



TRANSPORT AND TOURISM

TRAN



# TRAN NEWS

Newsletter from the European Parliament's Committee on Transport and Tourism



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31 MAY 2013



## APPROVAL OF AGREEMENT

### Port State Control

Rapporteur: Brian Simpson (S&D; UK)  
Ordinary legislative procedure, first reading

The agreement reached with Council and Commission on 10 April was endorsed by 38 votes in favour, 1 against and 0 abstentions.



two basic challenges. The first is the need to ensure that the workforce has the necessary skills for the emerging maritime sectors, so that blue growth is synonymous with high-employment growth. The second is to ensure the integrated sustainability of blue growth, so that it will not damage the fragile marine environment.

The report contains strategic recommendations for all the economic activities associated with blue growth, in particular Shipping and Shipbuilding, Maritime and Coastal Tourism, Blue Energy, Fisheries and Aquaculture, Marine Mineral Extraction and Blue Biotechnology. The report stresses that in order to ensure that the blue growth sectors develop and fully realise their potential to contribute to Europe's economy, strategic planning at EU level is needed to ensure coordination and synergies between existing policies and the development of new initiatives and instruments.

## ADOPTION OF DRAFT REPORTS

### Blue Growth

Rapporteur: Spyros Danellis (S&D; GR)  
Own Initiative Report

The Committee adopted with a large majority the first parliamentary report dedicated to Blue Growth. The report calls for a new political approach to the maritime economy focusing on



Timetable foreseen	
Vote in plenary	July 2013



## Roadworthiness Package (3 proposals)

Rapporteurs: Werner Kuhn (EPP; DE)  
Olga Sehnalová (S&D; CS)  
Vilja Savisaar-Toomast (ALDE; ET)  
Ordinary legislative procedure, first reading

- **Roadworthiness testing:**

The adopted report changes the frequency of testing for cars from the 4-2-1 year's formula as proposed by the Commission to 4-2-2, which is the existing rule. The TRAN Committee rejected the Commission's proposal to make roadworthiness tests mandatory for motorcycles, leaving the decision up to member states. It also rejected a Commission proposal to introduce periodic roadworthiness tests for light trailers with a maximum permissible mass of 2,000 kg or less, but voted in favour of testing those trailers of the caravan type.

Moreover, the Committee found compromises on issues, such as testing of tractors with a speed of over 40km/h, separating repair and inspection activities and defining historic vehicles. In addition, the Committee underlined the principle of subsidiarity of the Regulation by clarifying that Member States may adopt stricter rules on roadworthiness testing.

The report was adopted by 33 votes in favour, 7 against and 0 abstentions.

- **Technical roadside inspections:**

The adopted report introduces some important changes to the Commission's proposal:

- the introduction of tractors not used for agriculture purposes into the scope of the Regulation;
- the 5% of vehicles to be inspected in each Member State is to be calculated on the basis of registered heavy commercial vehicles only;
- the risk rating system should use the ERRU register referred to in Regulation (EC) N°1071/2009 and a system of voluntary safety inspections is introduced to enable transport companies to improve their profile within the system;
- in relation to cargo securing, Member States are encouraged to check cargo using European standards but the outcome of cargo securing inspection will not be included in the risk rating system until the rules are harmonised at EU level, which TRAN Committee called on the Commission to consider.

As a result of the vote, light commercial vehicles are excluded from the scope of the Regulation.

The report was adopted by 34 votes in favour, 5 against and 0 abstentions.

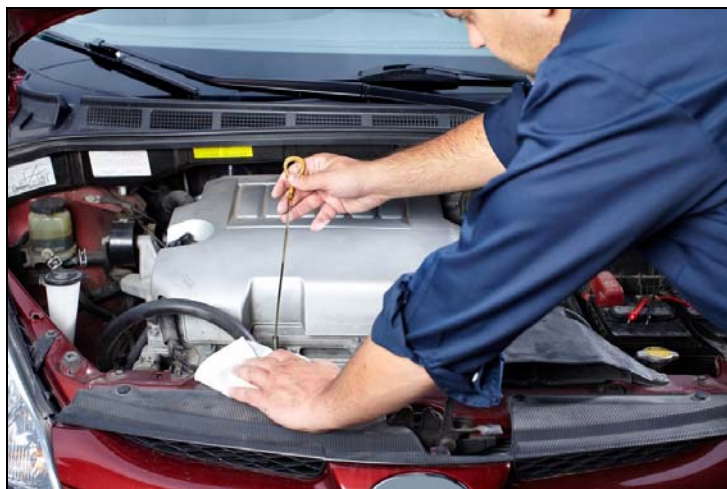
- **Registration documents:**

The adopted report introduces the inclusion of a reference to the roadworthiness tests in the registration document so as to reduce the number of papers drivers have to carry. It gives the possibility for the vehicle owner to cancel the registration of a vehicle so as to be exempted from further liability and obliges Member States to mutually recognise the validity of roadworthiness tests in case of re-registration. It urges Member



