

Regulation (EC) No 1073/2009 of the European Parliament and of the Council of 21 October 2009 on common rules for access to the international market for coach and bus services, and amending Regulation (EC) No 561/2006 (recast) (Text with EEA relevance)

CHAPTER VII

IMPLEMENTATION

Article 25

Agreements between Member States

1 Member States may conclude bilateral and multilateral agreements on the further liberalisation of the services covered by this Regulation, in particular as regards the authorisation system and the simplification or abolition of control documents, especially in border regions.

2 Member States shall inform the Commission of any agreements concluded under paragraph 1.

Article 26

Committee procedure

1 The Commission shall be assisted by the committee established by Article 18(1) of Council Regulation (EEC) No 3821/85 of 20 December 1985 on recording equipment in road transport⁽¹⁾.

2 Where reference is made to this paragraph, Article 5a(1) to (4) and (5)(b), and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

Article 27

Penalties

Member States shall lay down the rules on penalties applicable to infringements of the provisions of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for must be effective, proportionate and dissuasive. Member States shall notify those provisions to the Commission by 4 December 2011 and shall notify it without delay of any subsequent amendment affecting them.

Member States shall ensure that all such measures are taken without discrimination as to the nationality or place of establishment of the carrier.

Changes to legislation: There are outstanding changes not yet made to Regulation (EC) No 1073/2009 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Article 28

Reporting

1 Every 2 years Member States shall communicate to the Commission the number of authorisations for regular services issued the previous year and the total number of authorisations for regular services valid at the end of that reporting period. This information shall be given separately for each country of destination of the regular service. Member States shall also communicate to the Commission the data concerning cabotage operations, in the form of special regular services and occasional services, carried out during the reporting period by resident carriers.

2 Every 2 years the competent authorities in the host Member State shall send the Commission statistics on the number of authorisations issued for cabotage operations in the form of the regular services referred to in Article 15(c).

3 The Commission shall establish the format of the table to be used for the communication of the statistics referred to in paragraph 2. Those measures, designed to amend non-essential elements of this Regulation by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 26(2).

4 Member States shall inform the Commission no later than 31 January of every year of the number of carriers holding a Community licence as at 31 December of the previous year and of the number of certified true copies corresponding to the number of vehicles in circulation on that date.

Article 29

Amendment to Regulation (EC) No 561/2006

In Article 8 of Regulation (EC) No 561/2006, the following paragraph shall be inserted:

6a. By way of derogation from paragraph 6, a driver engaged in a single occasional service of international carriage of passengers, as defined in Regulation (EC) No 1073/2009 of the European Parliament and of the Council of 21 October 2009 on common rules for access to the international market for coach and bus services⁽²⁾, may postpone the weekly rest period for up to 12 consecutive 24-hour periods following a previous regular weekly rest period, provided that:

- a the service lasts at least 24 consecutive hours in a Member State or a third country to which this Regulation applies other than the one in which the service started;
- b the driver takes after the use of the derogation:
 - (i) either two regular weekly rest periods; or
 - (ii) one regular weekly rest period and one reduced weekly rest period of at least 24 hours. However, the reduction shall be compensated by an equivalent period of rest taken en bloc before the end of the third week following the end of the derogation period;
- c after 1 January 2014, the vehicle is equipped with recording equipment in accordance with the requirements of Annex IB to Regulation (EEC) No 3821/85; and
- d after 1 January 2014, if driving during the period from 22,00 to 06,00, the vehicle is multi-manned or the driving period referred to in Article 7 is reduced to three hours.

Changes to legislation: *There are outstanding changes not yet made to Regulation (EC) No 1073/2009 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)*

The Commission shall monitor closely the use made of this derogation in order to ensure the preservation of road safety under very strict conditions, in particular by checking that the total accumulated driving time during the period covered by the derogation is not excessive. By 4 December 2012, the Commission shall draw up a report assessing the consequences of the derogation in respect of road safety as well as social aspects. If it deems it appropriate, the Commission shall propose amendments to this Regulation in this respect.

