

Procedure file

Basic information	
<p>COD - Ordinary legislative procedure (ex-codecision procedure) Regulation</p> <p>2021/0437(COD)</p>	Procedure completed
<p>Duration of the reference period for the application of temporary measures concerning the levying of charges for the use of railway infrastructure</p> <p>Amending Regulation 2020/1429 2020/0127(COD)</p> <p>Subject</p> <p>3.20.02 Rail transport: passengers and freight</p> <p>3.20.10 Transport undertakings, transport industry employees</p> <p>3.20.11 Trans-European transport networks</p> <p>3.70.20 Sustainable development</p> <p>Legislative priorities</p> <p>The EU's response to the Covid-19 pandemic</p>	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	TRAN Transport and Tourism		
Council of the European Union European Commission	Commission DG	Commissioner	
	Mobility and Transport	VĂLEAN Adina-Ioana	
European Economic and Social Committee European Committee of the Regions			

Key events			
22/12/2021	Legislative proposal published	COM(2021)0832	Summary
20/01/2022	Committee referral announced in Parliament, 1st reading		
07/02/2022	Decision by committee, without report		
16/02/2022	Decision by Parliament, 1st reading	T9-0035/2022	Summary
24/02/2022	Act adopted by Council after Parliament's 1st reading		
24/02/2022	Final act signed		
28/02/2022	Final act published in Official Journal		

Technical information

Procedure reference	2021/0437(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
	Amending Regulation 2020/1429 2020/0127(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/9/08048

Documentation gateway

Legislative proposal	COM(2021)0832	22/12/2021	EC	Summary
Text adopted by Parliament, 1st reading/single reading	T9-0035/2022	16/02/2022	EP	Summary
Draft final act	00003/2022/LEX	24/02/2022	CSL	

Final act

[Regulation 2022/312](#)
[OJ L 055 28.02.2022, p. 0001](#)

Duration of the reference period for the application of temporary measures concerning the levying of charges for the use of railway infrastructure

PURPOSE: to extend the application of the temporary rules on the levying of charges for the use of railway infrastructure laid down in response to the urgent situation created by the COVID-19 outbreak.

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 has led to a sharp drop in rail traffic, because of a significant fall in demand. This has had a serious impact on railway undertakings. Those circumstances are beyond the control of railway undertakings that have continuously faced considerable liquidity problems, major losses and in some cases are risking insolvency.

In order to counteract the negative economic effects of the COVID-19 pandemic and support railway undertakings, Regulation (EU) 2020/1429 of the European Parliament and of the Council enabled Member States to authorise infrastructure managers to reduce, waive or defer charges for accessing rail infrastructure. That possibility was granted for a reference period from 1 March 2020 until 31 December 2020 and was further extended by [Commission Delegated Regulation \(EU\) 2021/1061](#) until 31 December 2021. The Commission is no longer empowered to extend further that reference period.

However, the COVID-19 pandemic is continuing therefore the reference period of Regulation (EU) 2020/1429 should be extended until 30 June 2022 to ensure continuity in the application of the measures.

CONTENT: the Commission proposal aims to extend the reference period until 30 June 2022, and to empower the Commission to adopt delegated acts to further extend such period until 31 December 2023. It is also proposed that the delegation of power should end on the same date, that is, 31 December 2023. All other provisions of the current Regulation should remain unchanged.

The Commission should continuously analyse the economic impact of the COVID-19 outbreak on the rail sector and the Union should be in a position to prolong without undue delay the period of application of the measures provided for by this Regulation if the adverse conditions persist.

In order to allow for the prompt application of the measures provided for in this Regulation, it should enter into force as a matter of urgency on the day following that of its publication in the Official Journal of the European Union.

Duration of the reference period for the application of temporary measures concerning the levying

of charges for the use of railway infrastructure

The European Parliament adopted by 678 votes to 5, with 11 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EU) 2020/1429 as regards the duration of the reference period for the application of temporary measures concerning the levying of charges for the use of railway infrastructure.

Parliament adopted its position at first reading under the ordinary legislative procedure by taking over the Commission proposal.

In order to counteract the negative economic effects of the COVID-19 pandemic and support railway undertakings, Regulation (EU) 2020/1429 of the European Parliament and of the Council enabled Member States to authorise infrastructure managers to reduce, waive or defer charges for accessing rail infrastructure. That possibility was granted for a reference period from 1 March 2020 until 31 December 2020 and was further extended by Commission Delegated Regulation (EU) 2021/1061 until 31 December 2021.

The Commission proposal aims to extend the reference period for the application of temporary measures concerning railway infrastructure charging until 30 June 2022, in order to respond to the emergency situation created by the COVID-19 outbreak.

The proposal also empowers the Commission to adopt delegated acts to further extend this period until 31 December 2023 if it finds, on the one hand, that the drop in the level of rail traffic compared to the level of the corresponding period of the previous years persists and is likely to persist and, on the other hand, on the basis of the best available scientific evidence, that this situation is the result of the impact of the COVID-19 pandemic.

It is also proposed that the delegation of power should end on 31 December 2023.

All other provisions of the current Regulation should remain unchanged.