

# Interoperability of the rail system within the EU and Railway safety (4th Railway Package): extension of the transposition period

2020/0071(COD) - 29/04/2020 - Legislative proposal

**PURPOSE:** to extend by three months, the final transition period of Directive (EU) 2016/797 on the interoperability of the rail system within the European Union and Directive (EU) 2016/798 on railway safety following the COVID-19 outbreak.

**PROPOSED ACT:** Directive of the European Parliament and of the Council.

**ROLE OF THE EUROPEAN PARLIAMENT:** the European Parliament decides in accordance with the ordinary legislative procedure on an equal footing with the Council.

**BACKGROUND:** the negative economic consequences of the current COVID-19 outbreak could endanger the financial health of railway undertakings and infrastructure managers and have serious negative effects on the transport system and the economy as a whole.

Unusually, in accordance with [Directive \(EU\) 2016/797](#) of the European Parliament and of the Council on the interoperability of the rail system within the European Union and [Directive \(EU\) 2016/798](#) on railway safety, Member States had a choice of two transposition deadlines – 16 June 2019, or, upon notification to the Commission and the European Union Agency for Railways, 16 June 2020.

Only eight Member States have transposed both Directives in 2019 (BG, FI, FR, GR, IT, NL, RO, SI). In the light of COVID-19 outbreak, most of the remaining 17 Member States have requested a delay to transposition, claiming they will be unable to complete the necessary legislation before 16 June 2020.

Since the COVID-19 outbreak struck in the final stage of adoption of the national transposition measures, it is proposed that Member States should be allowed an additional period of three months to complete the transposition process.

Given the extraordinary circumstances, it is entirely understandable that final transposition may be impossible before 16 June 2020.

**CONTENT:** therefore, the Commission proposes that Member States should be able to complete the process in an additional period of three months (16 September 2020).

A number of implementing acts and delegated acts have been adopted in accordance with Directive (EU) 2016/797 and Directive (EU) 2016/798. Given the dual transposition deadline, according transitional provisions and dates for entry into force have been introduced therein.

The Commission shall propose a set of amendments to the implementing acts to align them with the extension of the transposition deadlines following the adoption of the proposed Directive. For the relevant delegated acts, the existing procedure set out in Directive (EU) 2016/798 would not allow an alignment with the extension of the transposition deadlines on time. Thus, a legal basis and simplified procedure for the further alignment is provided in the proposal.