Basic information

2013/0297(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure completed
Rail transport statistics: collection of data on goods, passengers and accidents Amending Regulation (EC) No 91/2003 2001/0048(COD) **Subject** 3.20.02 Rail transport: passengers and freight 3.20.20 Transport statistics	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
TRAN Transport and Tourism	CRAMER Michael (Verts /ALE)	25/09/2013
	Shadow rapporteur SCHMIDT Claudia (PPE) LIBERADZKI Bogusław (S&D) MEISSNER Gesine (ALDE) ZĪLE Roberts (ECR) GONZÁLEZ PEÑAS Tania (GUE/NGL)	

Former committee responsible	Former rapporteur	Appointed
TRAN Transport and Tourism	CRAMER Michael (Verts /ALE)	25/09/2013

Former committee for opinion	Former rapporteur for opinion	Appointed
JURI Legal Affairs	The committee decided not to give an opinion.	

Council of the European Union

Council configuration	Meetings	Date
Agriculture and Fisheries	3481	2016-07-18
Agriculture and Fisheries	3479	2016-06-27

European Commission	

Commission DG	Commissioner
Eurostat - European statistics	THYSSEN Marianne

Key events

Date	Event	Reference	Summary
30/08/2013	Legislative proposal published	COM(2013)0611	Summary
10/09/2013	Committee referral announced in Parliament, 1st reading		
17/12/2013	Vote in committee, 1st reading		
06/01/2014	Committee report tabled for plenary, 1st reading	A7-0002/2014	Summary
11/03/2014	Decision by Parliament, 1st reading	T7-0197/2014	Summary
11/03/2014	Results of vote in Parliament		
13/10/2014	Committee decision to open interinstitutional negotiations after 1st reading in Parliament		
15/06/2016	Approval in committee of the text agreed at early 2nd reading interinstitutional negotiations	PE609.555 PE609.558	
19/07/2016	Council position published	10000/1/2016	Summary
15/09/2016	Committee referral announced in Parliament, 2nd reading		
11/10/2016	Vote in committee, 2nd reading		
18/10/2016	Committee recommendation tabled for plenary, 2nd reading	A8-0300/2016	Summary
25/10/2016	Decision by Parliament, 2nd reading	T8-0398/2016	Summary
25/10/2016	Results of vote in Parliament		
26/10/2016	Final act signed		
26/10/2016	End of procedure in Parliament		
23/11/2016	Final act published in Official Journal		

Technical information

Procedure reference	2013/0297(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Amendments and repeals	Amending Regulation (EC) No 91/2003 2001/0048(COD)
Legal basis	Treaty on the Functioning of the European Union TFEU 338-p1
Stage reached in procedure	Procedure completed
Committee dossier	TRAN/8/06601

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE521.755	23/10/2013	
Amendments tabled in committee		PE523.118	22/11/2013	
Committee report tabled for plenary, 1st reading/single reading		A7-0002/2014	06/01/2014	Summary
Text adopted by Parliament, 1st reading/single reading		T7-0197/2014	11/03/2014	Summary
Committee letter confirming interinstitutional agreement		PE609.555	15/06/2016	
Text agreed during interinstitutional negotiations		PE609.558	15/06/2016	
Committee draft report		PE587.493	05/09/2016	
Committee recommendation tabled for plenary, 2nd reading		A8-0300/2016	18/10/2016	Summary
Text adopted by Parliament, 2nd reading		T8-0398/2016	25/10/2016	Summary

Council of the EU

Document type	Reference	Date	Summary
Council statement on its position	10792/2016	08/07/2016	
Council position	10000/1/2016	19/07/2016	Summary
Draft final act	00043/2016/LEX	26/10/2016	

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2013)0611	30/08/2013	Summary
Commission response to text adopted in plenary	SP(2014)455	10/06/2014	
Commission communication on Council's position	COM(2016)0506	10/08/2016	Summary

National parliaments

Document type	Parliament /Chamber	Reference	Date	Summary
Contribution	ES_PARLIAMENT	COM(2013)0611	25/10/2013	

Additional information

Source	Document	Date

National parliaments	IPEX	
European Commission	EUR-Lex	

Final act	
Regulation 2016/2032 OJ L 317 23.11.2016, p. 0105	Summary

Rail transport statistics: collection of data on goods, passengers and accidents

2013/0297(COD) - 19/07/2016 - Council position

The Council adopted its position at first reading with a view to the adoption of a Regulation and of the European Parliament amending Regulation (EC) No 91/2003 on rail transport statistics, as regards the collection of data on goods, passengers and accidents.

