

# **Railway transport: infrastructure capacity and levying for their use, safety certification.**

## **Railway package**

1998/0267(COD) - 05/07/2000 - Text adopted by Parliament, 2nd reading

By approving the report drafted by Mr Hannes SWOBODA (PES, Aust), the European Parliament adopted, under the codecision procedure, second reading, the legislative resolution on the Council's common position for adopting a European Parliament and Council Directive on the allocation of railway infrastructure capacity and the levying of charges for the use of railway infrastructures. This report was subject to a number of amendments which relate in particular to: - trading in access rights: this shall be prohibited and shall lead to exclusion from the further allocation of access rights; - charges for the use of railway infrastructure: the long term shall be for the costs of the business and maintenance of existing facilities to be covered by the infrastructure users. In the process the principle of fair, non-discriminatory competition between Member States, between the various transport modes and between transport undertakings shall be upheld and charging of environmental costs shall, however, only be allowed if such charges are made at a comparable level in the case of competing modes of transport. With regard to the infrastructure managers, they shall keep an up-to-date register of the undertakings or public entities to whom capacity has been allocated and the extent of the use made of the allocated capacity. As far the Member States are concerned, they may take the necessary measures to ensure that priority is given to public transport services in allocating rail capacity. In this case, they may provide infrastructure managers with compensation for financial losses arising from the fact that a certain capacity must be allocated in the interests of public transport services. The framework agreements shall in principle be for a period of five year and any period longer than ten years shall be possible only in special and exceptional cases, where there is a large-scale, long-term investment.