States to exchange information by use of national electronic databases, and limits the period of delegated powers to five years. It failed, however, to reduce the physical size of the registration certificate.

also modifies the provisions related to pre-charging of equipment and record keeping obligations. It excludes some applications - such as airspace or medical applications - from the scope of the Directive.



The opinion modifies the maximum quantities of hydrofluorocarbons that producers and importers are entitled to put on the market. It allows the Commission to amend downwards these quantities as soon as safe and technologically - and economically - viable alternatives become available on the market.

The opinion was adopted by 29 votes in favour, 12 against and 1 abstention.

The report was adopted by 39 votes in favour, 1 against and 0 abstentions.

Timetable foreseen	
Vote in ENVI Committee	19 June 2013

Timetable foreseen	
Vote in plenary	July 2013

### **ADOPTION OF DRAFT OPINION**

#### **Fluorinated greenhouse gases**

Rapporteur: Gilles Pargneaux (S&D; FR)  
Ordinary legislative procedure, Opinion to ENVI

The adopted opinion provides the transport sector with more adequate requirements regarding service and maintenance of refrigeration equipments charged with fluorinated greenhouse gases with a global warming potential of 2500. It

### **PRESENTATION OF DRAFT REPORT**

#### **Marine Equipment Directive**

Rapporteur: Dominique Riquet (EPP; FR)  
Ordinary legislative procedure, first reading

Mr Riquet presented his legislative draft report, highlighting the need to ensure the safety of ships and their crew, whilst also preventing maritime accidents and pollution of the marine environment. This can be achieved through harmonising the way that design, construction and performance standards of marine equipment are applied by the Member States.



Members broadly welcomed Mr Riquet's approach and all groups shared the Rapporteur's view on the importance of creating greater legal certainty and ensuring that market surveillance measures remain proportionate to their objective.

The reduction of administrative burden was a key issue and obligations such as keeping copies of certificates on-board ships was deemed to be too prescriptive. Furthermore, several Members insisted that Notified Bodies need greater competences in order to be able to check the patents of the marine equipment.

According to the Rapporteur, the option of electronic tagging to supplement or replace the wheel mark should be further encouraged. Some Members agreed stating that it is currently too easy to forge the relevant certificates. However, other Members were not always in agreement, mainly because of cost concerns.



The Commission representative responded positively to the draft report, noting that they would like to speed up the coming into force of this Directive.

Timetable foreseen	
Deadline for amendments	5 June 2013
Vote in TRAN Committee	9 July 2013
Vote in plenary	September 2013

### PRESENTATION OF DRAFT OPINION

#### Environmental Impact Assessment

Rapporteur: Joseph Cuschieri (S&D; MT)  
Ordinary legislative procedure, Opinion to ENVI

The Shadows welcomed the opinion as balanced and rightly addressing the most important issues related to the trans-border nature of projects, climate change and impact on tourism. A few Members called for further widening of the scope of the environmental impact assessment and questioned the idea of preventing Member States from extending the deadlines for assessments of projects of common strategic interest. The only criticism was about the Commission proposal being sometimes too detailed and prescriptive.

Timetable foreseen	
Deadline for amendments	3 June 2013
Vote in TRAN Committee	18 June 2013
Vote in ENVI Committee	10 July 2013
Vote in plenary	October 2013 (tbc)



## EXCHANGES OF VIEWS

### with stakeholders on the revision of the Air Passenger Rights Regulation

Rapporteur: Georges Bach (EPP; DE)  
Ordinary legislative procedure, first reading

The Committee invited seven stakeholders representing the Airports Council International, the International Air Transport Association (IATA), the European Regional Airline Association (ERA), the European Low Fare Airline Association (ELFAA) and TUI Travel, as well as the European Consumer Center (ECC) and the European Consumer Organisation (BEUC).