The aim of the Commission's proposal is to modify Regulation (EC) No 91/20031 in order to update, simplify and optimise the existing legal framework for European statistics on rail transport and to align it with the Treaty on the Functioning of the European Union (TFEU), as far as delegated and implementing powers is concerned.

The main elements of the Council position are as follows:

Statistics on the transport of goods and passengers by rail: according to the draft Regulation, these statistics are necessary to enable the Commission to monitor and develop the common transport policy, as well as the transport elements of policies relating to the regions and to trans-European networks.

Statistics on rail safety are also necessary to enable the Commission to prepare and monitor Union action in the field of transport safety.

A new recital highlights that it is necessary to establish **appropriate cooperation** agreements between the Commission's services and relevant entities with a view to providing easily accessible and useful information to Union citizens and other stakeholders on **rail transport safety and interoperability of the rail system**.

Data collection: Member States shall report under Annexes A and C data for undertakings that have:

- a total volume of **goods transport** of at least 200 000 000 tonne-km or at least 500 000 tonnes;
- a total volume of **passenger transport** of at least 100 000 000 passenger-km.

Reporting under Annexes A and C shall be optional in respect of undertakings falling below the thresholds referred to above.

Quality of data: Member States shall take all measures necessary to ensure the quality of the data transmitted. The Commission shall adopt implementing acts specifying the detailed arrangements, structure, periodicity and comparability elements for the standard quality reports.

Delegated powers: the Commission shall be empowered to adopt delegated acts to **adapt the technical definitions and to provide for additional technical definitions**, when needed to take into account new developments which require a certain level of technical detail to be defined in order to ensure the harmonisation of statistics.

Reports on implementation: by 31 December 2020 and every four years thereafter, the Commission, after consulting the European Statistical System Committee, shall submit a report to the European Parliament and to the Council on the implementation of this Regulation and on future developments.

Rail transport statistics: collection of data on goods, passengers and accidents

2013/0297(COD) - 18/10/2016 - Committee recommendation tabled for plenary, 2nd reading

The Committee on Transport and Tourism adopted the recommendation for second reading contained in the report by Michael CRAMER (Greens/EFA, DE) on the Council position at first reading with a view to the adoption of a regulation of the European Parliament and of the Council amending Regulation (EC) No 91/2003 on rail transport statistics, as regards the collection of data on goods, passengers and accidents.

The committee recommended the European Parliament to **approve the Council position at first reading** without amendment.

The explanatory statement accompanying the recommendation recalled the **Parliament's priorities**:

- extend the scope of the Regulation on rail transport statistics to cover data on infrastructure, in particular on European Rail Traffic Management System (ERTMS) deployment, which was one of the priorities of the Trans-European Transport Network (TEN-T);
- Eurostat should make available statistical data on barrier-free stations accessible to persons with reduced mobility and disabled persons as well as on the use of cross-border rail infrastructures;
- statistics on rail accidents should be maintained within the scope of the Regulation and even extended to cover accidents and incidents involving the transport of dangerous goods and accidents involving level crossings;
- Eurostat and the European Railway Agency should closely cooperate in improving statistics on rail accidents and in particular ensure the methodological consistency with regard to accident data on other modes of transport;
- EU citizens should have an easy access - as a one-stop shop - to data related to the implementation of EU policies.

The Council and Parliament agreed that the most efficient and cost-effective way to avoid duplication of work between Eurostat, the Commission and the European Railway Agency (ERA) was to **reinforce cooperation between these institutions and ensure that statistical data related to EU policies are easily accessible to EU citizens** and stakeholders.

An agreement on a simplification of the Regulation on rail transport statistics was only possible after the **signature of two Memoranda of Understanding (MoUs)** between Eurostat and the Commission (27/04/2016) and between Eurostat and ERA (12/05/2016).

