Transport by rail, road and inland waterway: aid for the coordination

2000/0023(COD) - 26/07/2000 - Legislative proposal

PURPOSE: Proposal for a Regulation concerning the granting of aid for the co-ordination of transport by rail, road and inland waterway. CONTENT: Since the 1970s, road, rail and inland waterways have gone through major processes of liberalisation, at various speeds and to differing extents. In addition, various guidelines and other instruments relating to Articles 87 and 88 EC Treaty have been published. Although Council Regulation 1107/70/EEC has to some extent been amended to deal with these developments, such amendment has been piecemeal and there is a clear case for a wholesale simplification and consolidation of the text so that every Article has a purpose suited to the needs of the current context. The Commission believes the best way of achieving such clarity and simplicity is to replace the existing Regulation with an entirely new Regulation. One of the functions of the proposed Regulation is to clarify how the application of Article 73 EC Treaty will reflect the manner in which the transport market has developed over time. Article 73 certainly has a role to play with regard to the financing of infrastructure. The present Regulation proposes therefore a comprehensive exception for aid for the development and eventually operation of transport infrastructure which benefits infrastructure managers and, in the freight sector, aid for the benefit of users of transport infrastructure which compensates them for the unpaid cost of competing modes. The proposed Regulation implements the part of Article 73 EC Treaty which concerns co-ordination of transport activities concerning rail, road and inland waterways. It follows, in particular, that maritime transport facilities are not covered by the regulation. The main provisions of the proposed Regulation are the following: - The impact of tendering and tendering principles; - Practical illustrations of the need for an exception include public private partnerships, Trans-European Networks, terminals, state support for railway infrastructure and networks; - Relation between state aid rules and charging rules. Community law includes rules on charging with regard to road transport. As already proposed by the Commission, there are reasons to adopt rules with regard to railway charging. Therefore, it is necessary to ensure that any future Community requirements on infrastructure are not undermined by Member States financing infrastructure managers to a point where they can 'make ends meet' without recovering the costs required by such legislation for the users of the infrastructure; - Requirements for the aid; - State aid to compensate for unpaid costs of competing modes. Here, the aid must form part of a scheme that treats different undertakings within the same mode equally and moreover, it must relate to goods transport; - Notification of aid. Aid granted under the proposed regulation is notifiable by virtue of Article 88(3) EC Treaty unless the regulation provides otherwise; - Monitoring, revocation and transitional arrangements.