as follows:	Regulation (EC) No 561/2006 is amended as follows
71.		Amendment 373 Article 1 - paragraph 1 - point -1 Regulation (EC) No 561/2006 Article 2 - paragraph 1 - point a a (new)	
72.		<i>(-1) In Article 2(1), the following point is inserted:</i>	
73.		<i>"(-aa) of goods in international transport operations, where the maximum permissible mass of the vehicle, including any trailer, or semi-trailer, exceeds 2,4 tonnes, or"</i>	C

COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340* Amendment 374 Article 1 - paragraph 1 - point -1a (new) Regulation (EC) No 561/2006 Article 3 - paragraph 1 - point a a (-1a) In Article 3, point (aa) is replaced by the following:	Council/General Approach, doc. 15084/18	Compromise
74.			
75.			
76. (aa) vehicles or combinations of vehicles with a maximum permissible mass not exceeding 7,5 tonnes used for carrying materials, equipment or machinery for the driver's use in the course of his work, and which are used only within a 100 km radius from the base of the undertaking and on the condition that driving the vehicle does not constitute the driver's main activity;	“(aa) vehicles or combinations of vehicles with a maximum permissible mass not exceeding 7,5 tonnes used for carrying materials, equipment or machinery for the driver's use in the course of his work, <i>or delivering goods which have been produced on a craft basis in the undertaking employing the driver</i> and which are used only within a 150 km radius from the base of the undertaking and on the condition that driving the vehicle does not constitute the driver's main activity;”		C Commission proposal “(aa) vehicles or combinations of vehicles with a maximum permissible mass not exceeding 7,5 tonnes used for carrying materials, equipment or machinery for the driver's use in the course of his work, <i>or delivering goods produced on a craft basis where the transport is not carried out for hire or reward and which are used or delivered</i> only within a 100 km radius from the base of the undertaking and on the

	COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340*	Council/General Approach, doc. 15084/18	Compromise
				condition that driving the vehicle does not constitute the driver's main activity;"
77.		Amendment 375 Article 1 - paragraph 1- point 1a (new) Regulation (EC) No 561/2006 Article 3 -point h a (new)		
78.		<i>(1a) In Article 3, the following point is inserted:</i>		
79.		<i>“(ha) light commercial vehicles that are used for the transport of goods, where the transport is not effected for hire or reward, but on the own account of the company or the driver, and where driving does not constitute the main activity of the person driving the vehicle;”</i>		C [to be considered together with EP amendment in line 73]

	COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340*	Council/General Approach, doc. 15084/18	Compromise
80.	(1) in Article 3, the following point (h) is replaced by the following:		deleted	deleted [Note: existing text: " h) vehicles with a maximum permissible mass not exceeding 7,5 tonnes used for the non-commercial carriage of goods;"]
81.	"(h) vehicles or combinations of vehicles used for the non-commercial carriage of goods;"		deleted [Note: existing text: " h) vehicles with a maximum permissible mass not exceeding 7,5 tonnes used for the non-commercial carriage of goods;"]	
82.		Amendment 376 Article 1 - paragraph 1- point 2 Regulation (EC) No 561/2006 Article 4 - point r		
83.	(2) In Article 4, the following point (r) is added:		(1) in Article 4, the following point is added:	(1) in Article 4, the following point is added:
84.	"(r) 'non-commercial carriage' means any carriage by road, other than carriage for hire or reward or for own account, for which no remuneration is received and which does not generate any income.	(r) 'non-commercial carriage' means any carriage by road, other than carriage for hire or reward or for own account, for which no remuneration is received and which does not generate any income <i>or turnover</i> .	"(r) 'non-commercial carriage' means any carriage by road, other than carriage for hire or reward or for own account, for which no direct or indirect remuneration is received and which does not directly or indirectly generate any income for the driver of the vehicle or others and where there is no link with professional or	C "(r) 'non-commercial carriage' means any carriage by road, other than carriage for hire or reward or for own account, for which no direct or indirect remuneration is received and which does not directly or indirectly generate any income for

	COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340*	Council/General Approach, doc. 15084/18	Compromise
			commercial activity;	the driver of the vehicle or others and where there is no link with professional or commercial activity;
85.		Amendment 377 Article 1 - paragraph 1- point 2a (new) Regulation (EC) No 561/2006 Article 4 - point ra (new)		
86.		<i>(2a) In Article 4, the following point is added:</i>		
87.		<i>“(ra) ‘home’ means the registered residence of the driver in a Member State.”</i>		C [to be discussed together lines 111, 115, 118]

	COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340* Amendment 378 Article 1- paragraph 1- point 2b (new) Regulation (EC) No 561/2006 Article 5 - paragraph 1 <i>(2b) In Article 5, paragraph 1 is replaced by the following:</i>	Council/General Approach, doc. 15084/18	Compromise
88.				
89.				- keep GA
90.	1. The minimum age for conductors shall be 18 years.	“1. The minimum age for [...] drivers shall be 18 years.”		- keep GA
91.	(3) in Article 6(5), the first sentence is replaced by the following:		(2) [...]Article 6(5) [...] is replaced by the following:	2) [...]Article 6(5) [...] is replaced by the following:
92.	"A driver shall record as other work any time spent as described in Article 4(e) as well as any time spent driving a vehicle used for commercial operations not falling within the scope of this Regulation, and shall record any periods of availability, as defined in Article 3(b) of Directive 2002/15/EC, in accordance with Article 34(5)(b)(iii) of Regulation (EU) No 165/2014. This record shall be entered either manually on a record		"A driver shall record as other work any time spent as described in Article 4(e) as well as any time spent driving a vehicle used for commercial operations not falling within the scope of this Regulation, and shall record any periods of availability, as defined in Article 3(b) of Directive 2002/15/EC, in accordance with Article 34(5)(b)(iii) of Regulation (EU) No 165/2014. This record shall	"A driver shall record as other work any time spent as described in Article 4(e) as well as any time spent driving a vehicle used for commercial operations not falling within the scope of this Regulation, and shall record any periods of availability, as defined in Article 3(b) of Directive 2002/15/EC, in accordance with Article 34(5)(b)(iii) of Regulation (EU) No 165/2014. This record shall

	COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340*	Council/General Approach, doc. 15084/18	Compromise
	sheet, a printout or by use of manual input facilities on recording equipment.";		sheet, a printout or by use of manual input facilities on recording equipment.";	be entered either manually on a record sheet, a printout or by use of manual input facilities on recording equipment.";
93.	(4) in Article 7, the following third paragraph is added:		(3) in Article 7, the following third paragraph is added:	(3) in Article 7, the following third paragraph is added:
94.	"A driver engaged in multi-manning may decide to take a break of 45 minutes in a vehicle driven by another driver provided that the driver taking the break is not involved in assisting the driver driving the vehicle.";		"A driver engaged in multi-manning may [...] take a break of 45 minutes in a vehicle driven by another driver provided that the driver taking the break is not involved in assisting the driver driving the vehicle.";	A "A driver engaged in multi-manning may [...] take a break of 45 minutes in a vehicle driven by another driver provided that the driver taking the break is not involved in assisting the driver driving the vehicle.";
95.	(5) Article 8 is amended as follows:		(4) Article 8 is amended as follows:	(4) Article 8 is amended as follows:

COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340*	Council/General Approach, doc. 15084/18	Compromise
96.	Amendment 379 Article 1- paragraph 1- point 5 - point a Regulation (EC) No 561/2006 Article 8 - paragraph 6 - subparagraph 1		
97.	<i>deleted</i> (a) in paragraph 6, the first subparagraph is replaced by the following:	(a) [...] paragraph 6 [...] is replaced by the following:	C
98.	"6. In any four consecutive weeks a driver shall take at least: a) four regular weekly rest periods, or b) two regular weekly rest periods of at least 45 hours and two reduced weekly rest periods of at least 24 hours.	"6. In any four consecutive weeks a driver shall take at least [...] four weekly rest periods, of which at least two shall be regular weekly rest periods. [...]	C

	COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340* <i>deleted</i>	Council/General Approach, doc. 15084/18	Compromise
99.	For the purposes of point (b), the reduced weekly rest periods shall be compensated by an equivalent period of rest taken en bloc before the end of the third week following the week in question.		[...] The reduced weekly rest periods shall be compensated by an equivalent period of rest taken en bloc before the end of the third week following the week in question. In case that two reduced weekly rest periods are taken consecutively, the weekly rest period following thereafter shall be preceded or followed by a rest period taken as compensation.	C
100.	A weekly rest period shall start no later than at the end of six 24-hour periods from the end of the previous weekly rest period. [NOTE: the Commission proposal did not change second subparagraph]		A weekly rest period shall start no later than at the end of six 24-hour periods from the end of the previous weekly rest period." ;	
101.	(b) paragraph 7 is replaced by the following:		deleted	C

	COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340* Amendment 381 Article 1 - paragraph 1 - point 5 - point b Regulation (EC) No 561/2006 Article 8 - paragraph 7	Council/General Approach, doc. 15084/18	Compromise
102.				
103.	"7. Any rest period taken as compensation for a reduced weekly rest period shall immediately precede or follow a regular weekly rest period of at least 45 hours. ";	7. Any rest period taken as compensation for a reduced weekly rest period shall [...] <i>be attached to</i> a regular weekly rest period of at least 45 hours.	Deleted (NOTE: current legal text requires attachment to a rest period of at least 9 hours)	C - [to be considered together with lines 98 and 99]
104.	(c) the following paragraphs 8a and 8b are inserted:		(c) [...] Paragraph 8 [...] is replaced by the following:	A
105.	8. Where a driver chooses to do this, daily rest periods and reduced weekly rest periods away from base may be taken in a vehicle, as long as it has suitable sleeping facilities for each driver and the vehicle is stationary. [NOTE: the Commission proposal did not change paragraph 8]		"8. Where a driver chooses to do this, daily rest periods and reduced weekly rest periods away from base may be taken in a vehicle, as long as it has suitable sleeping facilities for each driver and the vehicle is stationary.	

COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340* Amendment 382 Article 1 - paragraph 1 - point 5 point c Regulation (EC) No 561/2006 Article 8 - paragraph 8a - introductory part	Council/General Approach, doc. 15084/18	Compromise
106.			
107.	"8a. The regular weekly rest periods and any weekly rest of more than 45 hours taken in compensation for previous reduced weekly rest shall not be taken in a vehicle. They shall be taken in a suitable accommodation, with adequate sleeping and sanitary facilities:	8a. The regular weekly rest periods, and any weekly rest of more than 45 hours taken in compensation for previous reduced weekly rest shall not be taken in a vehicle. They shall be taken in a [...] <i>quality and gender friendly</i> accommodation, <i>outside the cabin</i> , with adequate [...] <i>sanitary and sleeping</i> facilities <i>for the driver. That accommodation shall be:</i>	[...] Regular weekly rest periods and any weekly rest of more than 45 hours taken in compensation for previous reduced weekly rest shall not be taken in a vehicle. [...] C

	COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340* Amendment 383 Article 1 - paragraph 1 - point 5 point c Regulation (EC) No 561/2006 Article 8 - paragraph 8a - point a	Council/General Approach, doc. 15084/18	Compromise
108.				
109.	(a) either provided or paid for by the employer, or	(a) either provided <i>by</i> or paid for by the employer, or	Any costs for accommodation outside the vehicle shall be covered by the employer.	C
110.		Amendment 384 Article 1 - paragraph 1 - point 5 - point c Regulation (EC) No 561/2006 Article 8 - paragraph 8a - point b		
111.	(b) at home or at another private location chosen by the driver.	(b) at <i>the driver's</i> home or at another private location chosen by the driver.		C

COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340*	Council/General Approach, doc. 15084/18	Compromise
112.		At the latest [OJ: three years after entry into force], the Commission shall assess the availability of safe and secure parking places allowing for a comfortable rest while the vehicle is stationary.";	C (NOTE: to be discussed together with line 130, part of amendment for Article 8a (new))
113.		(d) The following paragraph is inserted:	
114.	Amendment 385 Article 1 - paragraph 1 - point 5 - point c Regulation (EC) No 561/2006 Article 8 - paragraph 8b - subparagraph 1		
115.	8b. A transport undertaking shall organise the work of drivers in such a way that the drivers are able to spend at least one regular weekly rest period or a weekly rest of more than 45 hours taken in compensation for reduced weekly rest at home within each period of three consecutive weeks. ";	"8a. A transport undertaking shall organise the work of drivers in such a way that the drivers are able to [...] return to one of the operational centres in the Member State of the employer's establishment or to the drivers' place of residence within each period of four consecutive	C

COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340* <i>before the end of each period of [...] four consecutive weeks. The driver shall inform the transport undertaking in writing no later than two weeks before such rest period, if it will be taken in a place other than the driver's home. When a driver chooses to take this rest at home, the transport undertaking shall provide the driver with the necessary means to return home. The undertaking shall document how it fulfils this obligation and shall keep the documentation at its premises in order to present it on request of control authorities.</i>	Council/General Approach, doc. 15084/18 weeks, in order to spend at least one regular weekly rest period or a weekly rest of more than 45 hours taken in compensation for reduced weekly rest. However, in case that a driver has taken two reduced weekly rest periods consecutively without return, the transport undertaking shall organise the work of the driver in such a way that the driver is able to return already at the end of the third week. The undertaking shall document how it fulfils this obligation and shall keep the documentation at its premises in order to present it on request of control authorities.";	Compromise

	COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340*	Council/General Approach, doc. 15084/18	Compromise
116.		Amendment 386 Article 1 - paragraph 1 - point 5 - point c Regulation (EC) No 561/2006 Article 8 - paragraph 8b - subparagraph 1 a (new)		
117.		<i>In Article 8, paragraph 8b, the following subparagraph is added:</i>		
118.		<i>“The driver shall declare that a regular weekly rest period or a weekly rest of more than 45 hours taken in compensation for a reduced weekly rest, has been taken in a location of driver’s choice. The declaration shall be kept at the premises of undertaking.”</i>		C
119.		Amendment 380 Article 1 - paragraph 1 - point 5 - point ca (new) Regulation (EC) No 561/2006 Article 8 - paragraph 9a (new)		

COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340* (ca) the following paragraph is added:	Council/General Approach, doc. 15084/18	Compromise
120.			C
121.	“9a. The Commission shall no later than ... [two years after entry into force of this amending Regulation] evaluate and report to Parliament and Council if more adequate rules for drivers engaged in occasional services of carriage of passengers can be adopted, as defined in Article 2 paragraph 1 number 4 of Regulation (EC) No 1073/2009 of the European Parliament and the Council of 21 October 2009 on common rules for access to the international market for coach and bus services.”		C “9a. The Commission shall no later than ... [two years after entry into force of this amending Regulation] evaluate and report to Parliament and Council if more adequate rules for drivers engaged in occasional services of carriage of passengers can be adopted, as defined in Article 2 paragraph 1 number 4 of Regulation (EC) No 1073/2009 of the European Parliament and the Council of 21 October 2009 on common rules for access to the international market for coach and bus services.”

COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340*	Council/General Approach, doc. 15084/18	Compromise
			New recital, replacing lines 22 and 67: (12a) [...] <i>Transporting goods is different from transporting people. [...] Therefore, the Commission shall evaluate if more adequate rules for passenger transport should be proposed [...], especially for occasional services as defined in [...] point 4 of Article 1 of Regulation (EC) No 1073/2009 of the European Parliament and the Council of 21 October 2009 on common rules for access to the international market for coach and bus services</i>

	COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340*	Council/General Approach, doc. 15084/18	Compromise
122.		Amendment 387 Article 1- paragraph 1- point 5a (new) Regulation (EC) No 561/2006 Article 8a (new)		
123.		<i>(5a) The following Article is inserted:</i>		
124.		<i>"Article 8a</i>		
125.		<i>1. By [six months after the entry into force of this Regulation] Member States shall communicate to the Commission the locations of Dedicated Parking Areas (DPA) available on their territories and shall subsequently notify any changes to this information. The Commission shall list all publicly accessible DPA on a single official website that is regularly updated.</i>		C

	COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340*	Council/General Approach, doc. 15084/18	Compromise
126.		<i>2. All parking areas that have at least the facilities and features set out in Annex 1 and which are published by the Commission in accordance with paragraph 2 may indicate at their entrance that they are DPA.</i>		C
127.		<i>3. Member States shall ensure that random checks are carried out on a regular basis to verify compliance of parking characteristics with the DPA criteria set out in Annex.</i>		C
128.		<i>4. Member States shall investigate complaints of certified DPAs that are non-compliant with the criteria set out in Annex.</i>		C

COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340*	Council/General Approach, doc. 15084/18	Compromise
129.	5. <i>Member States shall encourage the creation of Dedicated Parking areas in line with the provisions set out in point (c) of Article 39(2) of the Regulation (EU) No 1315/2013.</i>		C
130.	<i>The Commission shall, by 31 December 2020 at the latest, present a report to the European Parliament and the Council on the availability of suitable rest facilities for drivers and secured parking facilities. This report shall be accompanied by the draft regulation establishing standards and procedures for certification of DPA referred to in paragraph 4 of this Article. This report shall be updated annually on the basis of information gathered by the Commission under paragraph 5 and contain a list of proposed measures to increase the number and quality of suitable rest facilities for drivers and secured</i>		C

COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340* <i>parking facilities.</i> "	Council/General Approach, doc. 15084/18	Compromise
131.	Amendment 388 Article 1- paragraph 1- point 6 Regulation (EC) No 561/2006 Article 9 - paragraph 1		
132.	(6) in Article 9, paragraph 1 is replaced by the following:	(5) in Article 9, paragraph 1 is replaced by the following:	(5) in Article 9, paragraph 1 is replaced by the following:
133.	"9. By way of derogation from Article 8, where a driver accompanies a vehicle which is transported by ferry or train, and takes a regular daily rest period or reduced weekly rest period, that period may be interrupted not more than twice by other activities not exceeding one hour in total. During that regular daily rest or reduced weekly rest period the driver shall have access to a bunk or couchette at their disposal.";	"1. By way of derogation from Article 8, where a driver accompanies a vehicle which is transported by ferry or train, and takes a regular daily rest period, that period may be interrupted not more than twice by other activities not exceeding one hour in total. During that regular daily rest or [...] weekly rest period, that period may be interrupted not more than twice by other activities not exceeding one hour in total. During that regular daily rest or [...] weekly rest period the driver shall have access to a bunk or couchette at their disposal.";	B Compromise proposal for lines 133 and 136 "1. By way of derogation from Article 8, where a driver accompanies a vehicle which is transported by ferry or train, and takes a regular daily rest period or reduced weekly rest period, that period may be interrupted not more than twice by other activities not exceeding one hour in total. During that regular daily rest or reduced weekly rest period the driver shall have access to

COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340*	Council/General Approach, doc. 15084/18	Compromise
			a <i>sleepers cabin</i>, bunk or couchette at their disposal. With regard to regular weekly rest periods, the derogation shall apply for ferry journeys scheduled for 6 hours or more only if the driver has access to a sleeper cabin."

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134.	Amendment 389 Article 1 - paragraph 1 - point 6a (new) Regulation (EC) No 561/2006 Article 9 - paragraph 1a (new)		
135.	<i>(6a) in Article 9, the following paragraph is inserted:</i>		<i>(6a) in Article 9, the following paragraph is inserted:</i>
136.	<i>"1a. The derogation in paragraph 1 may be extended to regular weekly rests when the ferry journey is 12 hours or more in duration. During that weekly rest period the driver shall have access to a sleeper cabin."</i>		C <u>See Council proposal</u> in line 133 <u>EP</u> : needs further consideration, as there should be a sufficiently long rest on board of the train or ferry ensured

	COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340* Amendment 390 Article 1 - paragraph 1 - point 6a (new) Regulation (EC) No 561/2006 Article 10 - paragraph 1	Council/General Approach, doc. 15084/18	Compromise
137.				
138.		(6a) in Article 10, paragraph 1 is replaced by the following		
139.	1. A transport undertaking shall not give drivers it employs or who are put at its disposal any payment, even in the form of a bonus or wage supplement, related to distances travelled and/or the amount of goods carried if that payment is of such a kind as to endanger road safety and/or encourages infringement of this Regulation.	"1. A transport undertaking shall not give drivers it employs or who are put at its disposal any extra payment, even in the form of a bonus or wage supplement, related to distances travelled, the speed of delivery and/or the amount of goods carried if that payment [...] encourages infringement of this Regulation."	B "1. A transport undertaking shall not give drivers it employs or who are put at its disposal any payment, even in the form of a bonus or wage supplement, related to distances travelled, the speed of delivery and/or the amount of goods carried if that payment is of such a kind as to endanger road safety and/or encourages infringement of this Regulation."	Accompanying recital: see compromise proposal in line 10

	COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340*	Council/General Approach, doc. 15084/18	Compromise
140.			(5a) Article 11 shall read as follows:	
141.	A Member State may provide for longer minimum breaks and rest periods or shorter maximum driving times than those laid down in Articles 6 to 9 in the case of carriage by road undertaken wholly within its territory. In so doing, Member States shall take account of relevant collective or other agreements between the social partners. Nevertheless, this Regulation shall remain applicable to drivers engaged in international transport operations. [NOTE: Commission proposal did not change Article 11]		"A Member State may provide for longer minimum breaks and rest periods or shorter maximum driving times than those laid down in Articles 6 to 9 in the case of carriage by road undertaken wholly within its territory. In so doing, Member States shall take account of relevant collective or other agreements between the social partners. Nevertheless, this Regulation shall remain applicable to drivers engaged in international transport operations.	

	COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340*	Council/General Approach, doc. 15084/18	Compromise
142.			A Member State may under the same conditions provide that a driver engaged exclusively in carriage by road undertaken wholly within its territory shall in any two consecutive weeks take at least:	C [to be considered together with lines 98, 99]
143.			– two regular weekly rest periods, or – one regular weekly rest period and one reduced weekly rest period of at least 24 hours, whereby the reduction shall be compensated by an equivalent period of rest taken en bloc before the end of the third week following the week in question."	C [to be considered together with lines 98, 99]
144.			(6) [...] Article 12 is replaced by the following [...]:	(6) [...] Article 12 is replaced by the following [...]:

	COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340*	Council/General Approach, doc. 15084/18	Compromise
145.	Provided that road safety is not thereby jeopardised and to enable the vehicle to reach a suitable stopping place, the driver may depart from Articles 6 to 9 to the extent necessary to ensure the safety of persons, of the vehicle or its load. [NOTE: Commission proposal does not change current text in Article 12]		"Provided that road safety is not thereby jeopardised and to enable the vehicle to reach a suitable stopping place, the driver may depart from Articles 6 to 9 to the extent necessary to ensure the safety of persons, of the vehicle or its load.	"Provided that road safety is not thereby jeopardised and to enable the vehicle to reach a suitable stopping place, the driver may depart from Articles 6 to 9 to the extent necessary to ensure the safety of persons, of the vehicle or its load.

	COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340* Amendment 391 Article 1 - paragraph 1 - point 7 Regulation (EC) No 561/2006 Article 12 - paragraph 2	Council/General Approach, doc. 15084/18	Compromise
146.	(7) in Article 12, the following second paragraph is added:			
147.	"Provided that road safety is not thereby jeopardised, the driver may depart from Article 8(2) and the second subparagraph of Article 8(6) to be able to reach a suitable accommodation as referred to in Article 8(8a) to take a daily or weekly rest there. Such a departure shall not result in exceeding daily or weekly driving times or shortening daily or weekly rest periods. The driver shall indicate the reason for such departure manually on the record sheet of the departure or on a recording equipment or on a printout from the recording equipment or in the duty roster, at the latest on arrival at the suitable accommodation.	Provided that road safety is not thereby jeopardised, the driver may depart <i>exceptionally</i> from Article [...] 6(1) and (2) after a rest of 30 minutes, so as to be able to reach [...] within two hours the employer's operational centre where the driver is normally based and where the driver's regular weekly rest shall begin. The driver shall indicate the reason for such departure manually on the [...] printout from the recording equipment [...]. <i>This period of up to two hours shall be compensated by an equivalent period of rest taken en bloc with any rest period, by the end of the third week following the week in question.</i>	Provided that road safety is not thereby jeopardised, the driver may, in exceptional circumstances, also depart from Article 6(1) and (2) and Article 8(2) [...] by exceeding the daily and weekly driving time by up to one hour in order to reach the employer's operational centre for taking a weekly rest. The driver shall indicate the reason for such departure manually on the record sheet of the recording equipment or on a printout from the recording equipment or in the duty roster, at the latest on arrival at the destination or the suitable [...] stopping place. ";	C <u>EP</u> : accept combination of solutions, but want to limit the derogation to extensions before <u>regular</u> weekly rest only <u>Council compromise proposal</u> : "Provided that road safety is not thereby jeopardised, the driver may, in exceptional circumstances, also depart from Article 6(1) and (2) and Article 8(2) [...] by exceeding the daily and weekly driving time by up to one hour in order to reach the employer's operational centre or the driver's place of residence for taking a weekly rest. Under the same conditions the

COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340*	Council/General Approach, doc. 15084/18	Compromise
			driver may exceed the daily and weekly driving time by up to two hours, provided that an uninterrupted break of 30 minutes was taken immediately prior to the additional driving <u>in order to reach the employer's operational centre or the driver's place of residence for taking a regular weekly rest.</u> The driver shall indicate the reason for such departure manually on the record sheet of the recording equipment or on a printout from the recording equipment or in the duty roster, at the latest on arrival at the destination or the suitable [...] stopping place. <i>Any period of extension shall be compensated by an equivalent period of rest taken en bloc with any rest period, by</i>

COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340*	Council/General Approach, doc. 15084/18	Compromise
			<i>the end of the third week following the week in question.</i> ";
148.	Amendment 392 Article 1- paragraph 1 - point 7a (new) Regulation (EC) No 561/2006 Article 13 - paragraph 1 - point d		
149.	(7a) In Article 13(1), point (d) is replaced by the following:		
150.	(d) vehicles or combinations of vehicles with a maximum permissible mass not exceeding 7,5 tonnes used by universal service providers as defined in Article 2(13) of Directive 97/67/EC of the European Parliament and of the Council of 15 December 1997 on common rules for the development of the internal market of Community postal services and the improvement of quality of service to deliver items as part of the universal service.		B - keep GA

COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340* 2(6) of Directive 97/67/EC.	Council/General Approach, doc. 15084/18	Compromise
151.	Amendment 393 Article 1 - paragraph 1 - point 7b (new) Regulation (EC) No 561/2006 Article 13 - paragraph 1 - point e		
152.	(7b) In Article 13(1), point (e) is replaced by the following	(7) Article 13 (1) is amended as follows: (a) point (e) is replaced by the following:	7) Article 13 (1) is amended as follows: (a) point (e) is replaced by the following:
153.	(e) vehicles operating exclusively on islands not exceeding 2 300 square kilometres in area which are not linked to the rest of the national territory by a bridge, ford or tunnel open for use by motor vehicles;	"(e) vehicles operating exclusively on islands or isolated regions from the rest of the national territory not exceeding 2.300 square kilometres in area which are not linked to the rest of the national territory by a bridge, ford or tunnel open for use by motor vehicles, nor are they bordering any other Member State. ";	A "(e) vehicles operating exclusively on islands or isolated regions from the rest of the national territory not exceeding 2.300 square kilometres in area which are not linked to the rest of the national territory by a bridge, ford or tunnel open for use by motor vehicle, and which do not border another Member State; ";

	COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340* Amendment 394 Article 1 - paragraph 1 - point 7c (new) Regulation (EC) No 561/2006 Article 13 - paragraph 1 - point pa (new)	Council/General Approach, doc. 15084/18	Compromise
154.				
155.		<i>(7c) in Article 13(1), the following point is added:</i>	(b) the following point (q) is added:	
156.		<i>"(pa) vehicles or combinations of vehicles with a maximum permissible mass not exceeding 44 tonnes employed by a construction undertaking up to a 100 km radius from the base of the undertaking, and on condition that driving the vehicles does not constitute the driver's main activity;"</i>		C Reformulate and merge into line 157
157.			"(q) vehicles used for the delivery of ready-mixed concrete.";	C Compromise proposal for lines 156 and 157: "(q) vehicles used for the delivery of ready-mixed concrete, and vehicles or combinations of vehicles

COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340*	Council/General Approach, doc. 15084/18	Compromise
			<i>with a maximum permissible mass not exceeding 44 tonnes carrying construction machinery for a construction undertaking up to a 100 km radius from the base of the undertaking and on condition that driving the vehicles does not constitute the driver's main activity."</i>;

	COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340* Amendment 395 Article 1 - paragraph 1 - point 8 Regulation (EC) No 561/2006 Article 14 - paragraph 2	Council/General Approach, doc. 15084/18	Compromise
158.				
159.	(8) in Article 14, paragraph 2 is replaced by the following:		(8) in Article 14, paragraph 2 is replaced by the following:	
160.	"2. In urgent cases Member States may grant, under exceptional circumstances, a temporary exception for a period not exceeding 30 days, which shall be duly justified and notified immediately to the Commission. ";	2. In urgent cases Member States may grant, under exceptional circumstances, a temporary exception for a period not exceeding 30 days, which shall be duly justified and notified immediately to the Commission. <i>This information shall be published on a dedicated public website maintained by the Commission in all EU languages.</i>	"2. In urgent cases Member States may grant, under exceptional circumstances, a temporary exception for a period not exceeding 30 days, which shall be duly justified and notified immediately to the Commission. ";	B EP: needs additional assessment Council proposal: "2. In urgent cases Member States may grant, under exceptional circumstances, a temporary exception for a period not exceeding 30 days, which shall be duly justified and notified immediately to the Commission. The Commission shall immediately publish this information on a public website ";

	COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340* Amendment 396 Article 1 - paragraph 1 - point 9 Regulation (EC) No 561/2006 Article 15	Council/General Approach, doc. 15084/18	Compromise
161.				
162.	(9) Article 15 is replaced by the following:		(9) Article 15 is replaced by the following: "Article 15	- keep GA
163.	"Article 15			
164.	Member States shall ensure that drivers of vehicles referred to in Article 3(a) are governed by national rules which provide adequate protection in terms of permitted driving times and mandatory breaks and rest periods. Member States shall inform the Commission about the relevant national rules applicable to such drivers. ";	Member States shall ensure that drivers of vehicles referred to in Article 3(a) are governed by national rules which provide adequate protection in terms of permitted driving times and mandatory breaks and rest periods. [...] <i>It is in the interests of drivers' working conditions, as well as road safety and enforcement that Member States provide parking and rest areas, free from snow and ice in the wintertime, especially in the outermost and/or peripheral regions of the European Union.</i>	Member States shall ensure that drivers of vehicles referred to in Article 3(a) are governed by national rules which provide adequate protection in terms of permitted driving times and mandatory breaks and rest periods. Member States shall inform the Commission about the relevant national rules applicable to such drivers. ";	B 2nd trilogue: should be considered as part of the discussion on for secure parking areas Council proposal on shortening the text: [...] <i>It is in the interests of drivers' working conditions, as well as road safety and enforcement that Member States provide parking and rest areas free from snow and ice in the wintertime [...]</i>

	COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340*	Council/General Approach, doc. 15084/18	Compromise
165.			(9a) Article 16, paragraph 3, subparagraph (a) is replaced by the following:	(9a) Article 16, paragraph 3, subparagraph (a) is replaced by the following:
166.	[Existing text:] (a) include all the particulars specified in paragraph 2 for a minimum period covering the previous 28 days; these particulars must be updated on regular intervals, the duration of which may not exceed one month;		"(a) include all the particulars specified in paragraph 2 for a minimum period covering the day of control and the previous 56 [...] days; these particulars must be updated on regular intervals, the duration of which may not exceed one month."	B "(a) include all the particulars specified in paragraph 2 for a minimum period covering the day of control and the previous 56 [...] days; these particulars must be updated on regular intervals, the duration of which may not exceed one month,"

	COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340*	Council/General Approach, doc. 15084/18	Compromise
167.		Amendment 397 Article 1- paragraph 1 - point 9a (new) Regulation (EC) No 561/2006 Article 17 - paragraph 3a (new)		
168.		<i>(9a) In Article 17, the following paragraph is inserted:</i>		
169.		<i>"3a. The report shall include an evaluation of the use of autonomous driving systems in the Member States and the possibility for the driver to record the period during which an autonomous driving system is activated and shall be accompanied, if appropriate, by a legislative proposal to amend this Regulation, including the necessary requirements for the driver to record those data in the smart tachograph."</i>		C TM 7.11.:Council will provide compromise proposal
170.		Amendment 398 Article 1- paragraph 1 - point 10 Regulation (EC) No 561/2006		

	COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340* Article 19 - paragraph 1	Council/General Approach, doc. 15084/18	Compromise
171.	(10) in Article 19, paragraph 1 is replaced by the following:		(10) in Article 19, paragraph 1 is replaced by the following:	10) in Article 19, paragraph 1 is replaced by the following:
172.	"1. Member States shall lay down rules on penalties applicable to infringements of this Regulation and Regulation (EU) No 165/2014 and shall take all measures necessary to ensure that they are implemented. Those penalties shall be effective, proportionate to their gravity as determined in accordance with Annex III to Directive 2006/22/EC of the European Parliament and of the Council, dissuasive and non-discriminatory. No infringement of this Regulation and Regulation (EU) No 165/2014 shall be subjected to more than one penalty or procedure. The Member States shall notify the Commission of those measures and the rules on penalties by the date specified in the second subparagraph of Article 29. They shall notify without delay	1. Member States shall lay down rules on penalties applicable to infringements of this Regulation and Regulation (EU) No 165/2014 and shall take all measures necessary to ensure that they are implemented. Those penalties shall be effective <i>and</i> proportionate to [...] <i>the</i> gravity [...] <i>of the infringements, as indicated in</i> Annex III to Directive 2006/22/EC of the European Parliament and of the Council⁷, dissuasive and non-discriminatory. No infringement of this Regulation and <i>of</i> Regulation (EU) No 165/2014 shall be [...] <i>subject</i> to more than one penalty or procedure. The Member States shall [...] by the date specified in the second subparagraph of Article 29, [...] <i>notify the Commission of those rules and measures, along</i>	"1. Member States shall lay down rules on penalties applicable to infringements of this Regulation and Regulation (EU) No 165/2014 and shall take all measures necessary to ensure that they are implemented. Those penalties shall be effective, proportionate to their gravity as determined in accordance with Annex III to Directive 2006/22/EC of the European Parliament and of the Council⁶, dissuasive and non-discriminatory. No infringement of this Regulation and Regulation (EU) No 165/2014 shall be subjected to more than one penalty or procedure. The Member States shall notify the Commission of those measures and the rules on penalties by the date specified in the second subparagraph of Article 29. They shall notify without delay	B Text underlined still to be confirmed by Commission <i>I. Member States shall lay down rules on penalties applicable to infringements of this Regulation and Regulation (EU) No 165/2014 and shall take all measures necessary to ensure that they are implemented. Those penalties shall be effective and proportionate to [...] the gravity [...] of the infringements, as indicated in Annex III to Directive 2006/22/EC of the European Parliament and of the Council⁷, dissuasive and non-discriminatory. No infringement of this Regulation and of</i>

COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340* <i>with the method and criteria chosen at national level for assessing their proportionality. [...] The Member States shall notify without delay any subsequent amendment [...] affecting them. The Commission shall inform Member States [...] of those rules and measures, and of any amendments thereto. This information shall be published on a dedicated public website maintained by the Commission in all EU languages, containing detailed information on such penalties applicable in EU Member States.</i>	Council/General Approach, doc. 15084/18 any subsequent amendments thereto. The Commission shall inform Member States accordingly. ";	Compromise Regulation (EU) No 165/2014 shall be [...] subject to more than one penalty or procedure. The Member States shall [...], by the date specified in the second subparagraph of Article 29, [...] notify the Commission of those rules and measures, along with the method and criteria chosen at national level for assessing their proportionality. [...] The Member States shall notify without delay any subsequent amendment [...] affecting them. The Commission shall inform Member States [...] of those rules and measures, and of any amendments thereto. This information shall be published on a dedicated public website maintained by the Commission, or another EU body designated by the Commission, in all official languages of the EU, containing detailed
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	3821/85 concerning social legislation relating to road transport activities and repealing Council Directive 88/599/EEC (OJ L 102, 11.4.2006, p. 35).	3821/85 concerning social legislation relating to road transport activities and repealing Council Directive 88/599/EEC (OJ L 102, 11.4.2006, p. 35).	information on such penalties applicable in EU Member States. ⁷ Directive 2006/22/EC of the European Parliament and of the Council of 15 March 2006 on minimum conditions for the implementation of Council Regulations (EEC) No 3820/85 and (EEC) No 3821/85 concerning social legislation relating to road transport activities and repealing Council Directive 88/599/EEC (OJ L 102, 11.4.2006, p. 35).
173. (11) Article 22 is amended as follows:		(11) Article 22 is amended as follows:	(11) Article 22 is amended as follows:
174. (a) paragraph 1 is replaced by the following:		(a) paragraph 1 is replaced by the following:	(a) paragraph 1 is replaced by the following:
175. "1. Member States shall work in close cooperation and provide each		"1. Member States shall work in close cooperation and provide each	"1. Member States shall work in close cooperation and

	COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340*	Council/General Approach, doc. 15084/18	Compromise
	other with mutual assistance without undue delay in order to facilitate the consistent application of this Regulation and its effective enforcement, in line with the requirements set out in Article 8 of Directive 2006/22/EC.";		other with mutual assistance without undue delay in order to facilitate the consistent application of this Regulation and its effective enforcement, in line with the requirements set out in Article 8 of Directive 2006/22/EC.";	provide each other with mutual assistance without undue delay in order to facilitate the consistent application of this Regulation and its effective enforcement, in line with the requirements set out in Article 8 of Directive 2006/22/EC. ";
176.	(b) in paragraph 2, the following point (c) is added:		(b) in paragraph 2, the following point (c) is added:	(b) in paragraph 2, the following point (c) is added:
177.	"(c) other specific information, including the risk rating of the undertaking, liable to have consequences for compliance with the provisions of this Regulation. ";		"(c) other specific information, including the risk rating of the undertaking, liable to have consequences for compliance with the provisions of this Regulation. ";	"(c) other specific information, including the risk rating of the undertaking, liable to have consequences for compliance with the provisions of this Regulation. ";
178.	(c) the following paragraphs 3a and 3b are inserted:		(c) the following paragraphs 3a and 3b are inserted:	(c) the following paragraphs 3a and 3b are inserted:
179.	"3a. For the purpose of the exchange of information within the		"3a. For the purpose of the exchange of information within the	"3a. For the purpose of the exchange of information within the framework of

	COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340*	Council/General Approach, doc. 15084/18	Compromise
	framework of this Regulation, Member States shall use the bodies for intracommunity liaison designated pursuant to Article 7 of Directive 2006/22/EC.		framework of this Regulation, Member States shall use the bodies for intracommunity liaison designated pursuant to Article 7 of Directive 2006/22/EC.	this Regulation, Member States shall use the bodies for intracommunity liaison designated pursuant to Article 7 of Directive 2006/22/EC.
180.	3b. Mutual administrative cooperation and assistance shall be provided free of charge. ";		3b. Mutual administrative cooperation and assistance shall be provided free of charge. ";	3b. Mutual administrative cooperation and assistance shall be provided free of charge. ";
181.			(11a) in Article 24, the following paragraph is inserted:	(11a) in Article 24, the following paragraph is inserted:
182.			"2a. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply. ";	C [Note: relevant for line 185] "2a. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply. ";
183.		Amendment 399 Article 1 - paragraph 1 - point 12 Regulation (EC) No 561/2006 Article 25 - paragraph 2		
184.	(12) in Article 25, paragraph 2 is replaced by the following:		(12) in Article 25, paragraph 2 is replaced by the following:	(12) in Article 25, paragraph 2 is replaced by the

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185. "2. In the cases referred to in paragraph 1 the Commission shall adopt implementing acts setting out common approaches in accordance with the advisory procedure referred to in Article 24(2)."	2. In the cases referred to in paragraph 1 the Commission shall adopt implementing acts setting out common approaches <i>for the implementation of this Regulation</i> , in accordance with the advisory procedure referred to in Article 24(2).	"2. In the cases referred to in point (b) of paragraph 1 the Commission shall adopt implementing acts setting out common approaches in accordance with the [...] examination procedure referred to in Article 24(2a).";	following: "2. In the cases referred to in point (b) of paragraph 1 the Commission shall adopt implementing acts setting out common approaches in accordance with the [...] examination procedure referred to in Article 24(2a).";

	COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340* Amendment 400 Article 1- paragraph 1- point 12a (new) Regulation (EC) No 561/2006 Annex (new)	Council/General Approach, doc. 15084/18	Compromise
186.				
187.		<i>(12a) The following Annex is added:</i>		C
188.		<i>"Minimum requirements for the parking areas</i>		C
189.		<i>Part A: Service facilities</i>		C
190.		<i>1) Toilets with water taps, clean, in working condition and checked regularly:</i>		C
191.		- <i>up to 10 places, at least one toilet block with four toilets;</i>		C
192.		- <i>from 10 up to 25 places, at least one toilet block with eight toilets;</i>		C
193.		- <i>from 25 up to 50 places, at least two toilet blocks with 10 toilets each;</i>		C
194.		- <i>from 50 up to 75 places, at least two toilet blocks with</i>		C

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		15 toilets each;		
195.		- from 75 up to 125 places, at least four toilet blocks with 15 toilets each;		C
196.		- over 125 places, at least six toilet blocks with 15 toilets each.		C
197.		2) Showers clean, in working condition and checked regularly:		C
198.		- up to 10 places, at least one shower block with two showers;		C
199.		- from 25 up to 50 places, at least two shower blocks with five showers each;		C
200.		- from 50 up to 75 places, at least two shower blocks with 10 showers each;		C
201.		- from 75 up to 125 places, at least four shower blocks with 12 showers each;		C
202.		- over 125 places, at least six shower blocks with 15 showers each.		C
203.		3) Adequate access to drinking		C

COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340* water;	Council/General Approach, doc. 15084/18	Compromise
204.	4) Suitable cooking facilities, snack-bar or restaurant;		C
205.	5) Shop present with variety of food, beverages etc. at the site or nearby;		C
206.	6) Waste bins available in adequate amount and capacity;		C
207.	7) Shelter against rain or sun near parking area;		C
208.	8) Contingency plan/ management available/ emergency contacts known to the staff;		C
209.	9) Picnic tables with benches or alternatives available in reasonable amount;		C
210.	10) Dedicated Wi-Fi service;		C
211.	11) Cashless reservation, payment and invoice system;		C

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212.		12) <i>Indication system of slot availability both at the location and online;</i>		C
213.		13) <i>The facilities are gender friendly.</i>		C
214.		<i>Part B: Security features</i>		C
215.		1) <i>A continuous separation of the parking area and its surroundings, such as fences or alternative barriers, which prevents casual entry and intentional unlawful entry or delays the entry;</i>		C
216.		2) <i>Only users of the truck parking area and truck parking area staff are to be given access to the parking;</i>		C
217.		3) <i>Digital recording (at least 25fps) in place. The system records either continuously or in motion detection mode;</i>		C

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218.		4) <i>CCTV system that has the possibility to cover the whole fence ensuring that all activities near or at the fence can be clearly recorded (CCTV recording view);</i>		C
219.		5) <i>Site surveillance by patrols or otherwise;</i>		C
220.		6) <i>Each crime incident shall be reported to the truck parking area staff and the police. If possible the vehicle has to be kept stationary pending instructions from police;</i>		C
221.		7) <i>Lighted driving and pedestrian lanes at all times;</i>		C
222.		8) <i>Pedestrian safety in the dedicated parking areas;</i>		C
223.		9) <i>Parking area surveillance through appropriate and proportionate security checks;</i>		C
224.		10) <i>Clearly indicated phone number(s) of emergency services."</i>		C

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225.	<i>Article 2</i>	<i>Article 2</i>	<i>Article 2</i>
226.	Regulation (EU) No 165/2014 is amended as follows:	Regulation (EU) No 165/2014 is amended as follows:	Regulation (EU) No 165/2014 is amended as follows:
227.	Amendment 401 Article 2- paragraph 1 - point 1 (new) Regulation (EC) No 165/2014 Article 1 - paragraph 1		
228.	<i>(-1) Article 1, paragraph 1 is replaced by the following:</i>	(-1) In Article 1, the first subparagraph of paragraph 1 is replaced by the following:	(-1) In Article 1, the first subparagraph of paragraph 1 is replaced by the following:
229.	1. This Regulation sets out obligations and requirements in relation to the construction, installation, use, testing and control of tachographs used in road transport, in order to verify compliance with Regulation (EC) No 561/2006, Directive 2002/15/EC of the European Parliament and of the Council ⁷ and Council Directive 92/6/EEC ⁸ .	"1. This Regulation sets out obligations and requirements in relation to the construction, installation, use, testing and control of tachographs used in road transport, in order to verify compliance with Regulation (EC) No 561/2006, Directive 2002/15/EC of the European Parliament and of the Council ⁷ and Council Directive 92/6/EEC ⁸ , Council Directive 92/106/EEC⁹ ,	A "1. This Regulation sets out obligations and requirements in relation to the construction, installation, use, testing and control of tachographs used in road transport, in order to verify compliance with Regulation (EC) No 561/2006, Regulation (EC) No 1072/2009, Regulation

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7 Directive 2002/15/EC of the European Parliament and of the Council of 11 March 2002 on the organisation of the working time of persons performing mobile road transport activities (OJ L 80, 23.3.2002, p. 35). 8 Council Directive 92/6/EEC of 10 February 1992 on the installation and use of speed limitation devices for certain categories of motor vehicles in the Community (OJ L 57, 2.3.1992, p. 27).	1072/2009, Council Directive 92/106/EEC¹⁰, Directive 96/71/EC and Directive 2014/67/EU as far as the posting of workers in road transport is concerned, and with the Directive laying down specific rules with respect to Directive 96/71/EC and Directive 2014/67/EU for posting drivers in road transport.” 8 Directive 2002/15/EC of the European Parliament and of the Council of 11 March 2002 on the organisation of the working time of persons performing mobile road transport activities (OJ L 80, 23.3.2002, p. 35). 9 Council Directive 92/6/EEC of 10 February 1992 on the installation and use of speed limitation devices for certain categories of motor vehicles	Regulation (EC) No 1072/2009, Regulation (EC) No 1073/2009, Directive 96/71 and Directive 2014/67/EU as far as posting of workers in road transport is concerned, and with the Directive xxx/xxx/EU laying down specific rules with respect to Directive 96/71/EC and Directive 2014/67/EU for posting drivers in road transport.*” * Note: References to rules on posting of workers to be aligned with the final compromise on those files. 7 Directive 2002/15/EC of the European Parliament and of the Council of 11 March 2002 on the organisation of the working time of persons performing mobile road transport activities (OJ L 80, 23.3.2002, p. 35). 8 Directive 2002/15/EC of the European Parliament and of the Council of 11 March 2002 on the organisation of the working time of persons performing mobile road transport activities (OJ L 80, 23.3.2002, p. 35). 9 Council Directive	(EC) No 1073/2009, Directive 96/71/EC and Directive 2002/15/EC of the European Parliament and of the Council⁸, Directive 2014/67/EU as far as the posting of workers in road transport is concerned, the Directive laying down specific rules with respect to Directive 96/71/EC and Directive 2014/67/EU for posting drivers in road transport, and Council Directive 92/6/EEC⁹.”

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	in the Community (OJ L 57, 2.3.1992, p. 27). <i>Council Directive 92/106/EEC of 7 December 1992 on the establishment of common rules for certain types of combined transport of goods between Member States (OJ L 368, 17.12.1992, p. 38).</i> ¹⁰	8 Council Directive 92/6/EEC of 10 February 1992 on the installation and use of speed limitation devices for certain categories of motor vehicles in the Community (OJ L 57, 2.3.1992, p. 27). 9 Council Directive 92/106/EEC of 7 December 1992 on the establishment of common rules for certain types of combined transport of goods between Member States, OJ L 368, 17.12.1992, p. 38.	92/6/EEC of 10 February 1992 on the installation and use of speed limitation devices for certain categories of motor vehicles in the Community (OJ L 57, 2.3.1992, p. 27). <i>Council Directive 92/106/EEC of 7 December 1992 on the establishment of common rules for certain types of combined transport of goods between Member States (OJ L 368, 17.12.1992, p. 38).</i> ¹⁰

	COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340* Amendment 402 Article 2- paragraph 1- point -1a (new) Regulation (EC) No 165/2014 Article 2 - paragraph 2 - point ha (new)	Council/General Approach, doc. 15084/18	Compromise
230.				
231.		<i>(-1a) In Article 2(2), the following point is inserted:</i>		B
232.		<i>"(ha) 'smart tachograph' means a digital tachograph using a positioning service based on a satellite navigation system automatically determining its position in accordance with this Regulation;"</i>		B - Council: definition not necessary. As regards referring to "smart tachograph" in Article 3(4), it is preferable to refer precisely to the tachograph complying with the specifications for version 2

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233.	Amendment 403 Article 2- paragraph 1- point -1b (new) Regulation (EC) No 165/2014 Article 3 - paragraph 4		
234.	(-1b) In Article 3, paragraph 4 is replaced by the following:	(-1a) In Article 3, paragraph 4 is replaced by the following:	
235.	4. 15 years after newly registered vehicles are required to have a tachograph as provided in Articles 8, 9 and 10, vehicles operating in a Member State other than their Member State of registration shall be fitted with such a tachograph ¹¹ Assuming the entry into force of the road package in 2019, the Commission's implementing act for smart tachograph version 2 by 2019/2020 (see Art. 11 below), applying thereafter a staggered approach to retrofitting.	"4. No later than four years after the end of the year of entry into force* of detailed provisions referred to in the second sentence of the first paragraph of Article 11 which contain specifications for the recording of border-crossing and additional activities, all vehicles operating in a Member State other than their Member State of registration which are fitted with a tachograph not complying with the specifications in those detailed provisions, shall be fitted with a smart C- The selection of dates should be agreed on once recent information on technical implication has been properly assessed <u>Council proposal on staged approach covering lines 235-241:</u> "4. No later than [...] years after the end of the year of entry into force* of detailed provisions referred to in the second sentence of the first paragraph of Article 11 which contain specifications for the recording of border-crossing and additional	

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		tachograph as provided in Articles 8, 9 and 10 of this Regulation.”; _____ * [NOTE: expected as being end of 2024.]	activities, shall the following vehicles operating in a Member State other than their Member State of registration [...] be fitted with a smart tachograph as provided in Articles 8, 9 and 10 of this Regulation.”; _____ * [NOTE: expected at the latest by end 2020 if mobility package is adopted still in 2019 (see Art. 11 below), applying thereafter a staggered approach to retrofitting
236.	(a) vehicles operating in a Member State other than their Member State of registration which are fitted with an analogue tachograph,		C (a) vehicles fitted with an analogue tachograph
237.	(b) vehicles operating in a Member State other than their		C (b) vehicles fitted with a digital tachograph