These MoUs are not only important instruments towards optimisation of the use of existing information and reduction of administrative burden, but would also satisfy requirements raised by the co-legislators as regards the better use of rail transport statistics. They would provide all categories of users with easily accessible data and reliable information on the progress of European policies in the rail sector.

Rail transport statistics: collection of data on goods, passengers and accidents

2013/0297(COD) - 26/10/2016 - Final act

PURPOSE: to update, simplify and optimise the existing legal framework for European statistics on rail transport.

LEGISLATIVE ACT: Regulation (EU) 2016/2032 of the European Parliament and of the Council amending Regulation (EC) No 91/2003 on rail transport statistics, as regards the collection of data on goods, passengers and accidents.

CONTENT: this Regulation amends Regulation (EC) No 91/2003 in order to update, simplify and **optimise the existing legal framework for European statistics on rail transport** and to align it with the new institutional context on conferring delegated powers and implementing acts to the Commission in view of the adoption of certain measures.

Statistics on the transport of goods and passengers by rail: the Regulation stressed the need for statistics to enable the Commission to:

- monitor and develop the common transport policy, and the transport elements of policies on the regions and on trans-European network;
- ensure the preparation and monitoring of EU actions in the field of transport safety.

A new recital considered the importance of avoiding duplication of work and stated that it is necessary to establish appropriate **cooperation agreements** on statistical activities between the Commission's services and relevant entities, including at international level with a view to providing easily accessible and useful information to Union citizens and other stakeholders on rail transport safety and interoperability of the rail system, including the rail infrastructure.

Data collection: the Regulation stipulated that Member States shall report under Annexes A and C data for undertakings that have:

- a total volume of **goods transport** of at least 200 000 000 tonne-km or at least 500 000 tonnes;
- a total volume of **passenger transport** of at least 100 000 000 passenger-km.

Reporting under Annexes A and C shall be **optional** in respect of undertakings falling below these thresholds.

Member States shall take all measures necessary to ensure the **quality** of the data transmitted.

Delegated powers: the Commission shall be empowered to adopt delegated acts to **adapt the technical definitions and to provide for additional technical definitions**, when needed to take into account new developments which require a certain level of technical detail to be defined in order to ensure the harmonisation of statistics. The delegated acts shall not impose a significant additional burden on the Member States or on the respondents.

Reports: by 31 December 2020 and every four years thereafter, the Commission, after consulting the European Statistical System Committee, shall submit a report to the European Parliament and to the Council on the implementation of this Regulation and on future developments.

ENTRY INTO FORCE: 13.12.2016.

DELEGATED ACTS: the power to adopt delegated acts shall be conferred on the Commission for a period of five years from 13 December 2016. The European Parliament or the Council shall have the right to object to a delegated act within a period of two months (extendable for two months) from the date of notification.

Rail transport statistics: collection of data on goods, passengers and accidents

2013/0297(COD) - 25/10/2016 - Text adopted by Parliament, 2nd reading

The European Parliament adopted a legislative resolution on the Council position at first reading with a view to the adoption of a regulation of the European Parliament and of the Council amending Regulation (EC) No 91/2003 on rail transport statistics, as regards the collection of data on goods, passengers and accidents.

A motion to reject the Council position, tabled by the EFDD group, was rejected in plenary.

In line with the recommendation for second reading by the Committee on Transport and Tourism, Parliament **approved the Council position at first reading** without amendment.

Rail transport statistics: collection of data on goods, passengers and accidents

2013/0297(COD) - 10/08/2016 - Commission communication on Council's position

The Commission **supported the Council position** given that the compromise reached is very close to the Commission's original proposal. Furthermore, it creates **no additional burden for data providers** and is thus in line with the aim of simplifying the existing legal framework for European statistics on rail transport.

With regard to the alignment of Regulation (EC) No 91/2003 with the TFEU, despite some limitations, the compromise provides a **good balance between delegated and implementing acts**. The Commission stated that his text is an example of the successful application of the **new Interinstitutional Agreement** on Better Law-Making of 13 April 2016.

