













Procedure file

Basic information	
<p>COD - Ordinary legislative procedure (ex-codecision procedure) 2019/0107(COD) Decision</p>	Procedure completed
<p>International road passenger transport services by coach and bus in border regions: cabotage operations between Germany and Switzerland</p>	
<p>Subject 3.20.05 Road transport: passengers and freight 3.20.15.04 Road transport agreements and cooperation</p>	
<p>Geographical area Switzerland Germany FR</p>	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 Transport and Tourism	 FERBER Markus	26/08/2019
		Shadow rapporteur	
		 DANIELSSON Johan	
		 BAUZÁ DÍAZ José Ramón	
	 DELLI Karima		
	 ZĪLE Roberts		
	 KOUNTOURA Elena		
	Former committee responsible		
	 Transport and Tourism		
	Committee for opinion	Rapporteur for opinion	Appointed
	 Employment and Social Affairs	The committee decided not to give an opinion.	
	Former committee for opinion		
	 Employment and Social Affairs		
	Committee for opinion on the legal basis	Rapporteur for opinion	Appointed
	 Legal Affairs		20/11/2019
		 ROBERTI Franco	


Council of the European Union
European Commission

Commission DG
[Mobility and Transport](#)

Commissioner
BULC Violeta

European Economic and
Social Committee
European Committee of the
Regions

Key events

13/05/2019	Legislative proposal published	COM(2019)0221	Summary
15/07/2019	Committee referral announced in Parliament, 1st reading		
21/01/2020	Vote in committee, 1st reading		
24/01/2020	Committee report tabled for plenary, 1st reading	A9-0006/2020	
13/05/2020	Results of vote in Parliament		
13/05/2020	Decision by Parliament, 1st reading	T9-0066/2020	Summary
17/06/2020	End of procedure in Parliament		
18/06/2020	Act adopted by Council after Parliament's 1st reading		
18/06/2020	Final act signed		
22/06/2020	Final act published in Official Journal		

Technical information

Procedure reference	2019/0107(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Decision
Legal basis	Treaty on the Functioning of the EU TFEU 091
Other legal basis	Rules of Procedure EP 159
Mandatory consultation of other institutions	European Economic and Social Committee European Committee of the Regions
Stage reached in procedure	Procedure completed
Committee dossier	TRAN/9/00470

Documentation gateway

Legislative proposal	COM(2019)0221	13/05/2019	EC	Summary
Economic and Social Committee: opinion, report	CES3047/2019	25/09/2019	ESC	
Committee draft report	PE641.312	08/10/2019	EP	
Amendments tabled in committee	PE644.719	19/11/2019	EP	

Specific opinion	JURI	PE645.102	20/01/2020	EP	
Committee report tabled for plenary, 1st reading/single reading		A9-0006/2020	24/01/2020	EP	
Text adopted by Parliament, 1st reading/single reading		T9-0066/2020	13/05/2020	EP	Summary
Commission response to text adopted in plenary		SP(2020)229	10/06/2020	EC	
Draft final act		00001/2020/LEX	18/06/2020	CSL	

Final act

[Decision 2020/853](#)
[OJ L 198 22.06.2020, p. 0044](#)

International road passenger transport services by coach and bus in border regions: cabotage operations between Germany and Switzerland

PURPOSE: to empower Germany to amend its existing bilateral road transport agreement with Switzerland with a view to authorising cabotage operations in the course of international road passenger transport services by coach and bus in the border regions between the two countries.

PROPOSED ACT: Decision of the European Parliament and the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: the two-way carriage of passengers and goods by road between Switzerland and the EU is regulated by the Land Transport Agreement between the EU and Switzerland ('EU Agreement').

Under the EU Agreement, the transport of passengers by coach and bus between two points situated on the territory of the same Contracting Party by carriers established in the territory of the other Contracting Party, known as cabotage, is not authorised.

This means that the carriers operating the passenger services which cross the border can only carry passengers across the border or within the territory of the Contracting Party they are established in. Bus and coach operators established in Switzerland may not carry passengers between two points on the German side of the border and operators established in the EU may not carry passengers between two points on the Swiss side of the border.

However, Article 20(2) of the EU Agreement specifically allows pre-existing rights under bilateral agreements concluded between individual EU Member States and Switzerland that were in force at the time of conclusion of the EU Agreement to continue to be exercised.

The border regions of Germany and Switzerland are closely integrated. Many Germans commute to work in Switzerland and vice versa and there is vibrant cross-border passenger traffic by road. A number of bus and coach services are offered which cross the border and thus connect the border regions of the two countries.

By letter dated 11 May 2017, Germany informed the Commission that it would appreciate if the Union was to empower it to amend its bilateral road transport agreement with Switzerland of 1953 with a view to authorising cabotage operations during the provision of passenger transport services by coach and bus in the border region between the two countries. Switzerland informed the Commission that it was also interested in amending this agreement to that effect.

CONTENT: the proposed Decision seeks to empower Germany to amend its existing bilateral road transport agreement with Switzerland with a view to authorising cabotage operations in the respective border regions of Germany and Switzerland in the course of the provision of coach and bus services between the two countries, provided that there is no discrimination between carriers established in the Union and no distortion of competition.

Cabotage operations allow increasing the load factor of the vehicles which increases the economic efficiency of the services. The authorisation of cabotage operations in the context of the provision of international passenger transport services by coach and bus in the border regions between Germany and Switzerland would allow the carriers involved to become more competitive and efficient.

In order to ensure that the cabotage operations concerned do not excessively alter the functioning of the internal market for coach and bus services, as established by [Regulation \(EC\) No 1073/2009](#), their authorisation should be subject to the conditions that there is no discrimination between carriers established within the Union and no distortion of competition.

For the same reason, cabotage operations should only be authorised in the border regions of Germany in the course of the provision of coach and bus services between Germany and Switzerland.

As border regions of Germany shall be considered the administrative districts of Freiburg and Tübingen in Baden-Württemberg and the administrative district of Swabia in Bavaria.

This proposal is based on a request by Germany and concerns only this Member State. A similar request has been received by Italy which is

subject to a [parallel procedure](#).

International road passenger transport services by coach and bus in border regions: cabotage operations between Germany and Switzerland

The European Parliament adopted by 676 votes to 1, with 13 abstentions, a legislative resolution on the proposal for a decision of the European Parliament and of the Council empowering Germany to amend its existing bilateral road transport agreement with Switzerland with a view to authorising cabotage operations in the course of international road passenger transport services by coach and bus in the border regions between the two countries.

The European Parliament adopted its position at first reading in accordance with the ordinary legislative procedure. It requested that the Decision be based on Article 91 of the Treaty on the Functioning of the European Union.

The proposed decision would empower Germany to amend its bilateral road transport agreement with Switzerland of 17 December 1953 in order to authorise cabotage operations in the border regions of Germany and Switzerland in the course of the provision of road passenger transport services by coach and bus between the two countries, provided that there is no discrimination between carriers established in the Union and that there is no distortion of competition.

Cabotage transport would be allowed only in the border regions of Germany specified in the text of the proposed decision - the administrative districts of Freiburg and Tübingen in Baden-Württemberg and the administrative district of Swabia in Bavaria - for the provision of coach and bus services between Germany and Switzerland. This would strengthen the close integration of these border regions.

The proposed decision follows a request from Germany sent on 11 May 2017 and concerns only this Member State.