

# **Rail transport: interoperability of the trans-European conventional rail system**

1999/0252(COD) - 27/11/2000 - Commission communication on Council's position

The Commission endorses the text of the Common position which was not the subject of any Commission reservation. Generally speaking, the amendments adopted by the European Parliament on first reading have been incorporated into the Common Position by the Council, with the exception of European Parliament amendments concerning which the Commission expressed its disagreement. With regard to the European Parliament amendments rejected by the Council, the main one relates to the involvement of external bodies during the phases of the placing of the interoperability constituents on the market as well as the placing in service of the subsystems. The Commission is of the opinion that it does not seem wise at this stage to oblige Member States to resort to such bodies after the subsystems have been placed in service. Rather, this concept could be re-examined within five to ten years after the adoption and effective implementation of the technical specifications for interoperability (TSIs). With regard to European Parliament amendments partially incorporated into the Common Position, the Commission agrees with the Council's decision to refer to another EP request rather than the EP opinion of 10.03.1999. Concerning the concept of registers, the Commission contends that the infrastructure and rolling stock engines must be drawn up for whole subsystems and not only apply in cases where the TSI are not applied. Even when the TSIs are applied, specific cases and choices remain possible, and all the characteristics that have actually been installed must be recorded in the registers. In relation to the provisions concerning the application of the TSIs, the Commission is of the opinion that the wording must be looked at again and the time limit for incorporation into national law proposed by the Council is slightly longer (24 months instead of 18).