Ro-ro passenger ships: stability requirements

2022/0036(COD) - 18/02/2022 - Legislative proposal

PURPOSE: to amend Directive 2003/25/EC of the European Parliament and of the Council of 14 April 2003 on specific stability requirements for ro-ro passenger ships.

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 and on an equal footing with the Council.

BACKGROUND: Directive 2003/25/EC of the European Parliament and of the Council establishes a uniform level of specific stability requirements for ro-ro passenger ships improving the survivability of this type of vessel in case of collision damage and providing a high level of safety for the passengers and the crew in combination with the requirements set out in the SOLAS Convention in force at the date of adoption of the Directive (SOLAS 90).

The International Maritime Organisation (IMO) adopted revised specific provisions on stability standards for passenger ships in damaged conditions on 15 June 2017 which apply also to ro-ro passenger ships. It is necessary to take into account those developments at international level and to align the Union rules and requirements with those established in the International Convention for the Safety of Life at Sea (‘the SOLAS Convention’) for ro-ro passenger ships engaged in international voyages.

This proposal is an immediate follow-up to the fitness check on EU passenger ship safety legislation. It has been prepared in view of the latest developments on the international level and the results of the Commission’s technical study that compared the regulatory framework as provided by Directive 2003/25 /EC with the one provided by SOLAS 2020, identifying and providing evidence of any potential safety gaps between the two sets of rules. The Commission also identified, assessed and considered alternative measures that could close such safety gaps (towards an increased safety) by taking into account the overall survivability of the ship.

Taking into account the results of the study and the overall objective of simplifying and harmonising the EU regulatory framework for the safety of passenger ships, a proposal for the amendment of Directive 2003/25/EC has been prepared.

CONTENT: the proposal to amend Directive 2003/25/EC has following specific objectives:

- ensure consistency as far as practicable with the recently updated international damage stability standards as agreed at the IMO for passenger ships;

- reduce the complexity as well as the technical and administrative burden, primarily stemming from two different regimes for evaluating the survivability of ro-ro passenger ships in damaged condition;

- reduce the ambiguity of definitions and requirements, where possible, in the light of the amended Directive 2009/45/EC; and

- eliminate outdated provisions concerning international instruments no longer relevant or in force.

The overarching objective is to provide for a clear, simple and up-to-date legal framework that is easier to implement, monitor and enforce, thus increasing the overall safety level.

Its main elements are as follows:

Definitions

For the sake of clarity and consistency, many definitions and references to relevant EU legislation and SOLAS regulations have been updated. Several existing definitions, such as those for ‘existing ship’, ‘new ship’, ‘regular service’, ‘port state’ and ‘specific stability requirements’ are amended.

Sea areas

The obligation for Member States to publish their lists of sea areas together with the significant wave heights values has been simplified.

Specific stability requirements

These rules are divided a) according to the date when the keel of ships was laid or when the ships were at a similar stage of construction; and b) according to the capacity of the ships to carry passengers on board.

Existing and already certified ships will continue to apply the current requirements, while newly built and newly certified ships put into regular service operation in the EU will need to comply with the updated international rules (SOLAS 2020 for ships with the capacity to carry more than 1350 persons on board) combined with the specific EU requirement for R-index (SOLAS 2020 + SDC3 level of R-index value - for ships with the capacity to carry 1350 or fewer persons on board).

For a transitional period of ten years, ships with a capacity to carry 1350 persons or fewer would have a choice between two sets of stability regulations: the current regulations (set out in section A of Annex I) or the updated regulations (set out in section B of Annex I). After this ten-year period, it is planned to evaluate the use of these two options and to revise the Directive accordingly.