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from: General Secretariat of the Council
to: Delegations

Subject: Partial summary record of the meeting of the **on Transport and Tourism (TRAN)** of the European Parliament, held in Brussels on 3 and 4 November 2014
Chair: Mr CRAMER (G/EFA, DE).

TRAN held a discussion on the cross-border exchange of information on road safety related traffic offences and had an exchange of views with the Commission on its implementing powers in the field of aviation safety and on the classification of serious infringements in road transport. The Commission and various stakeholders also presented the state of play on international train connections.

1. Cross-border exchange of information on road safety related traffic offences

Rapporteur: Inés Ayala Sender (S&D, ES), 2014/0218(COD), COM(2014)0476

The rapporteur described in detail the background to the proposal. Given the ruling of the Court of Justice, the Commission had presented a new proposal with transport safety as a new legal basis. She welcomed the fact that only minor changes were suggested, in line with the judgment. Based on the new proposal, the Member States that had an opt-out under the previous directive (DK, IE, UK) would need a transitional period to implement it. She tabled an amendment on the clarification of the new data protection arrangements, which reflected the opinions of both the European Data Protection Supervisor and the Council, and asked Members to support it. She hoped that agreement on the text could be reached by the end of the year.

The shadow rapporteurs emphasised the importance of adopting the text as soon as possible and supported both the proposal and the amendment. Mr Bach (EPP, LU) praised the good cooperation with DK, IE and UK. Ms Foster (ECR, UK) raised the issue of a transitional period for implementation for these countries and said she would table an amendment on this topic.

The Commission representative found the rapporteur's amendment acceptable. She also said that the concerns of DK, IE and UK on transposition deadlines would need to be taken into account.

Timetable: Deadline for amendments: 7 November, 12.00

2. Scrutiny of Commission's implementing powers - Presentation on Aviation Safety by the European Commission, DG MOVE

The Commission representative presented the way in which safety was organised both inside and outside the EU. The speaker from the European Aviation Safety Agency (EASA) described the procedure behind the development of the rulemaking programme, which was addressing safety, level playing field issues and legal obligations. He clarified the differences between opinions and decisions issued by the EASA and explained that opinions were intended to be followed up by comitology regulations and subject to EP scrutiny. He said EASA was currently working, amongst other things, on aircraft tracking, voice recorders, safety in military conflict zones, remotely piloted aircraft systems (drones) and amendments to the EU-US safety agreement (on private pilot licences). The revision of the "basic" regulation, No 216/2008, was also in the pipeline, with the public consultation already completed and the impact assessment underway. A possible initiative would be coordinated with the SES2 package and might be presented in 2015.

Many Members were concerned about social dumping and pilots' working hours. Others inquired about drones, US pilot licences, cooperation with other organisations and EASA funding.

Concerning pilots' working hours, the Commission representative referred to the new rules that had been adopted on flying time limitations. As regards social dumping, he recalled that the Commission was only competent on safety issues and could not, therefore, address social dumping matters. With regard to the US pilot licences, it was necessary to put in place a simplified conversion system. The progress had been considerable, but entailed a complicated procedure. The EASA funding would be addressed in the framework of the revision the "basic" regulation. Regarding cooperation with other organisations in the context of MH17 flight, he explained that a lot of work had been done in the framework of the ICAO to find ways of handling these situations better. The issues relating to drones were currently being studied in the impact assessment.

Whether they would become the subject of a special regulation or integrated in the current one, was also under examination.

3. Scrutiny of Commission's implementing powers - Presentation by the European Commission, DG MOVE, on the Draft Commission Regulation on the classification of serious infringements in road transport

The Commission representative gave some clarifications about the draft regulation and presented the purpose of the measure, its scope and the timing of procedures.

Members were rather critical about the vagueness of the list of serious and very serious infringements and identified shortcomings relating to social dumping, the use of false driving licences, commercial abuse by letterbox companies and illegal cabotage.

The Commission representative said that the exercise should be seen as part of the broader goal of developing a common enforcement area at EU level. She stressed that the list could not take into account all possible infringements, as it had been developed within the strict framework of the basic legal acts related to road safety (scope and definition of the level of seriousness based on the potential risk of injuries and fatalities). The Member States had some flexibility to take into account specific situations. All other infringements that could be regarded as serious or very serious fell under Member States' competence and should be taken into account in the national procedure for checking good repute. As regards the social aspects, the social legislation on road transport only covered driving times, working times, breaks, rest periods and night time provisions.

