

*Courtesy translation*



THE SENATE  
OF THE PARLIAMENT OF THE CZECH REPUBLIC

11<sup>TH</sup> TERM

**354<sup>TH</sup>**

**RESOLUTION OF THE SENATE**

Delivered on the 12<sup>th</sup> session held on 15<sup>th</sup> February 2018

**on the Common Rules for International Transport**

**Senate Print no. N 080/11, COM(2017) 647** - Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 1073/2009 on common rules for access to the international market for coach and bus services

**Senate Print no. N 081/11, COM(2017) 648** - Proposal for a Directive of the European Parliament and of the Council amending Directive 92/106/EEC on the establishment of common rules for certain types of combined transport of goods between Member States

**The Senate**

**I.**

**Supports,**  
in general,

- coherent systemic measures leading to mitigation of the negative environmental impact of transport;
- efforts to improve mobility based on coach and bus services within the EU and development of combined transport based on the use of transport modes with lower emissions, such as rail or inland waterways;
- Government's Positions on the proposals;

**II.**

**1. Is convinced**

- that a reduction of emissions from transport will not be accomplished just by the increase in number of bus services and capacity of coaches and buses but rather by the fact that these means of transport of passengers by road will take over part of the current individual car transport;

- that appropriate frequency and planning of routes of regular services on one hand and economic advantage and appropriate comfort for passengers on the other hand will contribute to the attractiveness of coach and bus services;

## **2. Regards**

the approach consisting of putting limits on national freight transport operated by carriers from other member states and at the same time, in the field of passenger transport, supporting carriers from other member states in their access to the national market as being incoherent; the Senate is concerned about this contradiction between the first and the second mobility package; it points out, in this regard, to its Resolution No. 295 from 11<sup>th</sup> October 2017 on the first mobility package which relates, among others, to the Proposal for a Directive of the European Parliament and of the Council amending Directive 2006/22/EC as regards enforcement requirements and laying down specific rules with respect to Directive 96/71/EC and Directive 2014/67/EU for posting drivers in the road transport sector;

## **3. Believes**

- that the establishment of the independent regulatory body under the Proposal of the Regulation should avoid increasing the administrative burden and, in principle, already existing authorities should be used for the activities concerned;
- that according to the Proposal of the Regulation all operators of regular services should be provided with access to terminals on a non-discriminatory basis; the only reason for rejection of the access should be based on demonstrable capacity limits of the terminal;
- that it is possible that international passenger carriage routes will be artificially extended to exceed the distance of 100 km as the crow flies in order to avoid the scrutiny of possible upsetting of the economic equilibrium of a public service contract;

## **4. Notices**

- that the shift from the road freight to rail and inland waterways will involve costs related mainly to renewal and, possibly, construction of rail and inland waterways, road connections to the terminals, stocking capacity at the transshipment terminals and even at the destination of the combined freight transport;
- that a higher number of various private entities participating in one combined transport delivery might increase overall costs of transport and the number of potential disputes among stakeholders;
- that combined transport might lead to an increase of length and time of the transport;
- that effectiveness of combined transport depends on the reliability and effectiveness of each transport mode and on the volume and regularity of the transport;

## **5. Believes**

that it is necessary to consider all the above mentioned externalities when evaluating advantages of various modes of freight transport, not just to assess, in isolation the level of greenhouse gas emissions produced by each transport mode;

## **6. Is of the opinion**

that environmental, economic, operational and technical criteria should be applied in order to determine whether a transport of goods constitutes a combined transport, the length of the road leg or its share on the total route should not be the sole criterion;

## **7. Requires**

an extension of the transposition period in case of the proposal for a Directive to 30 months; in this regard, the Senate recalls its Resolution No. 137 from 19<sup>th</sup> April 2017 on the Communication from the Commission – EU Law: Better Results through Better Application in which the Senate, following the tightening of the Commission's procedures, calls on the Government, when negotiating in the Council and with the exception of urgent measures, to advance and push for sufficiently long transposition periods of directives and periods between adoption and entry into force of those directly applicable acts of EU law that require national accompanying legislation;

## **III.**

### **1. Requests**

the Government to inform the Senate about the way this resolution was taken into account and about further development of negotiations once the political agreement of the required number of Member States on the main elements of the proposals is reached, or at an earlier time, should the results of negotiations in the Council begin to depart considerably from the position of the Czech Republic expressed in the General Position of the Government;

### **2. Authorises**

the President of the Senate to forward this Resolution to the European Commission.

Milan Štěch  
sign manual  
President of the Senate

Pavel Štohl v. r.  
sign manual  
Senate Verifier