The Rapporteur stressed the elements of the Commission's proposal where he considers there is room for improvement with regards to passenger rights such as information, liability in cases of extraordinary circumstances, no-show policy, insolvency, persons with reduced mobility, delays in connection with connecting flights, and the question of limits to hand luggage.



Members raised concerns regarding re-routing, trigger points for compensation in case of delays, assistance of airlines at airports, liability in case of technical problems, and coherence with Court judgements.

**EXCHANGE OF VIEWS WITH STAKEHOLDERS**  
COMMITTEE ON TRANSPORT AND TOURISM  
WEDNESDAY, 29 MAY 2013  
15:00 - 17:00 ROOM: JAN 6Q2  
JÓZSEF ANTALL BUILDING, BRUSSELS

FLIGHT	DESTINATION	GATE	TIME	STATUS
29DQ0	LONDON	C43	09:00	CANCELLED
29LJ2	MADRID	C41	09:10	DELAYED
99R0	DUBLIN	A12	09:20	CANCELLED
66FL7	BARCELONA	B10	10:00	DELAYED
8RD0	AMSTERDAM	D40	10:45	DELAYED
10DPS	MADRID	A2	11:00	DELAYED
20B2	PARIS	C7	11:05	CANCELLED
50FL5	GLASGOW	A17	11:20	DELAYED
2DR23	OSLO	D15	11:50	DELAYED
4AHL6	ROME	C11	12:30	DELAYED
51NR0	LISBON	C4	12:50	DELAYED

**AIR PASSENGER RIGHTS**  
Chairman: Brian Simpson  
Rapporteur: Georges Bach

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The Airlines presented a common position. The main elements of discussion were compensation issues in relation to delays, connecting flights and interlining agreements as well as the issue of no-show policy. Among others, Airports were concerned by the one-bag rule of certain airlines and the need for better information and



assistance from airlines. Consumer representatives underlined among other things the unfair contract terms, the lack of protection in case of insolvency and, the limits to assistance.

The draftsman for opinion of the IMCO Committee, Mr Mayer, participated in the meeting and referred briefly to the IMCO request for the application of Article 49.

Timetable foreseen	
Presentation of draft report	16 September 2013
Deadline for amendments	2 October 2013
Consideration of amendments	4 November 2013
Vote in TRAN Committee	14 November 2013

### on the 4th Railway Package: Interoperability, Safety and European Railway Agency (Part 1)

#### • Interoperability:

The Rapporteur, Ms Bilbao repeated that there was currently a lack of transparency with some 11 000 national rules. Some could not be implemented while others protected historic monopolies. Manufacturers or operators could wait for up to two years before receiving authorisation. This harmed SMEs and hampered investment. A simpler system would reduce costs and allow new operators to enter the market.

The Rapporteur's objectives included increased transparency, the elimination of unnecessary national standards, similar procedures in all Member States and a clear division in

responsibilities between the European Rail Agency and National Safety Authorities (NSAs). Her first priority was to agree on the diagnosis; solutions could then follow. She was ready to consider transition periods but did not favour adding to the exemptions, already proposed by the Commission.



Shadow Rapporteurs broadly endorsed this analysis. Several said that a simplified system of rules would improve rail's competitiveness relative to road. This would yield environmental benefits and increase employment in the rail sector. Most speakers emphasised the need for clarity as to who was responsible for what. One said there was nothing more dangerous than shared responsibility.

#### • Safety:

The Rapporteur, Mr Cramer, noted that rail was already much safer than road transport. Increased market opening should not reduce



safety. It was also important that the European Railway Agency (ERA) took account of specific national situations, although it should retain the last word. The objective of EU-wide certificates should be maintained and for rail to increase its modal share, costs needed to be reduced.



Several speakers drew attention to the problems arising from incompatible national safety systems. Others considered that NSAs would continue to play a significant role. Some thought national exceptions would be needed, for example to deal with non-standard gauges, while others were concerned to maintain social provisions.

- **European Railway Agency:**

The Rapporteur, Mr Zile, emphasised that NSAs would not disappear and given the variations in national certification costs, it was important to be clear who would pay for what. One option would

be to have the European Railway Agency (ERA) issue certificates valid in the EU and NSAs deal with firms who only wanted to operate in one Member State. Cooperation between the ERA and NSAs is very important. Mr Zile also thought that networks isolated from the rest of the EU owning a different gauge size would need to be given additional consideration.

Shadow Rapporteurs also expressed concern about the amount of work being transferred to the ERA and suggested additional transitional periods might be needed. The Aviation Safety Agency could be used as a model. The Shadows also supported a clear vision of responsibilities. There was widespread concern that the Agency should receive adequate resources to handle its new responsibilities.

