Railway transport of passengers: opening to international competition, Rail Market Access. 3rd package

2004/0047(COD) - 03/03/2004 - Legislative proposal

PURPOSE: continuation of the reform of the rail sector by opening the international transport of passengers within the European Union to competition (Third Railway Package). PROPOSED ACT: European Parliament and Council Directive. CONTENT: As announced in the White Paper 'European transport policy for 2010: time to decide', the Commission is presenting a proposal with a view to opening up international rail passenger services to competition. This is one of several measures being proposed to complement the First Rail Package (2001) and the Second Rail Package, which is to be formally adopted in the near future (directive on rail safety, the Rail Agency and the opening of the freight market). Along with this current proposal on the opening of the market, the Commission is also proposing to improve the rights of passengers using international services (COD/2004/0049), establish a certification system for locomotive drivers (COD/2004/0048) and step up the quality of freight services (COD/2004/0050). This particular proposal provides that as from 1 January 2010, railway undertakings, which have a licence and the required safety certificates, should be able to operate international services in the Community. In order to create realistic economic conditions to develop the services, it is proposed that operators be permitted to pick up and set down passengers at any station on an international route, including stations located in the same Member State. This has been organised in such a way as to safeguard the economic equilibrium of public service contracts which could be affected by this, while at the same time not placing exaggerated constraints on the operating conditions of new international operators. In view of differing needs of the various market segments (regional cross-border, international long distance, high-speed, etc.) and on the profitability or otherwise of the service in question, it was proposed that the general principle should be one of opening up the market on the basis of free access, while allowing Member States the option of limiting such access if they conclude a public service contract for a specific service or if the economic equilibrium of the public service is at risk.?