COUNCIL DIRECTIVE

of 28 July 1982

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

(82/603/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),

Having regard to the positive results of applying Council Directive 75/130/EEC of 17 February 1975 on the establishment of common rules for certain types of combined road/rail carriage of goods between Member States (4), as last amended by Directive 82/3/EEC (5).

Whereas the development of combined transport is a matter of public interest;

Whereas the various techniques of combined transport have made remarkable progress in recent years; whereas the present rates of growth in both container and road/rail traffic are already impressive; whereas this favourable trend is not confined to road/rail cooperation but also extends to inland navigation, in particular on the Rhine;

Whereas this development could be even more marked if combined transport were, on the one hand, freed from certain administrative restrictions and, on the other hand, facilitated by measures of stimulation;

Whereas, since the combined-transport technique leads to a reduction in road congestion, it is logical to reduce taxation on the use or possession of commercial vehicles to the extent that they are carried by rail;

Whereas the criteria relating to transport on own account should be relaxed in an appropriate fashion;

Whereas efforts must likewise be made to improve statistics, in which there are still gaps, particularly with an eye to the measures to be taken in the future in the combined-transport sector;

Whereas, in the light of the experience gained, a network for combined transport which is of Community interest and which meets the needs of the market has to be developed;

Whereas Directive 75/130/EEC should therefore be extended to other types of combined transport,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 75/130/EEC shall be amended as follows:

1. the title shall read as follows:

   'Council Directive of 17 February 1975 on the establishment of common rules for certain types of combined transport of goods between Member States';

2. the following indent shall be added to Article 1 (1):

   '—"combined transport by inland waterway" means the transport of containers of 20 feet or more by inland waterway between Member States, including feeder and final delivery transport by road within a radius of up to 50 kilometres as the crow flies from the inland-waterway port of shipment or unloading.';

3. Article 3 shall be replaced by the following:

   'Article 3

   In the case of combined transport for hire or reward, a transport document which fulfils at

(1) OJ No C 351, 31. 12. 1980, p. 37.
(2) OJ No C 260, 12. 10. 1981, p. 123.
(3) OJ No C 310, 30. 11. 1981, p. 18.
(4) OJ No L 48, 22. 2. 1975, p. 31.
(5) OJ No L 5, 9. 1. 1982, p. 12.