The Commission representative said that experience with the Aviation Safety Agency had influenced the design of the ERA proposal. For interoperability and safety, there would be a gradual move to European rules and Agency responsibility. The Commission had sought to learn lessons from the 2008 package.

### **on the 4th Railway Package: Opening domestic passenger market and governance (Part 2)**

- **Establishing a Single European Railway Area**

Concerning the governance structure of the rail sector, the Rapporteur, Mr El Khadraoui, promotes





a pragmatic approach in order to avoid an ideological debate and to ensure a certain degree of flexibility with regards to the various national railway systems. He agreed with the Commission's proposal that cross-financing between an infrastructure manager and the rest of an integrated company should be absolutely banned and that a non-discriminatory access to infrastructure should be guaranteed. Regarding market opening, he wants to propose that open access operations can be restricted under certain conditions in order to better protect the provider of public services.

Shadow Rapporteurs broadly agreed that a pragmatic approach should be found with regards to governance structure of the sector and an ideological debate avoided. There was the understanding that public service contracts deserve some degree of protection against cherry-picking. On the other hand, such contracts should not be misused to block market access unduly.

Some Members commented that the provisions on the Chinese walls for integrated companies were too prescriptive and that more flexibility was necessary as long as the overall objective of non-discriminatory access to rail infrastructure was maintained. The regulator could have an enhanced role in this respect.

- **PSO and opening of the domestic passenger market**

The Rapporteur, Mr Grosch, underlined the need to consider this report together with the previous report on establishing a Single European Railway

Area and, indeed, with the other proposals contained in the package. He wished the package would be understood as an opportunity to develop a more European sector which is increasingly efficient and thereby more competitive with other modes to the benefit of companies, users, employees and public authorities. Competent authorities should be strengthened in their crucial role and there should be more flexibility with regards to the design of PSOs. The objective of the overall award procedure should be to make better use of public money.

Shadow Rapporteurs stressed that public services should remain accessible for passengers, prices should be fair and proper working conditions should be respected. The competent authorities should be equipped with all necessary powers to perform their tasks well and PSOs should not be misused to block market access.



A number of Members wished to maintain the possibility of direct awards. The question was



raised whether the Commission's proposal was in breach with the principle of subsidiarity.

- **Repeal of regulation 1192/69**

The Rapporteur, Mr Kohlíček, recognised that this regulation was discriminatory, as it provides Member States with the possibility to support railway undertakings in the payment of certain costs that other transport modes are not subject to but does so exclusively for those companies that were state monopolies in former times. According to him, this discrimination is not acceptable. He advocated however not to immediately repeal the regulation but rather to verify if there was the possibility to maintain the support and to decide on the repeal at a later stage.

Some of the Shadow Rapporteurs expressed support for the repeal but considered it nevertheless necessary to consider properly the effects of such a repeal.

The Commission representative reminded Members that the Parliament had called for new legislation in the area of market opening and governance. Since 66% of passenger transport in the EU was covered by public service contracts, it was necessary to improve legislation in this area to ensure a proper opening of the market. However, cherry-picking should be avoided. Strong separation requirements were needed to ensure non-discriminatory access to infrastructure. A strong regulatory body was not sufficient.

## on the Parcel Delivery market for e-commerce

The opinion is based on a Green Paper that examines how the e-commerce and delivery markets in Europe are evolving, explores what is required for the creation of a Single Market for delivery and highlights the opportunities for improving the delivery process. On the basis of the information gathered, the Commission will identify the issues and will come up with a roadmap, as to the set of actions to take for completing the single market for parcels.

The Rapporteur pointed out that although it seems that is a well-organised and a fast developed sector, e-commerce is faced with difficulties when it gets to cross-border trade (only 9% of the consumers and 18% of retailers use cross-border e-commerce. The quality of delivery is one of the most important factors of the success of e-commerce.

This market has many malfunctions: a) The European market is not a real single market, as it is fragmented, b) The price of delivery is often difficult to define, c) The competition in the delivery market is weak, and d) The consumer is not free in his choice of delivery as the transport mode is generally pre-chosen by the e-retailer.

Who are suffering from these malfunctions are first and foremost the SMEs who cannot keep up with the big e-retailers.

For all these reasons, the Rapporteur called on the Commission to come up with norms for a European labelling system that is easy to identify



and for better traceability of packages. A labelling system has double advantage: it makes enterprises improve their services, and guarantees the quality of the delivery service.

