



Subsidiarity check of the Commission's
proposal on the amendment of Directive
92/106/EEC on the establishment of
common rules for certain types of
combined transport of goods between
Member States

ANNEX 2

Reasoned opinion of the Riksdag

To begin with, the Riksdag welcomes the Commission's review of existing legislation governing road transport within the framework of the so-called Mobility Package, which includes the Commission's proposal to amend the combined transport directive. The Riksdag has previously noted that there are currently significant problems in the area of road transport that are weakening the competitiveness of the Swedish haulage industry. An efficient internal market with sound and equal competitive conditions between EU member states, where all states adhere to common rules, is therefore important. As many of the proposals presented within the framework of the Mobility Package are closely linked, the Riksdag considers it desirable for decisions on the proposals to be taken jointly as far as possible. In this context, the Riksdag notes that the provisions governing road transport within the area of combined transport should be appropriately coordinated with the provisions on cabotage that can be found in the Commission's proposal to amend Regulation (EC) no. 1071/2009 and Regulation (EC) no. 1072/2009, with a view to adapting them to developments in the sector (COM(2017) 281). In terms of the combined transport directive, the Riksdag considers it highly important to promote multimodality and an efficient combination of different modes of transport to reduce carbon dioxide emissions and air pollution.

The Riksdag's assessment is that the Commission's proposal can be considered to comply with the principle of subsidiarity at a general level. As the provisions on combined transport have been established at EU level, necessary amendments aiming to increase the efficiency and appropriateness of the directive cannot be made at member state level. However, the Riksdag has misgivings about parts of the proposal, more specifically the current formulation of requirements governing the maximum distance between transshipment terminals in Article 6.4. According to the Commission, in the question of obligatory economic support measures, priority should be given to ensuring a balanced and sufficient geographical distribution of suitable facilities, particularly on the TEN-T Core and Comprehensive networks, so that no delivery/reception location in the Union is located further than 150 km from a transshipment terminal for combined transport.

The Riksdag shares the Commission's opinion that it is important to promote combined transport by building or making more transshipment terminals available to transport companies, yet it opposes a strict requirement governing the maximum distance between terminals. The Riksdag recalls that terminal density is largely a question of national infrastructure planning, and that even if the EU perspective should be taken into consideration in relation to such planning, each member state must have the opportunity to take measures based on specific national conditions. In line with the Government, the Riksdag's view is that adequate planning of infrastructure supply in the form of

transshipment terminals – taking into account the geographical and economic conditions of different regions – can be best achieved by the member states themselves. The Riksdag also has misgivings about the proportionality of the proposed measure. The Riksdag is doubtful about the Commission's assessment that the costs for member states, companies and individuals are limited in relation to the potential gains. The Riksdag fears that the proposed requirement of a maximum distance between transshipment terminals, as it is currently formulated, could potentially lead to unjustifiably significant costs that are not in proportion with the benefits of the measures. For a large member state such as Sweden, the aforementioned strict requirement risks leading to infrastructure investment costs that go far beyond the aim of the directive, which is to promote a transition of goods transport from road to more environmentally friendly modes of transport. Given this context, the Riksdag does not consider the proposed requirement on terminal density to be compliant with the principle of proportionality included in the subsidiarity check.

In conclusion, the Riksdag considers that the aforementioned proposal of a maximum distance between transshipment terminals conflicts with the principle of subsidiarity.