Railway safety and connectivity with regard to the withdrawal of the United Kingdom from the Union

2019/0040(COD) - 13/03/2019 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 661 votes to 5, with 5 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council on certain aspects of railway safety and connectivity with regard to the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the Union.

The European Parliament's position adopted at first reading under the ordinary legislative procedure amended the Commission proposal as follows:

Objective

The proposed Regulation aims to put in place temporary measures to extend the validity of railway safety authorisations in order to ensure the continuity of rail services between the EU and the United Kingdom in the absence of a withdrawal agreement.

It lays down specific provisions for certain safety certificates and safety authorisations issued pursuant to Directive 2004/49/EC, certain train driver's licences issued pursuant to Directive 2007/59/EC and certain licences of railway undertakings issued under to Directive 2012/34/EU which are reportedly valid on the day preceding the date of application of the Regulation.

Validity

Safety authorisations, safety certificates, operating licences and train driver licences shall be valid for 9 months from the date of application of the Regulation.

National authorities shall take prompt action to ensure that certificates, approvals and licences covered by the Regulation are issued before it ceases to apply, and that other certificates, approvals and licences necessary to operate within the Union are issued before the date of withdrawal from the United Kingdom.

Monitoring compliance with Union law

The proposed measures are subject to safety standards identical to EU requirements for infrastructure in the United Kingdom, which ensure cross-border rail connectivity.

The National Safety Authority shall monitor the railway safety standards applied to railway undertakings established in the United Kingdom using the cross-border infrastructure, and applied to that cross-border infrastructure. In addition, the National Safety Authority shall check that infrastructure managers comply with the safety requirements set out in Union law and that the train drivers operating on the territory under its jurisdiction fulfil the requirements set out in the relevant provisions of Union law.

Where the Commission has justified doubts that the safety standards applied to the operation of cross-border railway services or infrastructure falling within the scope of this Regulation or the part of the same infrastructure that is situated in the United Kingdom are in line with the relevant provisions of Union law, it shall without undue delay, adopt implementing acts to withdraw the benefit conferred on the holder.

The Regulation shall apply from the day following the day on which the Treaties cease to apply to the United Kingdom pursuant to Article 50(3) of the Treaty on European Union. It shall cease to apply 9 months from the day it becomes applicable.