

Railway transport: development of the Community's railways. 2nd package

2002/0025(COD) - 29/04/2004

PURPOSE : to accelerate the integration of the European Rail freight market.

LEGISLATIVE ACT : Directive 2004/51/EC of the European Parliament and of the Council amending Council Directive 91/440/EEC on the development of the Community's railways. (Corrigendum of the Regulation published in OJ L164 of 30 April 2004).

CONTENT : this Directive has been adopted as part of the second railway package which was agreed upon in conciliation. The Second Railway Package will help to accelerate the integration of the market by removing important obstacles to cross-border services. It will guarantee a high level of safety for railway operation and will contribute to reducing costs and facilitating operations through a greater harmonisation of technical standards in the railway sector.

This Directive extends infrastructure access rights to freight services within a Member State and open up the market more quickly. The international rail freight market will have to be completed by 2006. The agreed date for the complete opening of the rail freight markets, including cabotage, is 1st January 2007.

To recall, Council Directive 91/440/EEC of 29 July 1991 provides that licensed railway undertakings are granted rights of access to the trans-European Rail Freight Network and, at the latest from 2008, to the whole network for international rail freight services.

The extension of those access rights to international rail freight services on the whole network as from 1 January 2006 should lead to greater than expected gains in terms of modal shift and the development of international rail freight.

The extension of those access rights to all kinds of rail freight services as from 1 January 2007, in accordance with the principle of freedom to provide services, would improve the efficiency of the rail mode relative to other modes of transport. It would also facilitate sustainable transport between and within Member States, by encouraging competition and allowing entry of new capital and enterprises.

With regard to market-opening for international passenger transport services, the date of 2010 proposed by the Commission has to be considered as an objective allowing all operators to prepare in an appropriate manner. The Commission should study developments in traffic, safety, working conditions and the situation of operators and should produce, by 1 January 2006, a report on those developments accompanied, where appropriate, by fresh proposals providing a basis for the best possible conditions for the Member States' economies, for rail undertakings and their employees, and for rail users.

ENTRY INTO FORCE : 30/04/2004.

IMPLEMENTATION : 31/12/2005.