The main issue blocking the file was reaching an understanding with the European Parliament on the formalisation of the sharing of data between Eurostat, the European Railway Agency (ERA) and the Directorate-General for Mobility and Transport (DG MOVE) through bilateral Memoranda of Understanding.

A consensus was eventually reached with the signature of two MoU, one between Eurostat and DG MOVE and one between Eurostat and ERA. These gave the European Parliament the guarantee that the data it requested will be processed and made available.

Amendments adopted by the European Parliament: the Commission recalled that on 11 March 2014, the European Parliament adopted a legislative resolution proposing 23 amendments. The Commission rejected the majority of them, including the requests for additional variables. In particular, the European Parliament was of the opinion that data collection should be extended further to include rail infrastructure data, and that there should be more measurement variables for statistics on passenger transport , in particular with regard to cross-border connections that it considered should be at the heart of the EU's transport policy.

The main amendments relating to the explicit addition of new variables were not included in the Council position.

Provisions modified by the Council: Article 3(2) of the Regulation refers to the sole power conferred on the Commission to adopt delegated acts in order to adapt existing technical definitions and introduce new technical definitions.

Although the Commission regrets the limited nature of the empowerment given relative to the original proposal, it can however consider the current provision acceptable in the spirit of reaching an agreement.

The Commission also approved the new provisions on implementing measures to be adopted laying down the arrangements for the dissemination of results as well as the reports to be presented by the Commission to the European Parliament.

Rail transport statistics: collection of data on goods, passengers and accidents

2013/0297(COD) - 30/08/2013 - Legislative proposal

PURPOSE: to modify Regulation (EC) No 91/2003 in order to update, simplify and optimise the existing legal framework for European statistics on rail transport and to align it with the new institutional context.

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: Eurostat's rail transport statistics are predominantly based on Regulation (EC) No 91/2003 of the European Parliament and of the Council, Commission Regulation (EC) No 1192/2003 and Commission Regulation (EC) No 332/2007. These Regulations cover passenger and freight transport by rail, as well as rail safety.

The Commission needs statistics on the transport of goods and passengers by rail in order to monitor and develop the common transport policy. Detailed rail transport statistics for goods and passengers and information on intermodality are necessary to monitor the targets set in the 2011 Commission's White Paper.

Eurostat has conducted a technical analysis of the existing data on rail statistics collected under the Union legislation and of the dissemination policy, within its Working Group and Task Force on rail transport statistics.

In its report to the European Parliament and the Council on the experience acquired in the application of the Regulation (EC) No 91/2003, the Commission mentions that long term developments will probably mean the suppression or simplification of the data already collected under the Regulation, and that the intention is to reduce the data transmission period for annual data on rail passengers.

IMPACT ASSESSMENT: no impact assessment was undertaken. The proposal is the result of in-depth negotiations between all interested parties.

LEGAL BASIS: Article 338(1) of the Treaty on the Functioning of the European Union (TFEU).

CONTENT: the aim of this proposal is thus to modify Regulation (EC) No 91/2003 in order to **update, simplify and optimise the existing legal framework for European statistics on rail transport** and to align it with the new institutional context.

Data on transport of passengers: in line with Annexes C and D to Regulation (EC) 91/2003 on rail transport statistics, countries are currently required to provide annual statistics on passenger transport, under detailed and/or simplified reporting. The Commission proposed to delete Annex D (simplified reporting) and the provisional Tables C1 and C2 in Annex C, while shortening the deadline for providing the final passenger data from 14 months to eight months after the end of the reference period.

Data on transport of goods: in the interests of consistency, it is also proposed to delete Annex B (simplified reporting).

New Annex: as it is proposed to abandon the current concept of 'simplified' reporting, for the smallest undertakings below the specified thresholds, Member States would have to report a 'total' figure for aggregated indicators in Annex L.

Data on accidents: as data on accidents are also collected by the European Rail Agency, it is proposed to delete Annex H (statistics on accidents).

Annex I: as the concept of 'simplified' reporting will disappear, it is proposed to delete this Annex as it is currently used only to validate coverage between simplified and detailed reporting in relation to the total rail activity of undertakings.

Thresholds: the present thresholds are established for tonne-km and passenger-km, i.e. multiplication of tonnes/passengers transported and the distance covered in kilometres.

