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DECISION No 1/2011 OF THE JOINT COMMITTEE ESTABLISHED UNDER THE INTERBUS AGREEMENT ON THE INTERNATIONAL OCCASIONAL CARRIAGE OF PASSENGERS BY COACH AND BUS

of 11 November 2011

adopting its rules of procedure and adapting Annex 1 to the Agreement regarding the conditions applying to road passenger transport operators, Annex 2 to the Agreement concerning the technical standards applying to buses and coaches and the requirements concerning the social provisions referred to in Article 8 of the Agreement

(2012/25/EU)

THE JOINT COMMITTEE,

Having regard to the Interbus Agreement on the international occasional carriage of passengers by coach and bus, and in particular Articles 23 and 24 thereof,

Whereas:

- (1) Pursuant to Article 23(3) of the Interbus Agreement on the international occasional carriage of passengers by coach and bus (hereinafter referred to as 'the Agreement'), the Joint Committee is required to establish its rules of procedure.
- (2) The Joint Committee is responsible, in accordance with Article 24(2)(c) of the Agreement, for adapting Annex 1 to the Agreement regarding the conditions applying to road passenger transport operators and Annex 2 to the Agreement concerning the technical standards applying to buses and coaches. Furthermore, the Joint Committee is responsible, in accordance with Article 24(2)(e) of the Agreement, for adapting the requirements concerning the social provisions referred to in Article 8 of the Agreement in order to incorporate the new measures taken in the Union,

HAS DECIDED AS FOLLOWS:

Article 1

Omitted

Article 2

Annex 1 to the Agreement regarding the conditions applying to road passenger transport operators, Annex 2 to the Agreement concerning the technical standards applying to buses and coaches and the requirements concerning the social provisions referred to in Article 8 of the Agreement are hereby adapted as set out in Annex II to this Decision.

Done at Brussels, 11 November 2011.

ANNEX I

Omitted

ANNEX II

Adaptation of Annex 1 to the Agreement regarding the conditions applying to road passenger transport operators, of Annex 2 to the Agreement concerning the technical standards applying to buses and coaches and of the requirements concerning the social provisions referred to in Article 8 of the Agreement

1. Adaptation of Annex 1 to the Agreement regarding the conditions applying to road passenger transport operators

The following Union act is added to Annex 1 to the Agreement:

‘Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009 establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator and repealing Council Directive 96/26/EC’.

2. Adaptation of Annex 2 to the Agreement concerning the technical standards applying to buses and coaches

1. In Article 1 of Annex 2 to the Agreement, points (a), (b), (c) and (d) are replaced by the following:

- (a)
roadworthiness tests for motor vehicles and their trailers:
 - Directive 2009/40/EC of the European Parliament and of the Council of 6 May 2009 on roadworthiness tests for motor vehicles and their trailers (OJ L 141, 6.6.2009, p. 12),
 - Directive 2000/30/EC of the European Parliament and of the Council of 6 June 2000 on the technical roadside inspection of the roadworthiness of commercial vehicles circulating in the Community (OJ L 203, 10.8.2000, p. 1) as amended by Commission Directive 2003/26/EC (OJ L 90, 8.4.2003, p. 37);
- (b)
speed limitation devices:
 - Council Directive 92/6/EEC of 10 February 1992 on the installation and use of speed limitation devices for certain categories of motor vehicles in the Community (OJ L 57, 2.3.1992, p. 27) as last amended by Directive 2002/85/EC of the European Parliament and of the Council (OJ L 327, 4.12.2002, p. 8);
- (c)
maximum dimensions and maximum weights:
 - Council Directive 96/53/EC of 25 July 1996 laying down for certain road vehicles circulating within the Community the maximum authorized dimensions in national and international traffic and the maximum authorized weights in international traffic (OJ L 235, 17.9.1996, p. 59) as last amended by Directive 2002/7/EC of the European Parliament and of the Council (OJ L 67, 9.3.2002, p. 47),

- Directive 97/27/EC of the European Parliament and of the Council of 22 July 1997 relating to the masses and dimensions of certain categories of motor vehicles and their trailers and amending Directive 70/156/EEC (OJ L 233, 25.8.1997, p. 1) as amended by Commission Directive 2003/19/EC (OJ L 79, 26.3.2003, p. 6);

(d)

recording equipment in road transport:

- Council Regulation (EEC) No 3821/85 of 20 December 1985 on recording equipment in road transport (OJ L 370, 31.12.1985, p. 8) as last amended by Commission Regulation (EU) No 1266/2009 (OJ L 339, 22.12.2009, p. 3) or equivalent rules established by the AETR Agreement including its Protocols.’.

