Transport: repealing obsolete Regulations

2022/0232(COD) - 03/08/2022 - Legislative proposal

PURPOSE: to repeal Council Regulation (EEC) No 1108/70 introducing an accounting system for expenditure on infrastructure in respect of transport by rail, road and inland waterway, and Commission Regulation (EC) No 851/2006 specifying the items to be included under the various headings in the forms of accounts shown in Annex I to Council Regulation (EEC) No 1108/70.

PROPOSED ACT: Regulation 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: the Commission announced its intention to repeal Regulation (EEC) No 1108/70 in its 2020 work programme. This Regulation requires Member States to report on infrastructure expenditure for rail, road and inland waterway transport and to provide data on infrastructure use.

Regulation (EEC) No 1108/70 is based on obsolete provisions and definitions and is inconsistent and incompatible with other, more recent legal acts currently in force obliging Member States to report on transport infrastructure investment data and infrastructure use. The Regulation is linked with excessive administrative difficulties in collecting the data. Since 2005, only four Member States have provided the data required by the Regulation.

In addition, the definitions and classifications used in the Regulation have become obsolete. The most striking examples are Sections A.1 and A.2 of Annex II to the Regulation, which list all the railway operators in Europe for which Member States should collect the respective infrastructure expenditure, ignoring the process of market opening of the rail sector introduced by the various rail packages and the changes in governance.

Many concepts and classifications are outdated (e.g. passenger trains classified as ‘long-distance express trains and express trains’ and ‘others’; goods trains classified as ‘rapid service’ and ‘ordinary service’; ‘kilometres worked’ which is usually referred to just as ‘kilometres’) and lacking an appropriate definition.

There are also inconsistencies with the current classifications. For example, the Regulation asks for indicators for the category ‘vans with total permitted laden weight of less than 3 metric tonnes’, while the current legislation is directed to light utility vehicles with a maximum permissible laden weight of between 2.5 and 3.5 tonnes.

Regulation (EEC) No 1108/70 has become obsolete and the data that would have been collected under the Regulation have either become available from other sources or are no longer needed in the form and specifications required under the Regulation. Therefore, it is appropriate to repeal the Regulation in order to eliminate inconsistencies in the EU legal order and help simplify EU legislation by eliminating a legal act that is now obsolete.

CONTENT: the Commission proposes to repeal Regulation (EEC) No 1108/70 and to repeal Commission Regulation (EC) No 851/2006 specifying the items of the various headings in the forms of accounts shown in Annex I to Council Regulation (EEC) No 1108/70.