II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DIRECTIVE

of 27 March 1991

amending Directive 75/130/EEC on the establishment of common rules for certain types of combined transport of goods between Member States

(91/224/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 75 thereof,

Having regard to the proposal from the Commission (1),

Having regard to the opinion of the European Parliament (2),

Having regard to the opinion of the Economic and Social Committee (3),

Whereas the application of Directive 75/130/EEC (4), as last amended by Directive 86/544/EEC (5), has produced positive results;

Whereas the increasing problems relating to road congestion, the environment and road safety, call, in the public interest, for the further development of combined transport as a commercially attractive alternative to long-distance intra-Community road haulage;

Whereas the incentive provided by present Community rules for combined transport has not produced all the results expected to arise from the ongoing liberalization of conventional road haulage; whereas these rules accordingly need to be amended in order to make better use of the possibilities offered by the various methods of transport;

Whereas a greater liberalization of road haulage legs to and from inland-waterway ports is likely to encourage the use of combined inland-waterway transport;

Whereas the provisions of the Treaty relating to the freedom to provide services also apply to the field of combined transport; whereas the implementation of those provisions is likely to promote the wider use of combined transport;

Whereas the development of combined transport will help transit across Alpine countries;

Whereas the development of modern methods of transport, which include combined transport, also entails making it easier for such a method to be used by own-account road hauliers,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 75/130/EEC is hereby amended as follows:

1. the third indent of Article 1 (1) is replaced by the following:

'— combined transport by inland waterway means the transport of lorries, trailers, semi-trailers with or without tractor, swap bodies and containers of 20 feet or more by inland waterway between Member States, including initial and final road haulage legs within a radius of 150 km as the crow flies from the inland-waterway port of loading or unloading.';

(1) OJ No C 34, 14. 2. 1990, p. 8.
(2) OJ No C 19, 28. 1. 1991.
(3) OJ No C 225, 10. 9. 1990, p. 27.
(4) OJ No L 48, 22. 2. 1975, p. 31.
(5) OJ No L 320, 15. 11. 1986, p. 33.