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#### **INFORMATION NOTE**

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from: General Secretariat  
to: Permanent Representatives Committee/Council

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Subject: Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 91/2003 of the European Parliament and of the Council of 16 December 2002 on rail transport statistics, as regards the collection of data on goods, passengers and accidents  
– Outcome of the European Parliament's first reading  
(Strasbourg, 10 to 13 March 2014)

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#### **I. INTRODUCTION**

The Rapporteur, Mr Michael CRAMER (EFA/Greens, DE), presented a report on the proposal for a Regulation on behalf of the Committee on Transport and Tourism. The report contained 23 amendments (amendments 1 - 23) to the proposal.

No other amendments were tabled.

## II. VOTE

The vote on the proposal took place on 11 March 2014. The European Parliament adopted 22 amendments to the proposal.

All but one of the Committee's amendments (amendment 14) were adopted. The amendments adopted are set out in the Annex together with the legislative resolution.

## **Rail transport statistics \*\*\*I**

**European Parliament legislative resolution of 11 March 2014 on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 91/2003 of the European Parliament and of the Council of 16 December 2002 on rail transport statistics, as regards the collection of data on goods, passengers and accidents (COM(2013)0611 – C7-0249/2013 – 2013/0297(COD))**

**(Ordinary legislative procedure: first reading)**

*The European Parliament,*

- having regard to the Commission proposal to Parliament and the Council (COM(2013)0611),
  - having regard to Article 294(2) and Article 338(1) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C7-0249/2013),
  - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
  - having regard to Rule 55 of its Rules of Procedure,
  - having regard to the report of the Committee on Transport and Tourism (A7-0002/2014),
1. Adopts its position at first reading hereinafter set out;
  2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;
  3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

## Amendment 1

### Proposal for a regulation Recital 3 a (new)

*Text proposed by the Commission*

*Amendment*

***(3a) Eurostat should closely cooperate with the European Railway Agency in the collection of rail accident data in order to ensure that the data obtained are consistent and fully comparable. The role of the European Railway Agency in the field of rail safety should be continuously enhanced.***

## Amendment 2

### Proposal for a regulation Recital 7

*Text proposed by the Commission*

*Amendment*

(7) In its report to the European Parliament and the Council on the experience acquired in the application of the Regulation (EC) No 91/2003, the Commission mentions that long term developments will probably mean the suppression or simplification of the data already collected under the Regulation, and that the intention is to reduce the data transmission period for annual data on rail passengers.

(7) In its report to the European Parliament and the Council on the experience acquired in the application of the Regulation (EC) No 91/2003, the Commission mentions that long-term developments will probably mean the suppression or simplification of the data already collected under the Regulation, and that the intention is to reduce the data transmission period for annual data on rail passengers. ***The Commission should continue to provide reports at regular intervals on the way in which this Regulation is implemented.***

## Amendment 3

### Proposal for a regulation Recital 10

*Text proposed by the Commission*

*Amendment*

(10) It is particularly important that the Commission carry out the appropriate consultations during its preparatory work, including at expert level. The Commission should, when preparing and drawing up

(10) It is particularly important that the Commission carry out the appropriate consultations during its preparatory work, including at expert level, ***and that it take into account the position of the rail sector.***

delegated acts, ensure simultaneous, timely and appropriate submission of the relevant documents to the European Parliament and to the Council.

The Commission should, when preparing and drawing up delegated acts, ensure simultaneous, timely and appropriate submission of the relevant documents to the European Parliament and to the Council.

#### Amendment 4

##### Proposal for a regulation Recital 12

###### *Text proposed by the Commission*

(12) In order to ensure uniform conditions for implementation of Regulation (EC) No 91/2003, implementing powers should be conferred on the Commission as regards the specification of information to be supplied for the reports on the quality and comparability of the results. These powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers<sup>4</sup>.

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<sup>4</sup> OJ L 55, 28.2.2011, p. 13.

###### *Amendment*

(12) In order to ensure uniform conditions for implementation of Regulation (EC) No 91/2003, implementing powers should be conferred on the Commission as regards the specification of information to be supplied for the reports on the quality and comparability of the results, ***and on arrangements for the dissemination of results by the Commission (Eurostat)***. These powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers<sup>4</sup>. ***The examination procedure should be used for the adoption of those acts, given their general scope.***

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<sup>4</sup> OJ L 55, 28.2.2011, p. 13.

#### Amendment 5

##### Proposal for a regulation Article 1 – point 1 – point a Regulation (EC) No 91/2003

Article 3 – paragraph 1 – points 24-30

###### *Text proposed by the Commission*

***(a) In paragraph 1, points 24-30 are***

###### *Amendment*

***deleted***

*deleted.*

## **Amendment 6**

### **Proposal for a regulation**

#### **Article 1 – point 2 – point a**

Regulation (EC) No 91/2003

Article 4 – paragraph 1 – points b, d, h

*Text proposed by the Commission*

(a) In paragraph 1, points b, **d and h** are deleted.

