

European Union Agency for Railways. 4th Railway Package

2013/0014(COD) - 31/03/2016 - Committee recommendation tabled for plenary, 2nd reading

The Committee on Transport and Tourism adopted the recommendation for second reading contained in the report by Roberts ZLE (ECR, LV) on the Council position at first reading with a view to the adoption of a regulation of the European Parliament and of the Council on the European Union Agency for Railways and repealing Regulation (EC) No 881/2004.

As Council's first reading position is in conformity with the agreement reached in the trilogues, **the committee recommended accepting it without further amendment.**

The committee also took note of two Commission statements annexed to this resolution concerning the following:

- **ERA management board and the selection and dismissal procedure of the executive director:** on these two issues, the Commission regretted the fact that compared to the original proposal presented by the Commission, the agreed text on the new ERA Regulation deviates from the key provisions agreed under the Common Approach on EU decentralised agencies, by the European Parliament, the Council and the Commission in 2012;
- **necessary budget resources:** the 4th Railway Package gives ERA new competences, in particular the power to issue vehicle authorisations and safety certificates directly to the sector. It cannot be excluded that in the transition period fees and charges are not yet available to ERA while the staff needs to be recruited and trained. In order to avoid disruption to the railway market, the Commission will endeavour to reserve the necessary budget in order to cover the costs of relevant staff.

At its first reading, Parliament sought to clarify the ERA's role, looking for solutions that would reduce costs and red tape while offering benefits for all stakeholders. The aim was to ensure better business conditions and competitive opportunities for all market players and thus provide higher quality, cheaper services for end-users, whether involving cargo or passengers.

At the end of informal negotiations between Parliament and Council stretching over nine months, an agreement was reached which will:

- **eliminate the need for multiple applications:** ERA will issue all authorisations for vehicles intended for cross-border operations and all safety certificates to railway companies running cross-border services. For vehicles and operators involved only in national transport, the applicant will be able to choose whether the Agency or the national authority processes its application;
- **give ERA a greater role in the development of the European Rail Traffic Management System (ERTMS):** to ensure that projects are interoperable, ERA will assess the technical solutions envisaged before any call for tenders relating to ERTMS track-side equipment is issued;
- enable ERA to set up a "**one-stop-shop**" which will act as a single entry point for all applications. This information and communication system will make the procedures easy and transparent;
- lead to **cooperation agreements** between ERA and national safety authorities. Together with the one-stop-shop, these agreements will: (i) ensure a clear division of tasks between the European and national authorities; (ii) ensure consistency in the case of different applications for similar authorisations or certifications;

- require ERA's board to adopt rules for the prevention and management of **conflicts of interest** and procedures for cooperation with national judicial authorities.