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	<i>Member State of registration which are fitted with a digital tachograph complying with the specifications in Annex IB to Council Regulation (EEC) No 3821/85 applicable until 30 September 2011; or</i>		<i>complying with the specifications in Annex IB to Council Regulation (EEC) No 3821/85 applicable until 30 September 2011;</i>
238.	<i>(c) vehicles operating in a Member State other than their Member State of registration which are fitted with a digital tachograph complying with the specifications in Annex IB to Council Regulation (EEC) No 3821/85 applicable from 1 October 2011.”</i>		C c) <i>vehicles fitted with a digital tachograph complying with the specifications in Annex IB to Council Regulation (EEC) No 3821/85 applicable from 1 October 2011; and</i> d) <i>vehicles fitted with a digital tachograph complying with Annex IB to Council Regulation (EEC) No 3821/85 applicable from 1 October 2012.”</i>

	COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340* Amendment 404 Article 2- paragraph 1- point -1c (new) Regulation (EC) No 165/2014 Article 3 - paragraph 4a (new)	Council/General Approach, doc. 15084/18	Compromise
239.				
240.		<i>(-1c) In Article 3, the following paragraph is inserted:</i>		
241.		<i>“4a. By... [OJ: 4 years after the entry into force of this amending in Regulation], vehicles operating in a Member State other than their Member State of registration which are fitted with a digital tachograph complying with Annex IB to Council Regulation (EEC) No 3821/85 applicable from 1 October 2012 shall be fitted with a smart tachograph.”</i>		C - added to line 238

	COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340* Amendment 405 Article 2- paragraph 1- point -1d (new) Regulation (EC) No 165/2014 Article 3 - paragraph 4b (new)	Council/General Approach, doc. 15084/18	Compromise
242.				
243.		(-1d) In Article 3, the following paragraph is inserted:		
244.		“4b. By... [OJ: 5 years after the entry into force of this amending in Regulation], vehicles operating in a Member State other than their Member State of registration which are fitted with a smart tachograph complying with Annex IC to Commission Implementing Regulation (EU) 2016/799¹² shall be fitted with a smart tachograph.” ¹² Commission Implementing Regulation (EU) 2016/799 of 18 March 2016 implementing Regulation (EU) No 165/2014 of the European Parliament and of the Council laying down the		C - The selection of date should be agreed on once recent information on technical implication has been properly assessed <u>Council proposal:</u> 5. No later than [...] years after the detailed provisions referred to in the second sentence of the first paragraph of Article 11 which contain specifications for the recording of border-crossing and additional activities, shall vehicles which are fitted with a smart tachograph

COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340* <i>requirements for the construction, testing, installation, operation and repair of tachographs and their components (OJ L 139, 26.5.2016, p. 1.)</i>	Council/General Approach, doc. 15084/18	Compromise
			complying with Annex IC to Commission Implementing Regulation (EU) 2016/799 operating in a Member State other than their Member State of registration be fitted with a smart tachograph as provided in Articles 8, 9 and 10 of this Regulation.
245.	Amendment 406 Article 2- paragraph 1 - point -1e (new) Regulation (EC) No 165/2014 Article 4 - paragraph 2 - indent 3a (new)		
246.	<i>(-1e) In Article 4(2), the following indent is inserted:</i>		<i>(-1e) In Article 4(2), the following indent is inserted:</i>
247.	“- have enough memory capacity to store all of the data required under this Regulation;”;		“- have enough memory capacity to store all of the data required under this Regulation;”;

COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340* Amendment 407 Article 2- paragraph 1- point -1f (new) Regulation (EC) No 165/2014 Article 7 - paragraph 1	Council/General Approach, doc. 15084/18	Compromise
248.			
249.	<i>(-1f) in Article 7, paragraph 1 is replaced by the following:</i>	(-1b) Article 7 is replaced by the following:	
250.		<i>"Article 7</i> Data protection	
251.	1. Member States shall ensure that the processing of personal data in the context of this Regulation is carried out solely for the purpose of verifying compliance with this Regulation and with Regulation (EC) No 561/2006, in accordance with Directives 95/46/EC and 2002/58/EC and under the supervision of the Member State referred to in Article 28 of Directive 95/46/EC.	1. Member States shall ensure that the processing of personal data in the context of this Regulation is carried out solely for the purpose of verifying compliance with this Regulation and with Regulation (EC) No 561/2006, Directive 2002/15/EC, Council Directive 92/6/EEC, Council Directive 92/106/EEC, Regulation (EC) No 1072/2009, Regulation (EC) No 1073/2009, Directive 96/71/EC and Directive 2002/15/EC of the European Parliament and of the Council, Directive 2014/67/EU as far as posting of workers in	A 1. Member States shall ensure that the processing of personal data in the context of this Regulation is carried out solely for the purpose of verifying compliance with this Regulation and with Regulation (EC) No 561/2006, Regulation (EC) No 1072/2009, Regulation (EC) No 1073/2009, Directive 96/71/EC and Directive 2002/15/EC of the European Parliament and of the Council, Directive 2014/67/EU as far as the

COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340*	Council/General Approach, doc. 15084/18	Compromise
	2014/67/EU for posting drivers in road transport, in accordance with [...] Regulation (EU) 2016/679 and Directive 2002/58/EC and under the supervision of the supervisory authority of the Member State referred to in Article [...] 51 of Regulation (EU) No 2016/679."	road transport is concerned, and with the Directive xxx/xxx/EU laying down specific rules with respect to Directive 96/71/EC and Directive 2014/67/EU for posting drivers in road transport, in accordance with Regulation (EU) No 2016/679 and Directive 2002/58/EC and under the supervision of the supervisory authority of the Member State referred to in Article 51 of Regulation (EU) No 2016/679.	posting of workers in road transport is concerned, the Directive laying down specific rules with respect to Directive 96/71/EC and Directive 2014/67/EU for posting drivers in road transport, and Council Directive 92/6/EEC."

COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340* Amendment 408 Article 2- paragraph 1 - point -lg (new) Regulation (EC) No 165/2014 Article 7 - paragraph 2 - introductory part	Council/General Approach, doc. 15084/18	Compromise
252.			
253.			
254.	2. Member States shall, in particular, ensure that personal data are protected against those strictly linked to this Regulation and Regulation (EC) No 561/2006, in accordance with paragraph 1, in relation to:	"2. Member States shall, in particular, ensure that personal data are protected against those strictly linked to this Regulation and Regulation (EC) 561/2006, Directive 2002/15/EC, Council Directive 92/6/EEC, Council Directive 92/106/EEC, Regulation (EC) No 1072/2009, Directive 96/71/EC and Directive 2014/67/EU as far as posting of workers in road transport is concerned, and with the Directive laying down	A 2. Member States shall, in particular, ensure that personal data are protected against uses other than those strictly linked to the Union legal acts referred to in paragraph 1 , in relation to:

COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340* <i>specific rules with respect to Directive 96/71/EC and Directive 2014/67/EU for posting drivers in road transport</i> , in accordance with paragraph 1, in relation to:"	Council/General Approach, doc. 15084/18	Compromise
255. - the use of a global navigation satellite system (GNSS) for the recording of location data as referred to in Article 8, - the use of remote communication for control purposes as referred to in Article 9, - the use of tachographs with an interface as referred to in Article 10, - the electronic exchange of information on driver cards as referred to in Article 31, and in particular any cross-border exchanges of such data with third countries, - the keeping of records by transport undertakings as referred to in Article 33.		- the use of a global navigation satellite system (GNSS) for the recording of location data as referred to in Article 8, - the use of remote communication for control purposes as referred to in Article 9, - the use of tachographs with an interface as referred to in Article 10, - the electronic exchange of information on driver cards as referred to in Article 31, and in particular any cross-border exchanges of such data with third countries, - the keeping of records by transport undertakings as referred to in Article 33.	- the use of a global navigation satellite system (GNSS) for the recording of location data as referred to in Article 8, - the use of remote communication for control purposes as referred to in Article 9, - the use of tachographs with an interface as referred to in Article 10, - the electronic exchange of information on driver cards as referred to in Article 31, and in particular any cross-border exchanges of such data with third countries, - the keeping of records by transport undertakings as referred to in Article 33.

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			referred to in Article 33.
256. 3. Digital tachographs shall be designed in such a way as to ensure privacy. Only data necessary for the purposes of this Regulation shall be processed.		3. Digital tachographs shall be designed in such a way as to ensure privacy. Only data necessary for the purposes referred to in paragraph 1 shall be processed.	A 3. Digital tachographs shall be designed in such a way as to ensure privacy. Only data necessary for the purposes referred to in

	COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340*	Council/General Approach, doc. 15084/18	Compromise
257.	4. Owners of vehicles, transport undertakings and any other entity concerned shall comply, where applicable, with the relevant provisions on the protection of personal data.		4. Owners of vehicles, transport undertakings and any other entity concerned shall comply, where applicable, with the relevant provisions on the protection of personal data.”;	paragraph 1 shall be processed.
258.	(1) in Article 8(1), the second indent is replaced by the following:		(1) [...]Article 8(1) [...] is [...] amended as follows:	A 1) [...]Article 8(1) [...] is [...] amended as follows:
259.	In order to facilitate the verification of compliance with the relevant legislation, the position of the vehicle shall be recorded automatically at the following points, or at the closest point to such places where the satellite signal is available: [NOTE: Commission proposal does not change this part]		(a) the first subparagraph [...] is replaced by the following: "In order to facilitate the verification of compliance with the relevant legislation, the position of the vehicle shall be recorded automatically at the following points, or at the closest point to such places where the satellite signal is available:	(a) "In order to facilitate the verification of compliance with the relevant legislation, the position of the vehicle shall be recorded automatically at the following points, or at the closest point to such places where the satellite signal is available:

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260.	- the starting place of the daily working period; [current text]		- the starting place of the daily working period;	the starting place of the daily working period;
261.			- every time the vehicle crosses the border of a Member State;	A (NOTE: see line 264)
262.			- every time the vehicle performs loading or unloading activities;	A (NOTE: see line 267)
263.		Amendment 409 Article 2- paragraph 1- point 1 Regulation (EC) No 165/2014 Article 8 - paragraph 1 - subparagraph 1 - indent 2		
264.	"_ every three hours of accumulated driving time and every time the vehicle crosses the border";	- every three hours of accumulated driving time and every time the vehicle crosses the border <i>of a Member State</i> ;	- every three hours of accumulated driving time [...]; and	A (NOTE: see line 261)
265.	- the ending place of the daily working period. [current text]		- the ending place of the daily working period.	- the ending place of the daily working period

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266.		Amendment 410 Article 2- paragraph 1- point 1 Regulation (EC) No 165/2014 Article 8 - paragraph 1 - subparagraph 1 - indent 2a (new)		
267.		– <i>every time the vehicle performs loading or unloading activities;</i>	[	A (NOTE: see line 262)
268.		Amendment 411 Article 2- paragraph 1- point 1a (new) Regulation (EC) No 165/2014 Article 8 - paragraph 1 - subparagraph 1a (new)		
269.		<i>(1a) in Article 8(1), the following subparagraph is inserted:</i>		<i>(1a) in Article 8(1), the following subparagraph is inserted:</i>
270.		<i>In order to facilitate the verification of compliance by control authorities, the smart tachograph shall also record, if the vehicle has been employed for the carriage of goods or passengers, as required by Regulation (EC) No</i>		<i>In order to facilitate the verification of compliance by control authorities, the smart tachograph shall also record, if the vehicle has been employed for the carriage of goods or passengers, as required by</i>

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271.	Amendment 412 Article 2- paragraph 1- point 1b (new) Regulation (EC) No 165/2014 Article 8 - paragraph 1 - subparagraph 2a (new)		Regulation (EC) No 561/2006.
272.	<i>(1b) In Article 8(1), the following subparagraph is added:</i>		
273.	<i>“Vehicles registered for the first time from ... [24 months after the entry into force of this amending Regulation] shall be fitted with a tachograph in accordance with the second indent of the first subparagraph of Article 8(1) and the second subparagraph of Article 8(1) of this Regulation.”</i>	However, the recording of the border-crossing and additional activities referred to in the second and third indent of the first subparagraph shall concern vehicles registered in a Member State ¹⁰ for the first time after two years* after the entry into force of the detailed provisions referred to in the second sentence of the first paragraph of Article 11, without prejudice to the obligation to retrofit certain vehicles later in accordance with Article 3(4)."	C - Council: keep GA (is clearer and in line with the compromise proposal for smart II retrofit.)

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			_____ * NOTE: expected as being no later than June 2022. ¹⁰ NOTE: other provisions of this Regulation, which contain a similar reference to a vehicle registration date, will be aligned with this addition of precision ("in a Member State").	
274.		Amendment 413/rev Article 2- paragraph 1- point 1 c (new) Regulation (EC) No 165/2014 Article 9 - paragraph 2		
275.		<i>(1c) in Article 9, paragraph 2 is replaced by the following:</i>	(1a) Article 9 is amended as follows:	
276.			(a) The first sentence of paragraph 2 is amended as follows:	

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277.	2. 15 years after newly registered vehicles are required to have a tachograph as provided for in this Article and in Articles 8 and 10, Member States shall equip their control authorities to an appropriate extent with remote early detection equipment necessary to permit the data communication referred to in this Article, taking into account their specific enforcement requirements and strategies. Until that time, Member States may decide whether to equip their control authorities with such remote early detection equipment.	“2. [...] <i>By ... [1 year after entry into force of this Regulation],</i> Member States shall equip their control authorities to an appropriate extent with remote early detection equipment necessary to permit the data communication referred to in this Article, taking into account their specific enforcement requirements and strategies. Until that time, Member States may decide whether to equip their control authorities with such remote early detection equipment.”	“[...] Four years after the entry into force of detailed provisions referred to in the second sentence of paragraph 1 of Article 11 which contain specifications for the recording of border-crossing and additional activities referred to in the second and third indent of Article 8(1), Member States shall equip their control authorities to an appropriate extent with remote early detection equipment necessary to permit the data communication referred to in this Article, taking into account their specific enforcement requirements and strategies.”;	C - <u>Council</u>: keep GA (date needs to be aligned with entry into force of detailed provisions, and the time needs to be reasonable taking into account the entry into market of smart tachograph version 2) <u>EP</u>: align with a more ambitious roll-out of the smart tachograph

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278.				
279.		<i>(1d) In Article 9, paragraph 3 is replaced by the following:</i>	(b) Paragraph 3 is replaced by the following:	(b) Paragraph 3 is replaced by the following:
280.	3. The communication referred to in paragraph 1 shall be established with the tachograph only when so requested by the equipment of the control authorities. It shall be secured to ensure data integrity and authentication of the recording and control equipment. Access to the data communicated shall be restricted to control authorities authorised to check infringements of Regulation (EC) No 561/2006 and of this Regulation and to workshops in so far as it is necessary to verify the correct functioning of the tachograph.	"3. The communication referred to in paragraph 1 shall be established with the tachograph only when so requested by the equipment of the control authorities. It shall be secured to ensure data integrity and authentication of the recording and control equipment. Access to the data communicated shall be restricted to control authorities authorised to check infringements of [...] <i>the Union legal acts set out in Article 7(1)</i> and of this Regulation and to workshops in so far as it is necessary to verify the correct functioning of the tachograph."	"3. The communication referred to in paragraph 1 shall be established with the tachograph only when so requested by the equipment of the control authorities. It shall be secured to ensure data integrity and authentication of the recording and control equipment. Access to the data communicated shall be restricted to control authorities authorised to check infringements of legal acts referred to in Article 7 (1) , and of this Regulation and to workshops in so far as it is necessary to verify the correct functioning of the tachograph.";	A "3. The communication referred to in paragraph 1 shall be established with the tachograph only when so requested by the equipment of the control authorities. It shall be secured to ensure data integrity and authentication of the recording and control equipment. Access to the data communicated shall be restricted to control authorities authorised to check infringements of the Union legal acts referred to in Article 7

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				(1), and of this Regulation and to workshops in so far as it is necessary to verify the correct functioning of the tachograph.";
281.			(c) In Paragraph 4 the following indent is added:	B (c) In Paragraph 4 the following indent is added:
282.			"- exceeding maximum driving time.";	B "- exceeding maximum driving time.";
283.			(1aa) In Article 10 the following paragraph is added:	B (1aa) In Article 10 the following paragraph is added:
284.			"2. The tachographs of vehicles registered for the first time in a Member State two years* after the entry into force of detailed provisions referred to in the second sentence of paragraph 1 of Article 11 which contain specifications for the recording of border-crossing and additional activities referred to in the	B "2. The tachographs of vehicles registered for the first time in a Member State two years* after the entry into force of detailed provisions referred to in the second sentence of paragraph 1 of Article 11 which contain specifications for the

	COM proposal, COM(2017) 0277 final	European Parliament/ Plenary report P8_TA-PROV(2019)0340*	Council/General Approach, doc. 15084/18	Compromise
			second and third indent of Article 8(1), shall be equipped with the interface referred to in paragraph 1."; _____ * [NOTE: expected as being no later than June 2022.]	recording of border-crossing and additional activities referred to in the second and third indent of Article 8(1), shall be equipped with the interface referred to in paragraph 1."; _____ * [NOTE: expected as being no later than June 2022.]
285.		Amendment 415 Article 2 - paragraph 1 - point 1 e Regulation (EC) No 165/2014 Article 11 - paragraph 1		
286.		<i>(1e) in Article 11, paragraph 1 is replaced by the following</i>	(1ab) In Article 11, the following sentence is inserted after the first sentence of the first paragraph:	(1ab) In Article 11, the following sentence is inserted after the first sentence of the first paragraph:
287.	In order to ensure that smart tachographs comply with the principles and requirements set out in this Regulation, the Commission shall, by means of implementing acts, adopt detailed provisions	"In order to ensure that smart tachographs comply with the principles and requirements set out in this Regulation, the Commission shall, by means of implementing acts, adopt detailed provisions		B <i>By ... / 12 months after the entry into force of this amending Regulation], the Commission shall adopt implementing acts</i>

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	necessary for the uniform application of Articles 8, 9 and 10, excluding any provisions which would provide for the recording of additional data by the tachograph. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 42(3).	necessary for the uniform application of Articles 8, 9 and 10, excluding any provisions which would provide for the recording of additional data by the tachograph. <i>By ... / 12 months after the entry into force of this amending Regulation], the Commission shall adopt implementing acts laying down detailed rules for recording any border crossing of the vehicle referred to in the second indent of the first subparagraph of Article 8(1) and in the second subparagraph of Article 8(1).</i> Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 42(3)."	"The Commission shall bring into force the implementing acts providing the detailed provisions for the uniform application of the obligation to record and store data relating to any border crossing of the vehicle and additional activities referred to in the second and third indent of Article 8(1), by [OJ: 12 months after the entry into force of this amending Regulation].";	<i>laying down detailed rules for the uniform application of the obligation to record and store data relating to any border crossing of the vehicle and additional activities referred to in the second indent of the first subparagraph of Article 8(1) and in the second subparagraph of Article 8(1).</i>
288.			(1ac) In Article 22, paragraph 5, the two last subparagraphs shall be replaced by the following:	B (1ac) In Article 22, paragraph 5, the two last subparagraphs shall be

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289.				replaced by the following: "The seals removed or broken shall be replaced by an approved fitter or a workshop without undue delay and at the latest within seven days of their removal. When the seals have been removed or broken for control purposes, they may be replaced by a control officer equipped with a sealing equipment and unique special mark without undue delay
290.			When a control officer removes a seal, the control card shall be inserted in the tachograph from the moment of the removal of the seal until the inspection is finished, including in case of placement of a new seal. The control officer shall issue a written statement containing at least the following information:	When a control officer removes a seal, the control card shall be inserted in the tachograph from the moment of the removal of the seal until the inspection is finished, including in case of placement of a new seal. The control officer shall issue a written statement containing at least the following information:

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291.			- vehicle identification number; - name of the officer; - control authority and Member State; - number of the control card; - number of the removed seal; - date and time of seal removal; - number of the new seal, in case the control officer has placed a new seal.	- vehicle identification number; - name of the officer; - control authority and Member State; - number of the control card; - number of the removed seal; - date and time of seal removal; - number of the new seal, in case the control officer has placed a new seal.
292.			Before replacing the seals, a check and calibration of the tachograph shall be performed by an approved workshop, except where a seal has been removed or broken for control purposes and replaced by a control officer.”;	Before replacing the seals, a check and calibration of the tachograph shall be performed by an approved workshop, except where a seal has been removed or broken for control purposes and replaced by a control officer.”;
293.			(1ad) In Article 26, the following paragraph is added:	(1ad) In Article 26, the following paragraph is added:

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294.			"(7a)The competent authority of the issuing Member State may require a driver to replace the driver card by a new one if this is necessary to comply with the relevant technical specifications." ;	"(7a)The competent authority of the issuing Member State may require a driver to replace the driver card by a new one if this is necessary to comply with the relevant technical specifications." ;
295.			(1b) in Article 34, the first paragraph is replaced by the following:	(1b) in Article 34, the first paragraph is replaced by the following:
296.	[Existing text:] 1. Drivers shall use record sheets or driver cards every day on which they are driving, starting from the moment they take over the vehicle. The record sheet or driver card shall not be withdrawn before the end of the daily working period unless its withdrawal is otherwise authorised.		"1. Drivers shall use records sheets or driver cards every day on which they are driving, starting from the moment they take over the vehicle. The record sheet or driver card shall not be withdrawn before the end of the daily working period unless its withdrawal is otherwise authorised or is necessary to enter the symbol after having crossed a border. No record sheet or driver card may be used to cover a period longer than that for which it is intended."	"1. Drivers shall use records sheets or driver cards every day on which they are driving, starting from the moment they take over the vehicle. The record sheet or driver card shall not be withdrawn before the end of the daily working period unless its withdrawal is otherwise authorised or is necessary to enter the symbol after having crossed a border. No record sheet or driver card may be used to cover a period longer than that for which it is intended."

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297.			(1c) in Article 34(6), the following point (f) is added:	(1c) in Article 34(6), the following point (f) is added:
298.			"(f) the symbols of the countries in which the daily working period started and finished. The driver shall also enter the symbol of the country that the driver enters after crossing a border of a Member State at the beginning of the driver's first stop in that Member State. That first stop shall be made at the nearest stopping place at or after the border. Where the crossing of the border of a Member State takes place on a ferry or train, the driver shall enter the symbol of the country at the port or station of arrival.";	"(f) the symbols of the countries in which the daily working period started and finished. The driver shall also enter the symbol of the country that the driver enters after crossing a border of a Member State at the beginning of the driver's first stop in that Member State. That first stop shall be made at the nearest <u>possible</u> stopping place at or after the border. Where the crossing of the border of a Member State takes place on a ferry or train, the driver shall enter the symbol of the country at the port or station of arrival.";

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299.				
300.		<i>(1f) in Article 34(5), point b, point iv is replaced by the following:</i>		
301.	(iv) under the sign  : breaks or rest.	"(iv) under the sign  : breaks, rest, annual leave or sick leave , <i>under the sign "ferry/train": In addition to the sign  : the rest period spending on a ferry or train as required by Article 9 of Regulation (EC) 561/2006."</i>		B - Council: still assessing additional needs for clarification "(iv) under the sign  : breaks, rest, <i>annual leave or sick leave</i> , <i>under the sign "ferry/train": In addition to the sign  : the rest period spending on a ferry or train as required by Article 9 of Regulation (EC) 561/2006."</i>

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302.			
303.	(2) in Article 34(7), the first subparagraph is replaced by the following:	(2) in Article 34(7), the first subparagraph is replaced by the following:	(2) in Article 34(7), the first subparagraph is replaced by the following:
304.	"7. The driver shall enter in the digital tachograph the symbols of the countries in which the daily working period started and finished as well as where and when the driver has crossed a border in the vehicle on arrival at the suitable stopping place.	"7. The driver shall enter in the digital tachograph the symbols of the countries in which the daily working period started and finished [...]. One year after the entry into force of detailed provisions referred to in the second sentence of paragraph 1 of Article 11 which contain specifications allowing to enter and store border crossing data, the driver shall also enter the symbol of the country that the driver enters after crossing a border of a Member State at the beginning of the driver's	B "7. The driver shall enter in the digital tachograph the symbols of the countries in which the daily working period started and finished [...]. One year after the entry into force of detailed provisions referred to in the second sentence of paragraph 1 of Article 11 which contain specifications allowing to enter and store border crossing data, the driver shall also enter the symbol of the country

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		in transport operations inside their territory to add more detailed geographic specifications to the country symbol, provided that those Member States have notified those detailed geographic specifications to the Commission before 1 April 1998.”	first stop in that Member State. That first stop shall be made at the nearest stopping place at or after the border. Where the crossing of the border of a Member State takes place on a ferry or train, the driver shall enter the symbol of the country at the port or station of arrival.	that the driver enters after crossing a border of a Member State at the beginning of the driver's first stop in that Member State. That first stop shall be made at the nearest <i>possible</i> stopping place at or after the border. Where the crossing of the border of a Member State takes place on a ferry or train, the driver shall enter the symbol of the country at the port or station of arrival.
305.	Member States may require drivers of vehicles engaged in transport operations inside their territory to add more detailed geographic specifications to the country symbol, provided that those Member States have notified those detailed geographic		Member States may require drivers of vehicles engaged in transport operations inside their territory to add more detailed geographic specifications to the country symbol, provided that those Member States have notified those detailed geographic	Member States may require drivers of vehicles engaged in transport operations inside their territory to add more detailed geographic specifications to the country symbol, provided that those Member States have notified those detailed

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	specifications to the Commission before 1 April 1998."		specifications to the Commission before 1 April 1998.";	geographic specifications to the Commission before 1 April 1998.";
306.		Amendment 418 Article 2- paragraph 1 - point 2a (new) Regulation (EC) No 165/2014 Article 34 - paragraph 7 a (new)		
307.		(2a) in Article 34, the following paragraph is added:		
308.		"7a. Drivers shall be provided with training on how to correctly use a tachograph in order to achieve full use of the equipment. The driver must not be responsible for the cost of their training, which should be provided by their employer." ;		B - keep GA, in principle, is already covered in Art 33(1) Agree with a new recital as proposed by EP: (xx) <i>The recording of activities on the tachograph is an important part of drivers' work. Therefore, it is crucial that drivers are provided with the appropriate training on how to use tachographs, including when new</i>

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				<i>versions of tachographs are introduced on the market. Employers should bear the costs related to the training of their drivers.</i>
309.		Amendment 419 Article 2- paragraph 1- point 2b (new) Regulation (EC) No 165/2014 Article 34 - paragraph 7b (new)		
310.		(2b) In Article 34, the following paragraph is added:		
311.		"7b. The maximum amount of control authorities should be trained on how to correctly read and monitor a tachograph."		B - keep GA (the matter, is sufficiently covered in Art 39 Agree with a new recital as proposed by EP: (xx) Control officers checking compliance with relevant Union law in the road transport sector face challenges due to the variety of tachograph

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			<i>devices in use and the fast evolving sophisticated manipulation techniques. This is particularly the case when those checks are carried out at the roadside. Therefore, it is crucial that control officers receive appropriate training to ensure that they are up-to-date with the latest technological developments and manipulation techniques.</i>
312.		(3) Article 36 is amended as follows:	(3) Article 36 is amended as follows:

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313.		Amendment 420 Article 2- paragraph 1 - point 2c (new) Regulation (EC) No 165/2014 Article 36 - paragraph 1 - point i		
314.		<i>(2c) in Article 36(1), point (i) is replaced by the following:</i>	(a) paragraph 1(i) is replaced by the following:	(a) paragraph 1(i) is replaced by the following:
315.	(i) the record sheets for the current day and those used by the driver in the previous 28 days,	"(i) the record sheets for the current day and those used by the driver in the previous [...] 56 days,"	"(i) the record sheets for the current day and [...] the preceding 56 days,";	A "(i) the record sheets for the current day and [...] the preceding 56 days,";
316.		Amendment 421 Article 2- paragraph 1 - point 2d (new) Regulation (EC) No 165/2014 Article 36 - paragraph 1 - point iii		
317.		<i>(2d) in Article 36(1), point (iii) is replaced by the following:</i>	(b) paragraph 1(iii) is replaced by the following:	(b) paragraph 1(iii) is replaced by the following:

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318.	(iii) any manual records and printouts made during the current day and the previous 28 days as required under this Regulation and Regulation (EC) No 561/2006.	"(iii) any manual records and printouts made during the current day and the previous [...] 56 days as required under this Regulation and Regulation (EC) No 561/2006."	"(iii) any manual records and printouts made during the current day and the [...] preceding 56 days.";	"(iii) any manual records and printouts made during the current day and the [...] preceding 56 days.";
319.		Amendment 422 Article 2- paragraph 1- point 2e (new) Regulation (EC) No 165/2014 Article 36 - paragraph 2 - point ii		
320.		<i>(2e) in Article 36(2), point (ii) is replaced by the following:</i>	(c) paragraph 2(ii) is replaced by the following:	(c) paragraph 2(ii) is replaced by the following:
321.	(ii) any manual records and printouts made during the current day and the previous 28 days as required under this Regulation and Regulation (EC) No 561/2006,	"(ii) any manual records and printouts made during the current day and the previous [...] 56 days as required under this Regulation and Regulation (EC) No 561/2006,"	"(ii) any manual records and printouts made during the current day and the [...] preceding 56 days.";	"(ii) any manual records and printouts made during the current day and the [...] preceding 56 days.";

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322.	Article 3		Article 3	
323.	This Regulation shall enter into force on the twentieth day following that of its publication in the <i>Official Journal of the European Union</i> .		This Regulation shall enter into force on the twentieth day following that of its publication in the <i>Official Journal of the European Union</i> .	This Regulation shall enter into force on the twentieth day following that of its publication in the <i>Official Journal of the European Union</i> .
324.	This Regulation shall be binding in its entirety and directly applicable in all Member States.		This Regulation shall be binding in its entirety and directly applicable in all Member States.	This Regulation shall be binding in its entirety and directly applicable in all Member States.
325.			Articles 1(9a) and 2(3) shall apply from 31.12.2024. Until that date Article 16, paragraph 3, subparagraph (a) of Regulation (EC) No 561/2006 and Article 36, paragraphs 1(i), 1(ii) and 2(ii) of Regulation (EU) 165/2014 shall apply in their wording prior to the amendments introduced by this Regulation.	C