*Amendment*

(a) In paragraph 1, points b **and d** are deleted.

## **Amendment 7**

### **Proposal for a regulation**

#### **Article 1 – point 2 – point a a (new)**

Regulation (EC) No 91/2003

Article 4 – paragraph 1 – point g a (new)

*Text proposed by the Commission*

*Amendment*

***(aa) In paragraph 1, the following point is inserted:***

***'(ga) statistics on rail infrastructure (Annex Ga);'***

## **Amendment 8**

### **Proposal for a regulation**

#### **Article 1 – point 2 – point a b (new)**

Regulation (EC) No 91/2003

Article 4 – paragraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

***(ab) In paragraph 1, the following point is inserted:***

***'1a. Eurostat shall closely cooperate with the European Railway Agency (ERA) in the collection of accident data, including data qualifications, in order to ensure that the rail accident data collected by ERA under the Annex to Directive***

*2009/149/EC on railway safety is fully comparable to the accident data collected by Eurostat on other transport modes.'*

## Amendment 9

### Proposal for a regulation

#### Article 1 – point 2 – point d

Regulation (EC) No 91/2003

Article 4 – paragraph 5

#### *Text proposed by the Commission*

5. The Commission shall be empowered to adopt delegated acts, in accordance with Article 10, concerning the adaptation of the contents of the Annexes and the thresholds for reporting as referred to in paragraphs 1 and 3, in order to take account of economic and technical developments.

#### *Amendment*

5. The Commission shall be empowered to adopt delegated acts, *where necessary* in accordance with Article 10, concerning the adaptation of the contents of the Annexes and the thresholds for reporting as referred to in paragraphs 1 and 3, in order to take account of economic and technical developments.

## Amendment 10

### Proposal for a regulation

#### Article 1 – point 4

Regulation (EC) No 91/2003

Article 7

#### *Text proposed by the Commission*

Statistics based on the data specified in Annexes A, C, E, F, G and L shall be disseminated by the Commission (Eurostat).

#### *Amendment*

Statistics based on the data specified in Annexes A, C, E, F, G, **Ga, H** and L shall be disseminated by the Commission (Eurostat) *no later than 12 months after the end of the period to which the results relate.*

*The arrangements for the dissemination of results shall be adopted by the Commission in accordance with the examination procedure referred to in Article 11(2).*

## Amendment 11

### Proposal for a regulation

#### Article 1 – point 4 a (new)

Regulation (EC) No 91/2003

Article 8 – paragraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

***(4a) In Article 8, the following paragraph is inserted:***

***'1a. Member States shall take all measures necessary to ensure the quality of the data transmitted.'***

## **Amendment 12**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 6**

Regulation (EC) No 91/2003

Article 9

*Text proposed by the Commission*

*Amendment*

(6) Article 9 is ***deleted***.

(6) Article 9 is ***replaced by the following:***

***'Article 9***

#### ***Report***

***By [dd/mm/yyyy] [three years after the date of entry into force of this Regulation] and every three years thereafter, the Commission, after consulting the Statistical Programme Committee, shall submit a report to the European Parliament and the Council on the implementation of this Regulation. In particular, that report shall:***

***(a) assess the benefits accruing to the Union, the Member States and the providers and users of statistical information of the statistics produced, in relation to their costs;***

***(b) assess the quality of the statistics produced, especially with regards to data losses, resulting from the deletion of simplified reporting;***

***(c) identify areas for potential improvement and any amendments considered necessary in the light of the***



*results obtained.*'.

## Amendment 13

### Proposal for a regulation

#### Article 1 – point 7

Regulation No 91/2003

Article 10 – paragraph 2

#### *Text proposed by the Commission*

The power to adopt delegated acts referred to in Articles 3(2) and 4(5) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [Publications office: please insert the exact date of the entry into force of the amending Regulation].

#### *Amendment*

The power to adopt delegated acts referred to in Articles 3(2) and 4(5) shall be conferred on the Commission for ***a*** period of ***five years*** from [Publications office: please insert the exact date of the entry into force of the amending Regulation]. ***The Commission shall draw up a report in respect of the delegation of power no later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration unless the European Parliament or the Council opposes such extension no later than three months before the end of each period.***

## Amendment 15

### Proposal for a regulation

#### Article 1 – point 10

Regulation (EC) No 91/2003

Annexes B, D, H, I

#### *Text proposed by the Commission*

(10) Annexes B, D, ***H*** and I are deleted.