As significant rail activity involves only small distances in some Member States, it is proposed to decrease the thresholds both for goods and passengers, in order to minimise the loss of important data. For the same reason, a double threshold in tonnes transported and in tonne-km is proposed for goods.

Transit data: it is proposed that 'Rail Waybill' information (if available) be used when administrative data are used as the data source.

Lastly, the proposed amendment of Regulation (EC) No 91/2003 takes into account the necessary adjustments to the Treaty on the Functioning of the European Union as regards **granting the Commission delegated and implementing powers**.

BUDGETARY IMPLICATION: this proposal has no implications for the EU budget.

DELEGATED ACTS: the proposal contains provisions empowering the Commission to adopt delegated acts in accordance with Article 290 of the Treaty on the Functioning of the European Union (TFEU).

Rail transport statistics: collection of data on goods, passengers and accidents

2013/0297(COD) - 06/01/2014 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Transport and Tourism adopted the report by Michael CRAMER (Greens/EFA, DE) on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 91/2003 of the European Parliament and of the Council of 16 December 2002 on rail transport statistics, as regards the collection of data on goods, passengers and accidents.

The parliamentary committee recommended that the position of the European Parliament adopted at first reading under the ordinary legislative procedure modify the Commission proposal as follows.

Extension of data collection: the Members took the view that data collection should be extended in relation to **rail infrastructure**, such as for example:

- the number of kilometres of rail infrastructure, equipped with the European Rail Traffic Management System(ERTMS) system;

- the number of cross-border rail infrastructure points, used more frequently for passenger transport than every hour, than every two hours and less frequently than every two hours;
- the number of cross-border rail points, abandoned for use of passengers or freight transport or dismantled rail infrastructure;
- the number of stations, barrier-free, accessible for persons with reduced mobility (PRMs) and disabled persons.

The report proposed **adding some categories of data** such as distance-based rail freight modal shares based on distance, in tonnes by kilometre, the number of locomotives equipped with the ERTMS system or the number of new and retro-fitted silent freight wagons equipped with composite brake blocks.

Data on accidents and incidents: the requirement to collect data on accidents should remain with Eurostat and the European Rail Agency. **Eurostat should closely cooperate with the European Railway Agency** in the collection of rail accident data in order to ensure that the data obtained are consistent and fully comparable. Moreover, a requirement to collect **data on incidents** is proposed, since this contributes to a higher level of rail safety.

Delegated powers: Members were of the opinion that there is a need for streamlining the powers delegated to the Commission to safeguard the Parliament's prerogatives.

The power to adopt delegated acts shall be conferred on the Commission for a period of **five years** (renewable) from the date of the entry into force of the amending Regulation.

When preparing and drawing up delegated acts, the Commission should consult the rail sector.

Report: within three years after the date of entry into force of this Regulation and every three years thereafter, the Commission shall submit a report on the implementation of this Regulation. The report shall assess the quality of the statistics produced, especially with regards to data losses, resulting from the deletion of simplified reporting.

Rail transport statistics: collection of data on goods, passengers and accidents

2013/0297(COD) - 11/03/2014 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 599 votes to 27 with 61 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 91/2003 of the European Parliament and of the Council on rail transport statistics, as regards the collection of data on goods, passengers and accidents.

Extension of data collection: Parliament took the view that data collection should be extended in relation to rail infrastructure, such as for example:

- €€€€€€€ the number of kilometres of rail infrastructure, equipped with the European Rail Traffic Management System(ERTMS) system and the length in kilometres of the rail network continuously equipped with ERTMS (in the Member State);
- €€€€€€€ the number of cross-border rail infrastructure points, used more frequently for passenger transport than every hour, than every two hours and less frequently than every two hours;
- €€€€€€€ the number of cross-border rail points, abandoned for use of passengers or freight transport or dismantled rail infrastructure;
- €€€€€€€ the number of stations, barrier-free, accessible for persons with reduced mobility (PRMs) and disabled persons.

Parliament proposed **adding some categories of data** such as distance-based rail freight modal shares based on distance, in tonnes by kilometre, the number of locomotives equipped with the ERTMS system.

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Member States must take all measures necessary to ensure the quality of data transmitted.

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