2. Article 2 of Annex 2 to the Agreement is amended as follows:

(a)

the following text is inserted after the first paragraph and before the table:

‘Exhaust emissions:

- Council Directive 88/77/EEC of 3 December 1987 on the approximation of the laws of the Member States relating to the measures to be taken against the emission of gaseous and particulate pollutants from compression ignition engines for use in vehicles, and the emission of gaseous pollutants from positive ignition engines fuelled with natural gas or liquefied petroleum gas for use in vehicles (OJ L 36, 9.2.1988, p. 33) as last amended by Commission Directive 2001/27/EC (OJ L 107, 18.4.2001, p. 10),

- Directive 2005/55/EC of the European Parliament and of the Council of 28 September 2005 on the approximation of the laws of the Member States relating to the measures to be taken against the emission of gaseous and particulate pollutants from compression-ignition engines for use in vehicles, and the emission of gaseous pollutants from positive-ignition engines fuelled with natural gas or liquefied petroleum gas for use in vehicles (OJ L 275, 20.10.2005, p. 1) as last amended by Commission Directive 2008/74/EC (OJ L 192, 19.7.2008, p. 51),

- Regulation (EC) No 595/2009 of the European Parliament and of the Council of 18 June 2009 on type-approval of motor vehicles and engines with respect to emissions from heavy duty vehicles (EURO VI) and on access to vehicle repair and maintenance information and amending Regulation (EC) No 715/2007 and Directive 2007/46/EC and repealing Directives 80/1269/EEC, 2005/55/EC and 2005/78/EC (OJ L 188, 18.7.2009, p. 1);

Smoke:

- Council Directive 72/306/EEC of 2 August 1972 on the approximation of the laws of the Member States relating to the measures to be taken against the emission of pollutants from diesel engines for use in vehicles (OJ L 190, 20.8.1972, p. 1) as last amended by Commission Directive 2005/21/EC (OJ L 61, 8.3.2005, p. 25);

Noise emissions:

- Council Directive 70/157/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the permissible sound level and the exhaust system of motor vehicles (OJ L 42, 23.2.1970, p. 16) as last amended by Commission Directive 2007/34/EC (OJ L 155, 15.6.2007, p. 49);

Braking devices:

- Council Directive 71/320/EEC of 26 July 1971 on the approximation of the laws of the Member States relating to the braking devices of certain categories of motor vehicles and of their trailers (OJ L 202, 6.9.1971, p. 37) as last amended by Commission Directive 2002/78/EC (OJ L 267, 4.10.2002, p. 23);

Tyres:

- Council Directive 92/23/EEC of 31 March 1992 relating to tyres for motor vehicles and their trailers and to their fitting (OJ L 129, 14.5.1992, p. 95) as last amended by Commission Directive 2005/11/EC (OJ L 46, 17.2.2005, p. 42);

Lighting and light-signalling devices:

- Council Directive 76/756/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to the installation of lighting and light-signalling devices on motor vehicles and their trailers (OJ L 262, 27.9.1976, p. 1) as last amended by Commission Directive 2008/89/EC (OJ L 257, 25.9.2008, p. 14);

Fuel tank:

- Council Directive 70/221/EEC of 20 March 1970 on the approximation of the laws of the Member States relating to liquid fuel tanks and rear protective devices for motor vehicles and their trailers (OJ L 76, 6.4.1970, p. 23) as last amended by Commission Directive 2006/20/EC (OJ L 48, 18.2.2006, p. 16);

Rear-view mirrors:

- Directive 2003/97/EC of the European Parliament and of the Council of 10 November 2003 on the approximation of the law of the Member States relating to the type-approval of devices for indirect vision and of vehicles equipped with these devices, amending Directive 70/156/EEC and repealing Directive 71/127/EEC (OJ L 25, 29.1.2004, p. 1) as last amended by Commission Directive 2005/27/EC (OJ L 81, 30.3.2005, p. 44);

Safety belts — Installation:

- Council Directive 77/541/EEC of 28 June 1977 on the approximation of the laws of the Member States relating to safety belts and restraint systems of motor vehicles (OJ L 220, 29.8.1977, p. 95) as last amended by Directive 2005/40/EC of the European Parliament and of the Council (OJ L 255, 30.9.2005, p. 146);

Safety belts — Anchorages for safety belts:

- Council Directive 76/115/EEC of 18 December 1975 on the approximation of the laws of the Member States relating to anchorages for motor-vehicle safety belts (OJ L 24, 30.1.1976, p. 6) as last amended by Directive 2005/41/EC of the European Parliament and of the Council (OJ L 255, 30.9.2005, p. 149);

Seats:

- Council Directive 74/408/EEC of 22 July 1974 on the approximation of the laws of the Member States relating to the interior fittings of motor vehicles (strength of seats and of their anchorages) (OJ L 221, 12.8.1974, p. 1) as last amended by Directive 2005/39/EC of the European Parliament and of the Council (OJ L 255, 30.9.2005, p. 143);

Interior construction (prevention of the risk of fire spreading):

- Directive 95/28/EC of the European Parliament and of the Council of 24 October 1995 relating to the burning behaviour of materials used in the interior construction of certain categories of motor vehicle (OJ L 281, 23.11.1995, p. 1);

Interior arrangement (Emergency exits, accessibility, seating dimension, superstructure resistance, etc.):

- Directive 2001/85/EC of the European Parliament and of the Council of 20 November 2001 relating to special provisions for vehicles used for the carriage of passengers comprising more than eight seats in addition to the driver's seat, and amending Directives 70/156/EEC and 97/27/EC (OJ L 42, 13.2.2002, p. 1).';

(b) the table is replaced by the following table:

Heading	UN-ECE Regulation/last series of amendments	Union act (original-latest)
Exhaust emissions	49/01 49/02, type approval A 49/02, type approval B	Directive 88/77/EEC Directive 2001/27/EC Directive 2005/55/EC Directive 2008/74/EC Regulation (EC) No 595/2009
Smoke	24/03	Directive 72/306/EEC Directive 2005/21/EC
Noise emissions	51/02	Directive 70/157/EEC Directive 2007/34/EC
Braking devices	13/11	Directive 71/320/EEC Directive 2002/78/EC
Tyres	54	Directive 92/23/EEC Directive 2005/11/EC
Lighting and light-signalling devices	48/01	Directive 76/756/EEC Directive 2008/89/EC
Fuel tank	34/02 67/01 110	Directive 70/221/EEC Directive 2006/20/EC

Rear-view mirrors	46/01	Directive 2003/97/EC Directive 2005/27/EC
Safety belts — Installation	16/06	Directive 77/541/EEC Directive 2005/40/EC
Safety belts — Anchorages	14/07	Directive 76/115/EEC Directive 2005/41/EC
Seats	17/08 80/01	Directive 74/408/EEC Directive 2005/39/EC
Interior construction (prevention of the risk of fire spreading)	118	Directive 95/28/EC
Interior arrangement (emergency exits, accessibility, seating dimension)	107.02	Directive 2001/85/EC
Roll-over protection	66.01	Directive 2001/85/EC'

3. Adaptation of the requirements concerning the social provisions referred to in Article 8 of the Agreement

1. Following the inclusion of Directive 2000/30/EC, Article 8 of Annex 2 to the Agreement, Annex IIa to the Agreement and Annex IIb to the Agreement are deleted.

2. The Union acts listed in Article 8 of the Agreement are replaced by the following Union acts:

'- Regulation (EC) No 561/2006 of the European Parliament and of the Council of 15 March 2006 on the harmonisation of certain social legislation relating to road transport and amending Council Regulations (EEC) No 3821/85 and (EC) No 2135/98 and repealing Council Regulation (EEC) No 3820/85 (OJ L 102, 11.4.2006, p. 1) as last amended by Regulation (EC) No 1073/2009 (OJ L 300, 14.11.2009, p. 88),

- Council Regulation (EEC) No 3821/85 of 20 December 1985 on recording equipment in road transport (OJ L 370, 31.12.1985, p. 8) as last amended by Commission Regulation (EU) No 1266/2009 (OJ L 339, 22.12.2009, p. 3),

- Directive 2006/22/EC of the European Parliament and of the Council of 15 March 2006 on minimum conditions for the implementation of Council Regulations (EEC) No 3820/85 and (EEC) No 3821/85 concerning social legislation relating to road transport activities and repealing Council Directive 88/599/EEC (OJ L 102, 11.4.2006, p. 35) as last amended by Commission Directive 2009/5/EC (OJ L 29, 31.1.2009, p. 45),
- Directive 2003/88/EC of the European Parliament and of the Council of 4 November 2003 concerning certain aspects of the organisation of working time (OJ L 299, 18.11.2003, p. 9),
- Directive 2002/15/EC of the European Parliament and of the Council of 11 March 2002 on the organisation of the working time of persons performing mobile road transport activities (OJ L 80, 23.3.2002, p. 35),
- Directive 2003/59/EC of the European Parliament and of the Council of 15 July 2003 on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers, amending Council Regulation (EEC) No 3820/85 and Council Directive 91/439/EEC and repealing Council Directive 76/914/EEC (OJ L 226, 10.9.2003, p. 4).’.