#### *Amendment*

(10) Annexes B, D and I are deleted.

## Amendment 16

### Proposal for a regulation

#### Article 1 – point 11 a (new)

Regulation (EC) No 91/2003

Annex F – column 2 – row 1 – paragraphs 1 and 2

*Text proposed by the Commission*

*Amendment*

**(11a) Annex F is amended as follows:**

**(a) In column 2, row 1, paragraph 1 the following indent is added:**

**' – tonne-km';**

**(b) In column 2, row 1, paragraph 2 the following indent is added:**

**' – passenger-km'.**

## **Amendment 17**

**Proposal for a regulation**

**Article 1 – point 11 b (new)**

Regulation (EC) No 91/2003

Annex F – column 2 – row 1

*Text proposed by the Commission*

*Amendment*

**(11b) Annex F is amended as follows:**

**(a) In column 2, row 1 the following paragraph is inserted:**

**' – distance-based rail freight modal shares based on tonne-km according to the following distance breakdown:**

**–  $d \leq 50$  km**

**–  $50 \text{ km} < d \leq 150$  km**

**–  $150 \text{ km} < d \leq 300$  km**

**–  $300 \text{ km} < d \leq 500$  km**

**–  $500 \text{ km} < d \leq 750$  km**

**–  $750 \text{ km} < d \leq 1000$  km**

**–  $d > 1000$  km;'**

## **Amendment 18**

**Proposal for a regulation**

**Article 1 – point 11 c (new)**

Regulation (EC) No 91/2003

Annex F – column 2 – row 3

*Text proposed by the Commission*

*Amendment*

*(11c) Annex F is amended as follows:*

*(b) In column 2, row 3 is amended as follows:*

*‘– For ‘tonnes’ and ‘tonne-km’: Every year’;*

*– For ‘number of passengers’ and ‘passenger-km’: Every five years’.*

## **Amendment 19**

### **Proposal for a regulation**

#### **Article 1 – point 11 d (new)**

Regulation (EC) No 91/2003

Annex H

*Text proposed by the Commission*

*Amendment*

*(11d) Annex H is amended as follows:*

*(a) In column 2, row 1 the following indent is added:*

*‘– number of incidents (Table H2)’;*

*(b) In column 2, row 4, paragraph 2 is replaced by the following:*

**‘Table H2: number of accidents and incidents involving the transport of dangerous goods’;**

*(c) In column 2, row 7, paragraph 1, the third indent is replaced by the following:*

*‘– accidents involving level crossings and those not caused by trains’;*

*(d) In column 2, row 7, paragraph 2, the first indent is replaced by the following:*

**‘– total number of accidents and incidents involving at least one railway vehicle transporting dangerous goods, as defined by the list of goods covered by Annex K’;**

*(e) In column 2, row 7, paragraph 2, the second indent is replaced by the following:*

'– number of such accidents *and incidents in which dangerous goods are released*'.

## Amendment 20

### Proposal for a regulation

#### Article 1 – point 12

Regulation (EC) No 91/2003

Annexes L and G a (new)

#### *Text proposed by the Commission*

(12) *Annex L is* added as set out in the Annex to this Regulation.

#### *Amendment*

(12) *Annexes Ga and L are* added as set out in the Annex to this Regulation.

## Amendment 21

### Proposal for a regulation

#### Article 2 – paragraph 1

Regulation (EC) No 91/2003

Article 13 – paragraph 1

#### *Text proposed by the Commission*

This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.

#### *Amendment*

This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union. *It shall be consolidated with Regulation (EC) No 91/2003 within three months of its publication.*

## Amendment 22

### Proposal for a regulation

#### Annex C – column 2 – row 1 – paragraph 2 a (new)

Regulation (EC) No 91/2003

Annex C

#### *Text proposed by the Commission*

#### *Amendment*

*Locomotives equipped with ERTMS in:  
– number*

## Amendment 23

### Proposal for a regulation

#### Annex C a (new)

Regulation (EC) No 91/2003

#### Annex G a (new)

*Text proposed by the Commission*

*Amendment*

***(11b) The following Annex is inserted:***

***‘Annex Ga***

***Rail infrastructure data***

***1. Number of kilometres of rail infrastructure, equipped with ERTMS;***

***1a. Length in kilometres of the rail network continuously equipped with ERTMS (in the Member State);***

***2. Number of cross-border rail infrastructure points, used more frequently for passenger transport than every hour, than every two hours and less frequently than every two hours;***

***3. Number of cross-border rail points, abandoned for use of passengers or freight transport or dismantled rail infrastructure;***

***4. Number of stations, barrier-free, accessible for persons with reduced mobility (PRMs) and disabled persons.’***