In conclusion, he reiterated that the sector needed better competition, better traceability and better identification of responsibility in case of faulty delivery and/or goods. As the e-commerce market is relatively new it would be premature to legislate at this stage. All the considerations above, however, should be taken into account in the mid-term revision of the Postal Directive.

Most of the Members acknowledged the importance of e-commerce and that there is a need to improve this sector. They have stressed that the interest of the customer should be duly taken into account and that cross-border trade should be further improved. Some Members emphasised the relative vulnerability of SMEs, as in the lack of harmonisation and European-wide regulation they are often condemned to follow the practice of the "big-shots", the e-retailers with a wide range of products and delivery options. In addition to the malfunctions mentioned by the Rapporteur, the social aspect was also raised, as the level of the working conditions in certain big shot e-retailers are very low. In the view of some Members, the EU should not allow that e-companies, who can keep their prices low due to the fact that they are paying taxes in tax-havens often outside the EU, dictate the conditions of this sector.

## NEXT TRAN COMMITTEE MEETING, BRUSSELS

### Provisional agenda:

#### Monday, 17 June 2013, afternoon

- Closing remarks from Irish Minister for Transport Mr Varadkar
- Follow-up on the Delegation of Legislative Powers - presentation of draft opinion / Kuhn/EI Khadraoui
- Fuels and energy from renewable sources: transition to biofuels - consideration of amendments / Wils
- Environmental impact assessment - consideration of amendments / Cuschieri
- Promoting a European transport-technology strategy for Europe's future sustainable mobility - consideration of amendments /Cramer

#### Tuesday, 18 June 2013, morning

- Fuels and energy from renewable sources: transition to biofuels - **vote** / Wils
- Promoting a European transport-technology strategy for Europe's future sustainable mobility - **vote** / Cramer
- Environmental impact assessment - **vote** / Cuschieri
- Mini hearing: Clean Power for Transport / Fidanza

#### Tuesday, 18 June 2013, afternoon

- Multiannual funding for EMSA - presentation of draft report (tbc) / Taylor
- Flight Time Limitations - hearing



## **TRAN COMMITTEE MEETINGS 2013, BRUSSELS**

Monday, 8 July, 15h00-18h30

Tuesday, 9 July, 9h00-12h30

Tuesday, 9 July, 15h00-18h30

Thursday, 5 September, 9h00-12h30

Thursday, 5 September, 15h00-18h30

Monday, 16 September, 15h00-18h30

Tuesday, 17 September, 9h00-12h30

Tuesday, 17 September, 15h00-18h30

Monday, 30 September, 15h00-18h30

Monday, 14 October, 15h00-18h30

Monday, 4 November, 15h00-18h30

Tuesday, 5 November, 9h00-12h30

Tuesday, 5 November, 15h00-18h30

Thursday, 14 November, 9h00-12h30

Thursday, 14 November, 15h00-18h30

Monday, 25 November, 15h00-18h30

Tuesday, 26 November, 9h00-12h30

Tuesday, 26 November, 15h00-18h30

Monday, 16 December, 15h00-18h30

Tuesday, 17 December, 9h00-12h30

Tuesday, 17 December, 15h00-18h30

For the complete 2013 meetings calendar [click here](#)



## USEFUL LINKS

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TRAN website:

<http://www.europarl.europa.eu/activities/committees/homeCom.do?language=EN&body=TRAN>

Policy Department Studies in the European Parliament:

<http://www.europarl.europa.eu/activities/committees/studies/searchPerform.do>

European Aviation Safety Agency newsletters:

<http://easa.europa.eu/communications/general-publications.php>

European Railway Agency newsletters:

<http://www.era.europa.eu/Communication/Newsletter/Pages/home.aspx>

European Maritime Safety Agency newsletters:

<http://emsa.europa.eu/emsa-documents/emsa-publications.html>

SESAR Joint Undertaking news

<http://www.sesarju.eu/news-press/news>

Trans-European Transport Network Executive Agency newsletters:

[http://tentea.ec.europa.eu/en/news\\_events/newsletter/](http://tentea.ec.europa.eu/en/news_events/newsletter/)

DG MOVE newsletter:

[http://ec.europa.eu/transport/newsletter/index\\_en.htm](http://ec.europa.eu/transport/newsletter/index_en.htm)

Irish Presidency:

<http://www.eu2013.ie/>

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