



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 16 September 2011 (20.09)  
(OR. fr)**

**14251/11**

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**Interinstitutional File:  
2008/0062 (COD)**

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**CODEC 1449  
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ENFOPOL 305**

**"I/A" ITEM NOTE**

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from: General Secretariat of the Council

to: COREPER/COUNCIL

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No. Cion prop.: 7984/08 TRANS 100 CODEC 416

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Subject: Proposal for a Directive of the European Parliament and of the Council  
facilitating cross-border enforcement in the field of road safety  
**(second reading)**  
– Approval of the European Parliament's amendments **(LA + S)**

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1. On 25 March 2008 the Commission sent the Council the above proposal<sup>1</sup>, which is based on Article 71(1)(c) of the TEC. Following the entry into force of the Treaty of Lisbon, the proposal has to be adopted on the basis of Article 91(1)(e) of the TFEU.
2. The European Economic and Social Committee issued its opinion on 17 September 2008<sup>2</sup>.
3. The European Parliament delivered its opinion at first reading on 17 December 2008<sup>3</sup>.
4. On 17 March 2011 the Council adopted its first-reading position<sup>4</sup>, which it sent, with a statement of its reasons, to the European Parliament.

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<sup>1</sup> 7984/08.

<sup>2</sup> OJ C 77, 31.3.2009, p. 70.

<sup>3</sup> 17181/08.

<sup>4</sup> 17506/1/10 REV 1.

5. In accordance with the joint declaration on practical arrangements for the codecision procedure<sup>1</sup>, informal talks were held between the Council, the European Parliament and the Commission with a view to reaching agreement at second reading.
6. At its sitting on 6 July 2011, the Parliament, at second reading, passed three amendments to the Council's first-reading position. These amendments reflect the compromise agreement reached between the three institutions and should therefore be acceptable to the Council.<sup>2</sup>
7. The Commission gave its opinion on the European Parliament's amendments on 6 September 2011.<sup>3</sup>
8. The Permanent Representatives Committee is therefore asked to confirm its agreement to all these amendments and suggest that the Council:
  - approve the European Parliament's amendments contained in 11046/11, as set out after legal/linguistic revision in PE-CONS 44/11, an "A" item on the agenda for a forthcoming meeting;
  - decide to enter the statements set out in addenda 1 and 2 to this note in the minutes of that meeting;
  - decide to publish the statement set out in addendum 1 to this note, together with the legislative act, in the Official Journal of the European Union.
9. Following approval by the Council of all the European Parliament's amendments, the Directive is deemed to have been adopted in the form of the Council's position at first reading thus amended, in conformity with Article 294(8)(a) of the TFEU.

After being signed by the President of the European Parliament and the President of the Council, the legislative act will be published in the Official Journal of the European Union.

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<sup>1</sup> OJ C 145, 30.6.2007, p. 5.

<sup>2</sup> 11046/11.

<sup>3</sup> 13888/11.