



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 19.11.2007
COM(2007) 720 final

Proposal for a

COUNCIL RECOMMENDATION

adapting Recommendation 98/376/EC on a parking card for people with disabilities, by reason of the accession of the Republic of Bulgaria, the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, Romania, the Republic of Slovenia and the Slovak Republic

(presented by the Commission)

EXPLANATORY MEMORANDUM

INTRODUCTION

Council Recommendation 98/376/EC of 4 June 1998 on a parking card for people with disabilities aims to ensure that the Member States introduce a parking card for people with disabilities based on a standard Community model. This standard parking card allows the cardholders to benefit from parking facilities reserved for people with disabilities in the Member State in which they happen to be. Member States are therefore recommended mutually to recognise the parking cards issued by other Member States and conforming to the standard Community model annexed to the Recommendation.

The Annex to the above-mentioned Recommendation entitled “*Provisions on the Community-model parking card for people with disabilities*” defines the physical layout of the parking card in order to have a standard format throughout the European Community. The Annex specifies its height, width, colour, material (plastic-coated) and content.

Following the enlargements of the European Union in 2004 and 2007, the Annex to the Recommendation should be adapted. The proposed adaptations can be classified as a “technical update”.

LEGAL BASE

The adaptations to be made to Council Recommendation 98/376/EC are based on:

Article 57 of the Act concerning the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic; and

Article 56 of the Act concerning the conditions of accession of the Republic of Bulgaria and Romania.

PROCEDURE

Pursuant to Article 57 of the Act of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, where acts of the institutions adopted prior to 1 May 2004 require adaptation by reason of accession, and the necessary adaptations have not been provided for in the Act of Accession or its Annexes, the necessary adaptations are to be adopted by the Council, acting on a proposal from the Commission, in all cases where the Council adopted the original act.

Pursuant to Article 56 of the Act concerning the conditions of accession of the Republic of Bulgaria and Romania to the European Union, where acts of the institutions adopted prior to 1 January 2007 require adaptation by reason of accession, and the necessary adaptations have not been provided for in this Act or its Annexes, the Council shall adopt the necessary acts, acting on a proposal from the Commission, in all cases where the Council adopted the original act.

The attached proposal covers adaptations of a technical nature in the area of transport policy¹. This technical adaptation of the *acquis communautaire* by reason of accession has no financial impact.

TYPE OF ACT

The type of acts adopted under Article 57(2) of the Act of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia and under Article 56 of the Act concerning the conditions of accession of the Republic of Bulgaria and Romania must be the same as that of the amended act. In this case, the type of act envisaged to adapt the *acquis communautaire* must be a Council Recommendation adapting Council Recommendation 98/376/EC.

¹ The initial recommendation was based on article 75.1 of the Treaty establishing the European Community (currently the article 71.1) which provides that the Council shall, in accordance with the article 251 and after consulting the Economical and Social Committee and the Committee of Regions, lay down measures to improve transport safety.

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THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to the Act of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia², and in particular Article 57 thereof,

Having regard to the Act of Accession of the Republic of Bulgaria and Romania³, and in particular Article 56 thereof,

Having regard to the proposal from the Commission⁴,

Whereas:

- (1) For certain acts which remain valid beyond 1 January 2007 and require adaptation by reason of accession, the necessary adaptations were not provided for in the Acts of Accession.
- (2) Pursuant to Article 57 of the Act of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia and Article 56 of the Act of Accession of the Republic of Bulgaria and Romania such adaptations are to be adopted by the Council, in all cases where the Council adopted the original act.
- (3) Council Recommendation 98/376/EC of 4 June 1998 on a parking card for people with disabilities⁵ should therefore be amended accordingly,

² OJ L 236, 23.9.2003, p. 1.

³ OJ L 157, 21.6.2005, p. 29.

⁴ OJ C , , p. .

⁵ OJ L 167, 12.6.1998, p. 25.

HEREBY RECOMMENDS:

1. Recommendation 98/376/EC is amended as set out in the Annex.

Done at Brussels,

*For the Council
The President*

ANNEX

Council Recommendation 98/376/EC of 4 June 1998 on a parking card for people with disabilities (OJ L 167, 12.6.1998, p. 25) is amended as follows:

1) Under the seventh indent of point D of the Annex, the list of distinguishing codes is replaced by the following::

“B: Belgium

BG: Bulgaria

CZ: Czech Republic

DK: Denmark

D: Germany

EST: Estonia

IRL: Ireland

EL: Greece

E: Spain

F: France

I: Italy

CY: Cyprus

LV: Latvia

LT: Lithuania

L: Luxembourg

H: Hungary

M: Malta

NL: Netherlands

A: Austria

PL: Poland

P: Portugal

RO: Romania

SLO: Slovenia

SK: Slovakia

FIN: Finland

S: Sweden

UK: United Kingdom”

2) Under point E of the Annex, the second paragraph is replaced by the following:

“If a Member State wishes to make the entries in a national language other than one of the following: Bulgarian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish or Swedish, it shall draw up a bilingual version of the card using one of the aforementioned languages, without prejudice to the other provisions of this Annex.”