

Single European railway area: opening of the market for domestic passenger transport services by rail and governance of the railway infrastructure. 4th Railway Package

2013/0029(COD) - 07/12/2016 - Committee recommendation tabled for plenary, 2nd reading

The Committee on Transport and Tourism adopted the recommendation for second reading contained in the report by David-Maria SASSOLI (EPP, IT) on the Council position at first reading with a view to the adoption of a directive of the European Parliament and of the Council amending Directive 2012/34/EU as regards the opening of the market for domestic passenger transport services by rail and the governance of the railway infrastructure.

The committee recommended the European Parliament to **approve the Council position at first reading without amendment.**

As a reminder, the proposal is part of the market pillar of the Fourth Railway Package which comprises three legislative proposals.

The Commission proposal for the amendment of Directive 2012/34/EU has in particular the following objectives:

- the opening of the market for domestic passenger transport services by rail with the objective of intensifying competitive pressure on domestic rail markets, in order to increase the quantity and improve the quality of passenger services;
- enhancing the governance of the infrastructure manager with the objective of ensuring equal access to the infrastructure.

Following the adoption of Parliament's first reading position on 26 February 2014, interinstitutional negotiations (aimed at an early second reading agreement) took place, from October 2015 to April 2016, under the Luxembourg and the Dutch Presidencies of the Council. After six rounds of trilogues, Parliament's negotiating team reached an agreement with the Council Presidency on 19 April 2016.

The explanatory statement accompanying the recommendation recalled the main achievements of the European Parliament in the framework of the conclusion of the overall agreement with the Council:

- safeguards have been put in place to ensure the **impartiality and independence of the infrastructure manager**, by reinforcing the provisions on: double mandates, essential functions, traffic management and maintenance planning, outsourcing and sharing of the functions of the infrastructure manager, financial transparency;
- Member States should put in place a national framework for the assessment of **conflicts of interests**;
- special rules governing the **access of high-speed passenger services to the Union rail infrastructure** have been established, with a view to developing the market for high-speed passenger services and promoting its competitiveness for the benefit of passengers;
- on **social issues**: a railway undertaking applying for a licence, or the persons in charge of its management, must have not been convicted of serious offences resulting from obligations arising from binding collective agreements; the Commission should also assess whether legislative measures on the certification of on-board railway staff are necessary;

- **mandatory coordination mechanisms** between infrastructure managers and railway undertakings have been established;
- the role of the **European Network of Infrastructure Managers** was strengthened, including mechanisms to ensure benchmarking of their performance;
- the powers of the regulatory bodies were reinforced and a cooperation mechanism was established as regards the coordination of the decisions of two or more regulatory bodies concerning international rail services or bi-national infrastructure;
- the **market development of common information and through-ticketing systems** was put forward as a priority, in order to facilitate more efficient multimodal and cross-border passenger transport; the Commission shall monitor rail market developments concerning the introduction of such systems, and present by 2022 a report to the European Parliament and the Council, to be accompanied, if appropriate, by legislative proposals.