

Resolution on the draft Commission regulation supplementing Regulation (EC) No 1071/2009 with regard to the classification of serious infringements of the Union rules, which may lead to the loss of good repute by the road transport operator and amending Annex III to Directive 2006/22/EC

2014/2859(RPS) - 17/12/2014 - Text adopted by Parliament, single reading

The European Parliament adopted by 453 votes to 18, with 40 abstentions, a resolution on the draft Commission regulation supplementing Regulation (EC) No 1071/2009 of the European Parliament and of the Council with regard to the classification of serious infringements of the Union rules, which may lead to the loss of good repute by the road transport operator and amending Annex III to Directive 2006/22/EC of the European Parliament.

Parliament **opposed the adoption of the draft Commission regulation** considering that it is not compatible with the aim and content of Regulation (EC) No 1071/2009. It asked the Commission to withdraw the draft regulation and submit to the committee a new list of serious infringements of the Union rules which may lead to the loss of good repute by the road transport operator.

It is recalled that the aim of [Regulation \(EC\) No 1071/2009](#) is the completion of an internal market in road transport with fair conditions of competition, which requires the uniform application of common rules on admission to the occupation of road haulage operator or road passenger transport operator.

Under the Regulation, the Commission is required to draw up a list of categories, types and degrees of seriousness of serious infringements of these Community rules, which, in addition to those set out in Annex IV, may lead to the loss of good repute.

Members stipulated that the list to be prepared by the Commission has failed to include a complete list of serious infringements of Regulation (EC) No 1072/2009, since point 10 of Annex 1 to the draft Commission regulation does **not include illegal cabotage**. They stressed that other rules related to illegal cabotage, e.g. relating to the performance of cabotage in a form not in line with national requirements relating to social legislation applicable to the contract, should be included in the list as serious infringements, in view of their potential to create a risk of fatalities or serious injuries.

In addition, Members considered that the list of categories, types and degrees of seriousness of serious infringements that has been added uses very ordinary words and this further complicates the interpretation by the competent authorities of the types and degrees of serious infringements.