

# Rail transport: European rail network for competitive freight

2008/0247(COD) - 23/04/2009 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 532 votes to 19, with 42 abstentions, a legislative resolution amending, under the first reading of the codecision procedure, the proposal for a regulation of the European Parliament and of the Council concerning a European rail network for competitive freight.

The main amendments were as follows:

**Purpose:** the aim of this Regulation is to improve the efficiency of rail freight transport relative to other modes of transport, but this objective has to be pursued also through political actions and the financial involvement of the Member States and the European Union. Coordination should be ensured at the highest level between Member States in order to guarantee the most efficient functioning of freight corridors.

Financial commitment in infrastructure and in technical equipment like the European Rail Traffic Management System (ERTMS) should aim at increasing rail freight capacity and efficiency in parallel with this Regulation.

Moreover, MEPs believe it is necessary to envisage the development of rail freight in a cooperative approach between infrastructure managers.

**Freight corridors:** according to MEPs, the freight corridors have to contribute to the creation of an integrated and intermodal transport system, in particular by focusing on the major role of strategic terminals in the development of intermodal transport and logistics.

The freight corridor shall link **at least two Member States**. It shall: (i) be part of, or at least compatible with, the TEN-T or, where applicable, with the ERTMS corridors. If necessary, certain sections not included in the TEN-T, with high or potentially high volumes of freight traffic, may also form part of the corridor; (ii) take account of major trade flows and goods traffic; (iii) allow better interconnections between border Member States and neighbouring third countries.

The creation or modification of a freight corridor shall be decided by the Member States concerned, after they have notified the Commission of their intentions. Interested railway undertakings may participate in the process, whenever substantial investments concern them.

**Governance of freight corridors:** MEPs consider that the steering role and the respective responsibilities of Member States along a corridor should be clarified. They therefore stress the need to distinguish between a "governance body" of which only infrastructure managers and railway undertakings should be member and an "executive board" of which only Member State representatives can be member. The executive board shall be responsible for authorising the corridor implementation plan by the governance body and supervising its execution.

**Measures for implementing the freight corridor:** some flexibility in the definition of the implementation plan should be guaranteed to the governance bodies of the corridors, in order to allow them to define their needs and procedures. The implementation plan, approved and regularly adjusted by the governance body, shall include at least: (i) description of the characteristics of the freight corridor, including potential bottlenecks; (ii) the objectives of the governance body and its programme for improvement of performance of the freight corridor.

The content of and the procedure establishing the market study relating to the observed and expected changes in the traffic in the freight corridor should be defined in a flexible way and should be adapted to the needs of the governance body.

**Consulting applicants:** applicants, including rail freight operators, passenger operators, shippers, forwarders and their representative bodies, for the use of the freight corridor shall be consulted by the governance body before the implementation plan is approved and when it is updated.

**Investment planning:** the investment plans shall include a strategy for the growth of the capacity of freight trains which may run in the freight corridor (in other words, for removing the identified bottlenecks, upgrading existing infrastructure and building new infrastructure). The strategy may include measures to increase the length, track gauge, loading gauge, speed management and load hauled.

**Coordination of works:** infrastructure managers should coordinate all their works on the infrastructure as soon as these works may restrict the available capacity. Works should be coordinated according to multi-annual agreements (or multi-annual contracts) agreed by infrastructure managers in application of Directive 2001/14/EC.

**Strategic terminals:** the governance body shall draw up an integrated strategy for the development of strategic terminals to enable them to meet the needs of rail freight running on the freight corridor, in particular as intermodal hubs along the freight corridors. This shall include co-operation with regional, local and national authorities; the sourcing of land to develop rail freight terminals and facilitating access to funds in order to encourage such developments. The governance body shall ensure that sufficient terminals are created in strategic locations, based on the expected volume of traffic.

**One-stop shop for requests for international train paths:** the use of one-stop-shop should not be made mandatory for the requests of train paths for freight trains, but should remain optional. Individual infrastructure managers of a corridor may be assigned to function as the front office of the one-stop shop for the applicants requesting train paths.

**Standard categories of train paths in the freight corridors:** the categories of goods transported by rail should be defined in a broad and flexible way. According to MEPs, the term “priority freight” is not appropriate and could lead to a misleading interpretation of the objectives of these categories. They prefer the term “facilitated freight”.

**Train paths allocated to freight trains:** the requests for freight train paths have to be made in the most compatible way with passenger traffic, in order to create as little traffic disruption as possible for passenger trains. Infrastructure managers shall include in their conditions of use a fee for paths that are allocated but ultimately not used. The level of this fee shall be appropriate, dissuasive and effective.

**Traffic management:** the rules of priority must at least provide, with the exception of peak hours, that the train path allocated to a facilitated freight train complying with the initial provisions for its train path shall be respected as far as possible or at least minimise overall delays while focusing on facilitated freight train delays. The governance body shall, in conjunction with applicants, develop and publish: (a) train regulation principles that shall ensure that facilitated freight trains receive the best treatment possible regarding the allocation of the reduced capacity; (b) contingency plans in case of disruption on the corridor that are based on these principles.

Each Member State through the infrastructure manager shall define the peak hours in the network statement. Peak hours shall apply only to working days and shall be limited to a maximum of 3 hours in the morning and to a maximum of 3 hours in the afternoon. In defining the peak hours regional and long distance passenger traffic shall be considered.

**Quality of service:** the definition of performance indicators in the freight corridor should be formulated in consultation with the stakeholders providing and using rail freight services.

**European Neighbourhood Policy:** a new recital stresses that the creation of a freight corridor should take into account the particular importance of the planned extension of the TEN-T network to the European Neighbourhood Policy countries with a view to ensuring better interconnections with the rail infrastructure of third countries.