Railway transport: infrastructure capacity and levying for their use, safety certification. Railway package

1998/0267(COD) - 26/02/2001 - Final act

PURPOSE: to seek greater integration of the Community railway sector. COMMUNITY MEASURE: Directive 2001/14/EC of the European Parliament and the Council on the allocation of railway infrastructure and the levying of charges for the use of railway infrastructure and safety certification. CONTENT: The present directive concerns the principles and procedures to be applied with regard to the setting and charging of railway infrastructure charges and the allocation of railway infrastructure capacity. Member States shall ensure that charging and capacity allocation schemes for railway infrastructure follow the principles set down in the directive and thus allow an infrastructure to market and make optimum effective use of of the available infrastructure capacity. The present directive seeks to replace Directive 95/19/EC on the allocation of railway infrastructure capacity and the charging of infrastructure fees. The directive sets out a number of definitions relating to rail transport. With regard to infrastructure charges, it contains provisions in relation to establishing, determining and collecting charges. With regard to the principles of charging, charges for the use of railway infrastruture shall be paid to the infrastructure mananger and used to fund his business. With regard to exceptions to charging principles, in order to obtain full recovery of the costs incurred by the infrastructure manager, a Member State may, if the market can bear this, levy mark-ups on the basis of efficient, transparent and non-discriminatory principles while guaranteeing optimum competitiveness in particular of international rail freight. The charging system shall respect the productivity increases achieved by railway undertakings. With regard to the allocation of infrastructure capacity, it shall be allocated by an infrastructure mananger and once allocated to an applicant, may not be transferred by the recipient to another undertaking or service. With regard to capacity allocation, Member States may establish a framework for the allocation of infrastructure capacity while respecting the manangement independence laid down in Directive 91/440/EC. Specific capacity allocation rules shall be established. With regard to cooperation in the allocation of infrastructure capacity on more than one network, infrastructure managers shall cooperate to enable the efficient creation and allocation of infrastructure capacity which crosses more than one network. Applicants for infrastructure capacity may be made by railway undertakings and their international groupings and, in the territories of those Member States which so allow, by other specific applicants. Moreover, a framework agreement may be concluded with an applicant. In conclusion, with regard to safety certification, the Member States shall provide for their respective territories that a safety certificate in which the railway undertakings' safety requirements are set out be submitted in order to ensure safe service on the routes concerned. ENTRY INTO FORCE: 15/03/2001 IMPLEMENTATION DEADLINE: 15/03/2003.