Changes to legislation: There are outstanding changes not yet made to Regulation (EC) No 1073/2009 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- (1) [OJ L 370, 31.12.1985, p. 8.](#)
- (2) [OJ L 300, 14.11.2009, p. 88.](#)'

Changes to legislation:

There are outstanding changes not yet made to Regulation (EC) No 1073/2009 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to the whole legislation item and associated provisions

- Signature words omitted by S.I. 2019/741 reg. 5(22)
- Annex 1 omitted by S.I. 2019/741 reg. 5(23)
- Annex 2 omitted by S.I. 2019/741 reg. 5(23)
- Art. 2(1)(a) words inserted by S.I. 2019/741 reg. 5(3)(a)(i)
- Art. 2(1)(b) words inserted by S.I. 2019/741 reg. 5(3)(a)(iii)(aa)
- Art. 2(1)(b) words inserted by S.I. 2019/741 reg. 5(3)(a)(iii)(bb)
- Art. 2(1)(c) word omitted by S.I. 2019/741 reg. 5(3)(a)(iv)(bb)
- Art. 2(1)(c) words inserted by S.I. 2019/741 reg. 5(3)(a)(iv)(aa)
- Art. 2(1)(d) words inserted by S.I. 2019/741 reg. 5(3)(a)(vi)
- Art. 2(1)(aa) inserted by S.I. 2019/741 reg. 5(3)(a)(ii)
- Art. 2(1)(cc) inserted by S.I. 2019/741 reg. 5(3)(a)(v)
- Art. 2(6) omitted by S.I. 2019/741 reg. 5(3)(b)
- Art. 2(7) word inserted by S.I. 2019/741 reg. 5(3)(c)(i)(cc)
- Art. 2(7) word omitted by S.I. 2019/741 reg. 5(3)(c)(i)(aa)
- Art. 2(7) word omitted by S.I. 2019/741 reg. 5(3)(c)(i)(dd)
- Art. 2(7) words inserted by S.I. 2019/741 reg. 5(3)(c)(i)(bb)
- Art. 2(7) words substituted by S.I. 2019/741 reg. 5(3)(c)(ii)
- Art. 2(8) words inserted by S.I. 2019/741 reg. 5(3)(d)
- Art. 2(9)-(11) inserted by S.I. 2019/741 reg. 5(3)(e)
- Art. 3(1)(a) word substituted by S.I. 2019/741 reg. 5(4)(a)(ii)(aa)
- Art. 3(1)(a) words inserted by S.I. 2019/741 reg. 5(4)(a)(ii)(bb)
- Art. 3(1)(c) words inserted by S.I. 2019/741 reg. 5(4)(a)(iii)
- Art. 3(2)(a) word substituted by S.I. 2019/741 reg. 5(4)(b)(i)(aa)
- Art. 3(2)(a) words inserted by S.I. 2019/741 reg. 5(4)(b)(i)(bb)
- Art. 3(2)(b) words inserted by S.I. 2019/741 reg. 5(4)(b)(ii)
- Art. 8(4)(b) words inserted by S.I. 2019/741 reg. 5(9)(b)(i)
- Art. 8(4)(d) words inserted by S.I. 2019/741 reg. 5(9)(b)(ii)(bb)
- Art. 8(4)(d) words omitted by S.I. 2019/741 reg. 5(9)(b)(ii)(dd)
- Art. 8(4)(d) words substituted by S.I. 2019/741 reg. 5(9)(b)(ii)(aa)
- Art. 8(4)(d) words substituted by S.I. 2019/741 reg. 5(9)(b)(ii)(cc)
- Art. 8(4)(e) word substituted by S.I. 2019/741 reg. 5(9)(b)(iii)(cc)
- Art. 8(4)(e) words substituted by S.I. 2019/741 reg. 5(9)(b)(iii)(aa)
- Art. 8(4)(e) words substituted by S.I. 2019/741 reg. 5(9)(b)(iii)(bb)
- Art. 15(c) words substituted by S.I. 2019/741 reg. 5(15)