

# **Development of Community's railways (amend. Directive 91/440/EEC). Railway package**

1998/0265(COD) - 26/02/2001 - Final act

**PURPOSE:** to promote the European railway sector by creating conditions conducive to the development of a dynamic and competitive rail system based on the needs of the client. **COMMUNITY MEASURE:** Directive 2001/12/EC of the European Parliament and of the Council amending Council Directive 91/440/EEC on the development of the Community's railways. **CONTENT:** the present directive is part of the 'rail transport package' which defines the Trans European Rail Freight Network (TERFN). It allows European rail transport companies access to this network in order to operate international freight services in the Community, subject to the conditions stipulated in the directives. The present directive amends Council Directive 91/440/EEC on the development of the Community's railways so as to take account of developments in the railway sector since its adoption, in order to ensure that the objectives are reached. In accordance with the objective of completing the internal market, which will include the possibility for all licensed railway undertakings meeting the safety conditions to provide services, access rights should, for a transitional period of up to 7 years, be extended to licensed railway undertakings for the international transport of goods on a defined network, called the TERFN, including access to and supply of, services in major terminals and ports. After this transitional period, the TERFN should cover the entire European rail network and the railway undertakings should be granted rights of access for international freight transport. Whatever the mode of operation, railway undertaking within a certain scope, shall be granted, on equitable conditions, the access that they are seeking in the TERFN after 15 March 2008, to the entire rail network, for the purpose of operating international freight services. Not later than 15 September 2001, the Commission shall make the necessary arrangements to monitor technical and economic conditions and market developments of European rail transport. Lastly, Member States shall ensure that safety standards and rules are laid down, rolling stock and railway undertakings are certified accordingly and accidents investigated. These tasks shall be accomplished by bodies or undertakings that do not provide rail transport services themselves and are independent of bodies or undertakings that do so, in such a way as to guarantee equitable and non-discriminatory access to infrastructure. **ENTRY INTO FORCE:** 15/03/2001 **IMPLEMENTATION DEADLINE:** 15/03/2003