

Courtesy translation



THE SENATE
OF THE PARLIAMENT OF THE CZECH REPUBLIC
11TH TERM

487th

RESOLUTION OF THE SENATE

Delivered on the 17th session held on 15th August 2018

on the Road Safety Package

Senate Print no. N 143/11, COM(2018) 274 - Proposal for a Directive of the European Parliament and of the Council amending Directive 2008/96/EC on road infrastructure safety management

Senate Print no. N 144/11, COM(2018) 286 - Proposal for a Regulation of the European Parliament and of the Council on type-approval requirements for motor vehicles and their trailers, and systems, components and separate technical units intended for such vehicles, as regards their general safety and the protection of vehicle occupants and vulnerable road users, amending Regulation (EU) 2018/... and repealing Regulations (EC) No 78/2009, (EC) No 79/2009 and (EC) No 661/2009

The Senate

I.

1. Supports

in general terms the Commission's effort to improve safety on European roads and to pay special attention to vulnerable road users, i.e. especially pedestrians, cyclists and users of powered two-wheelers;

2. Recalls, however,

that in order to secure safety road traffic, an integrated approach, concentrating also on drivers and the development and support for their skills to drive a car safely, is necessary, in addition to safe cars and safe roads;

3. Is afraid

- that the proposal to make Directive 2008/96/EC applicable to road infrastructure funded by the EU funds will entail an extension of the scope of the directive well beyond the 15 % of EU road network which is not part of TEN-T but where a significant number of road accidents is taking place, mentioned by the Commission;

- that extending the scope of the Directive to cover tertiary roads and less frequented roads, which were, however, funded by EU finance, is not proportionate because this will result in considerable costs for the owners of the roads without significantly contributing to the desired objective of reducing the number of road accidents in the EU;

4. Therefore calls for

a much more accurate definition of the new scope of the Directive, so that it is clear which roads will it apply to; this includes the temporal scope as well because the proposal does not contain any interim provisions regarding the infrastructure it apply to;

5. Suggests

that the Commission consider introducing a "safe communication" label for those parts of road infrastructure which meet the highest safety standards with regard to the surface quality and management of the road, road markings or regular road safety inspections as the Senate deems this designation would motivate Member states to make the appropriate adjustments without EU legislation interfering in the competences of local self-government;

6. Is afraid

that the rapid deployment of new safety features for all new vehicles following from the proposal for a Regulation will increase their price for consumers and will also lead to a higher failure rate and lower reliability of those vehicles;

7. Points to the fact

- that both proposals contain extensive empowerment of the Commission to adopt delegated or implementing acts which makes an overall assessment of the content of the Proposal considerably more difficult; in this regard, the Senate recalls its Resolution No. 26 from 30th November 2016 on 2015 annual reports from the Commission on relations between the Commission and the national parliaments and on subsidiarity and proportionality;
- that it is not possible, as a consequence of this empowerment, to estimate the cost of road signs resulting from the Directive since the general performance requirements for road markings and road signs should be adopted by the Commission by means of an implementing act in accordance with the Article 6c (2) of the proposal for a Directive;

8. Requires

the substance of these matters to be regulated in the legislative act itself because the legislative act is adopted in a more transparent procedure in the Council and the European Parliament;

9. Requires

an extension of the transposition period in case of the proposal for a Directive to at least 30 months; in this regard, the Senate recalls its Resolution No. 137 from 19th 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;

II.

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

Jiří Dušek
sign manual
Senate Verifier