Trans-European railway transport: interoperability. 2nd package

2002/0023(COD) - 29/04/2004 - Corrigendum to final act

PURPOSE: to set out the conditions to be met to achieve interoperability within Community territory of the trans-European high-speed rail system.

LEGISLATIVE ACT: Directive 2004/50/EC of the European Parliament and of the Council amending Council Directive 96/48/EC on the interoperability of the trans-European high-speed rail system and Directive 2001/16/EC of the European Parliament and of the Council on the interoperability of the trans-European conventional rail system. (Corrigendum to the Regulation published in OJ L164 of 30 April 2004).

CONTENT: this Directive has been adopted as part of the second railway package. The Second Railway Package will help to accelerate the integration of the market by removing important obstacles to cross-border services. It will guarantee a high level of safety for railway operation and will contribute to reducing costs and facilitating operations through a greater harmonisation of technical standards in the railway sector.

It should be stressed that rail's share of the freight market has continued to decline and is now under 8%. In half of the EU countries the volume of goods transported by rail diminished, making a total decline of one per cent between 2002 and 2003. Equally, the opening of the railway freight market is too slow and new entrants share only 3 to 4% of the market.

The aim of this Directive is to amend Council Directive 96/48/EC and Directive 2001/16/EC on the interoperability of the trans-European rail system. Amendment of the interoperability Directives 96/48/EC and 2001/16/EC. This amendment is essentially designed to ensure consistency of scope between the network on which there will be open access and that subject to the interoperability rules, with a progressive extension of the field of application to the whole European network.

The aim of this Directive is to establish the conditions to be met to achieve interoperability within Community territory of the trans-European high-speed rail system. These conditions concern the design, construction, placing in service, upgrading, renewal, operation and maintenance of the parts of this system placed in service, as well as the qualifications and health and safety conditions of the staff who contribute to its operation.

The pursuit of this objective must lead to the definition of an optimal level of technical harmonisation and make it possible to:

- facilitate, improve and develop international rail transport services within Community territory and with third countries;
- contribute to the gradual creation of the internal market in equipment and services for the construction, operation, renewal and upgrading of the trans-European high-speed rail system;
- contribute to the interoperability of the trans-European high-speed rail system.

This Directive states that trains must be equipped with a recording device. The data collected by this device and the processing of the information must be harmonised.

The Commission shall adopt, by 1 January 2006, a work programme aiming at the development of new TSIs and/or the review of TSIs already adopted with a view to covering the lines and rolling stock not yet covered. This work programme will indicate a first group of new TSIs and/or amendments to TSIs to be developed by January 2009, as regards the possibility of providing for specific cases and allowing for derogations in particular circumstances. The choice of the subjects to be covered by the TSIs will be based on the expected cost-effectiveness of each proposed measure and on the principle of proportionality of measures taken at Community level.

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