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► **M9 FIRST COUNCIL DIRECTIVE**

of 23 July 1962

on the establishment of common rules for certain types of carriage of goods by road ◀

(OJ L 70, 6.8.1962, p. 2005)

Amended by:

		Official Journal		
		No	page	date
► <u>M1</u>	Council Directive 72/426/EEC of 19 December 1972	L 291	155	28.12.1972
► <u>M2</u>	Council Directive 74/149/EEC of 4 March 1974	L 84	8	28.3.1974
► <u>M3</u>	Council Directive 77/158/EEC of 14 February 1977	L 48	30	19.2.1977
► <u>M4</u>	Council Directive 78/175/EEC of 20 February 1978	L 54	18	25.2.1978
► <u>M5</u>	Council Directive 80/49/EEC of 20 December 1979	L 18	23	24.1.1980
► <u>M6</u>	Council Directive 82/50/EEC of 19 January 1982	L 27	22	4.2.1982
► <u>M7</u>	Council Directive 83/572/EEC of 26 October 1983	L 332	33	28.11.1983
► <u>M8</u>	Council Directive 84/647/EEC of 19 December 1984	L 335	72	22.12.1984
► <u>M9</u>	Council Regulation (EEC) No 881/92 of 26 March 1992	L 95	1	9.4.1992

▼ M9**FIRST COUNCIL DIRECTIVE
of 23 July 1962****on the establishment of common rules for certain types of carriage
of goods by road**▼ B

THE COUNCIL OF THE EUROPEAN ECONOMIC COMMUNITY,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 75 (1) thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the Economic and Social Committee;

Having regard to the Opinion of the European Parliament;

Whereas the adoption of a common transport policy involves *inter alia* laying down common rules for the international carriage of goods by road to or from the territory of a Member State or passing across the territory of one or more Member States;

Whereas the progressive establishment of the common market must not be impeded by obstacles in the transport sector; whereas it is necessary to ensure a progressive expansion of the international carriage of goods by road, bearing in mind developments in trade and movement of goods within the Community;

HAS ADOPTED THIS DIRECTIVE:

▼ M9*Article 1*

1. Under the conditions laid down in paragraph 2, Member States shall liberalize the types of international carriage of goods by road for hire or reward and on own account listed in the Annex where such carriage is performed to or from or in transit through their territory.
2. The types of carriage and unladen journeys made in conjunction with the carriage listed in the Annex shall be exempted from Community authorization and from any carriage authorization.

▼ B*Article 2*

Member States shall inform the Commission of the measures taken to implement this Directive within three months of its entry into force and in any event before the end of 1962.

Article 3

This Directive shall not affect the conditions under which any Member State authorises its own nationals to engage in the activities mentioned in this Directive.

Article 4

This Directive is addressed to the Member States.

▼ M9*ANNEX***Types of carriage to be exempted from any Community authorization and from any carriage authorization**

1. Carriage of mail as a public service.
2. Carriage of vehicles which have suffered damage or breakdown.
3. Carriage of goods in motor vehicles the permissible laden weight of which, including that of trailers, does not exceed six tonnes or the permissible payload of which, including that of trailers, does not exceed 3,5 tonnes.
4. Carriage of goods in motor vehicles provided the following conditions are fulfilled:
 - (a) the goods carried must be the property of the undertaking or must have been sold, bought, let out on hire or hired, produced, extracted, processed or repaired by the undertaking;
 - (b) the purpose of the journey must be to carry the goods to or from the undertaking or to move them, either inside the undertaking or outside for its own requirements;
 - (c) motor vehicles used for such carriage must be driven by employees of the undertaking;
 - (d) the vehicles carrying the goods must be owned by the undertaking or have been bought by it on deferred terms or hired provided that in the latter case they meet the conditions of Council Directive 84/647/EEC of 19 December 1984 on the use of vehicles hired without drivers for the carriage of goods by road ⁽¹⁾.

This provision shall not apply to the use of a replacement vehicle during a short breakdown of the vehicle normally used;
 - (e) carriage must be no more than ancillary to the overall activities of the undertaking.
5. Carriage of medicinal products, appliances, equipment and other articles required for medical care in emergency relief, in particular for natural disasters.

⁽¹⁾ OJ No L 335, 22. 12. 1984, p. 72.