

Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Regulation 2020/0127(COD)	Procedure completed
Measures for a sustainable rail market in view of the COVID-19 pandemic Amended by 2021/0437(COD)	
Subject 3.20.02 Rail transport: passengers and freight 3.20.10 Transport undertakings, transport industry employees 3.20.11 Trans-European transport networks 3.70.20 Sustainable development	
Legislative priorities The EU's response to the Covid-19 pandemic	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	TRAN Transport and Tourism		
Council of the European Union European Economic and Social Committee European Committee of the Regions			

Key events			
19/06/2020	Legislative proposal published	COM(2020)0260	Summary
08/07/2020	Committee referral announced in Parliament, 1st reading		
02/09/2020	Decision by committee, without report		
17/09/2020	Decision by Parliament, 1st reading	T9-0236/2020	Summary
07/10/2020	Act adopted by Council after Parliament's 1st reading		
07/10/2020	Final act signed		
07/10/2020	End of procedure in Parliament		
12/10/2020	Final act published in Official Journal		

Technical information	
Procedure reference	2020/0127(COD)

Procedure type	COD - Ordinary legislative procedure (ex-coddecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
	Amended by 2021/0437(COD)
Legal basis	Rules of Procedure EP 163; Treaty on the Functioning of the EU TFEU 091
Mandatory consultation of other institutions	European Economic and Social Committee European Committee of the Regions
Stage reached in procedure	Procedure completed
Committee dossier	TRAN/9/03367

Documentation gateway

Legislative proposal	COM(2020)0260	19/06/2020	EC	Summary
Economic and Social Committee: opinion, report	CES3018/2020	15/07/2020	ESC	
Text adopted by Parliament, 1st reading/single reading	T9-0236/2020	17/09/2020	EP	Summary
Draft final act	00030/2020/LEX	07/10/2020	CSL	

Final act

[Regulation 2020/1429](#)
[OJ L 333 12.10.2020, p. 0001](#)

Final legislative act with provisions for delegated acts

Delegated acts

2020/2938(DEA)	Examination of delegated act
2021/2775(DEA)	Examination of delegated act
2022/2741(DEA)	Examination of delegated act

Measures for a sustainable rail market in view of the COVID-19 pandemic

PURPOSE: to assist the railway sector deal with the emergency created by the COVID-19 pandemic.

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: the COVID-19 pandemic brought about a significant drop in demand which in turn has led to a sharp drop in rail transport. Demand for both passenger and freight services for the whole of 2020 is expected to be well below 2019 levels.

The pandemic may lead to a large number of insolvencies and liquidity shortages within the railway sector. It affects all the supply chain and has effects on railway undertakings, shippers and logistic enterprises. Infrastructure managers and service facility operators will also suffer from its financial consequences.

The rail sector makes a vital contribution to the European economy as a whole and to employment, directly employing more than 1 million people, of whom around 600 000 are employed in railway undertakings and 440 000 in infrastructure managers (by the end of 2016). Rail transport is also a key element of the EU's strategy to improve the sustainability of the transport sector, ensure economic and social cohesion and connecting Europeans within and between Member States.

[Directive 2012/34/EU](#) establishing a Single European Railway Area does not allow Member States, in the context of the COVID-19 epidemic, to respond to the unpredictable effects on rail transport by adapting, in particular, the rules on charging and capacity allocation. Targeted derogations should therefore be allowed in order to mitigate the effects of the pandemic on rail transport and to preserve the integrity of the single European railway area.

CONTENT: the proposal for a Regulation is intended to complete the existing rail-related framework in order to allow national authorities and rail stakeholders to deal more easily with a number of negative consequences of the COVID-19 pandemic, and to respond to the urgent needs of the railway sector as long as those consequences persist.

These temporary emergency measures concern notably the waiver, reduction or deferral of track access charges for the use of rail infrastructure, as well as the waiver of reservation charges.

They cover a reference period from 1 March 2020 until 31 December 2020, in respect of which charges may be altered, by derogation from Article 27 of Directive 2012/34/EU whereby the network statement (displaying all applicable charges) shall be published no less than for months in advance for the deadline for requests for infrastructure capacity.

Income losses on the part of infrastructure managers as a result of the reductions envisaged in the proposed Regulation shall be reimbursed by Member States by 31 December of the year following the year in which the loss was incurred at the latest.

The Commission may, by means of delegated acts, extend the time period during which the measures envisaged by the proposed Regulation apply.

Measures for a sustainable rail market in view of the COVID-19 pandemic

The European Parliament adopted by 678 votes to 3, with 5 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council establishing measures for a sustainable rail market in view of the COVID-19 pandemic.

The proposal for a Regulation is intended to complete the existing rail-related framework in order to allow national authorities and rail stakeholders to deal more easily with a number of negative consequences of the COVID-19 pandemic, and to respond to the urgent needs of the railway sector as long as those consequences persist.

The European Parliament adopted its position at first reading in accordance with the ordinary legislative procedure by amending the Commission proposal as follows:

Reduction, waiver or deferral of charges for the minimum access package and of reservation charges

Member States may authorise infrastructure managers to reduce, waive or defer the payment of charges for the minimum access package, and for access to infrastructure connecting service facilities, where appropriate according to the market segments identified in their network statements, in a transparent, objective and non-discriminatory way, where such payment has or will become due during the reference period.

Member States shall inform the Commission of the measures taken under this Article no later than three months from the date of entry into force of this Regulation, and shall inform the Commission of subsequent measures or changes thereof. The Commission shall make this information publicly available.

Extension of the reference period

The proposed measures cover a reference period from 1 March 2020 to 31 December 2020 for which the pricing may be modified, by way of derogation from Article 27 of Directive 2012/34/EU.

By 1 November 2020, infrastructure managers shall provide the Commission with data on the usage of their networks categorised by market segments, in accordance with Article 32(1) of Directive 2012/34/EU, for the periods from 1 March 2019 until 30 September 2019 and from 1 March 2020 until 30 September 2020.

Members clarified that where the reference period is extended, the infrastructure managers shall provide the Commission with a new set of data when half of the prolongation of the reference period has elapsed, in order to allow the Commission to assess the development of the situation during the prolongation of the reference period.

The amended text underlines that the Commission shall continuously analyse the economic impact of the COVID-19 outbreak on that sector and the Union should be in a position to prolong without undue delay the period during which the measures provided for by this Regulation apply if the adverse conditions persist.