The chair concluded that if a Member wanted to object to the measure, he/she should submit a justified objection by 19 November.

4. Exchange of views on the state of play on international train connections by the European Commission, DG MOVE, and stakeholders

The Commission representative stated that any decision to open or discontinue a service, which did not come under public service obligations, was a commercial issue. He identified four problem areas that needed improvement: the outdated set of data (implementing act foreseen); the completion of the legal framework (4th railway package); consumer and user-related tools (e.g. integrated ticketing and journey planner) and technical interoperability.

Mr LOCHMAN from the Community of European Railway and Infrastructure Companies (CER) underlined that given their commercial basis, profitability was a crucial factor for international rail providers. Concerning night trains, he highlighted passengers' expectations, competitive pressure due to low-cost airlines, increasing rail network congestion at night, the costs of specialised rolling stock and an insufficiently level playing field. To address this, he suggested re-sizing the conventional international services on offer so as to increase quality and promote high speed services that could compete with low-cost airlines. He stressed that rail should be the backbone of a sustainable and integrated transport system, and provide synergies with air and bus transport and good links to local and urban transportation networks.

Mr GARROD from the European Passengers' Federation (EPF) considered it important for passengers to have a choice of transport modes for international journeys that provided an attractive service at a reasonable price. He acknowledged that the competition was unfair in some areas (e.g. rail is 100% tolled) and called for more dialogue and harmonisation between national infrastructure managers, and for transparency on track access charges. Moreover, the planning of engineering work should take into account cross-border traffic. When public funding was received, it should be conditional on maintenance of cross-border services. In addition, where cross-border services were franchised, the rolling stock should be interoperable on both sides. With that in mind, he was looking forward to the implementation of the technical pillar of the 4th railway package. He outlined some key factors for night trains, such as convenient timing, comfort, links to daytime connections and station facilities. He believed that night trains had a role to play and called on the Commission to come up with a study on the social, economic and environmental benefits of night trains for EU citizens, including a cost-benefit analysis.

Members discussed the competition between rail and low-cost airlines and buses at length. For some, night trains could not compete, since low-cost airlines took a shorter time and were cheaper. Others emphasised the comfort factor and stressed the need for high-quality rolling stock. The chair was very critical of the unfair competition, as low-cost airlines were cheaper due to heavy subsidies (rather than a better business model). The same applied to some extent to long-distance coaches, which did not pay tolls. Members also inquired about intermodal ticketing, fuel taxes and the governance component of the 4th railway package.

Given the fact that international services already existed, both the CER and the EPF prioritised the technical pillar of the 4th railway package. As Mr LOCHMAN (CER) pointed out, it played an important part in the commercial viability of services and had a huge cost reduction potential. On the other hand, the Commission representative promoted the package aspect of the proposal. Concerning governance, he hoped for a full accountability of infrastructure managers. Referring to the open access as mentioned by the CER and the EPF, he said that introducing new international routes still remained difficult in the rail sector and needed further improvement. With regard to conditionality, he pointed out that the PSO (public service obligations) proposal included a reference to the possibility of covering international travel under such an obligation. Concerning competition and the level playing field, the Commission explained the complexity of the subject, as different frameworks covered different transport modes. The issue would be addressed in the framework of the renewed initiative on internalisation of external costs. Regarding ticketing, the Commission shared the frustrations expressed and wanted to address them. It should be at least at the level of other transport modes. Mr LOCHMAN also recognised its need to improve. For this reason the CER had launched a full service model with a common interface.

5. Presentation by the European Maritime Safety Agency (EMSA) Executive Director, Mr MYLLY

Mr MYLLY introduced the agency and informed Members about its core tasks, services, budget and stakeholders, as well as current activities and challenges. He presented EMSA's 5-year strategy and outlined the way in which new responsibilities would be implemented in the area of marine environmental protection (such as monitoring of oil spills and oil and gas installations), activities concerning air emissions from ships, integrated maritime services, etc. He also spoke about EMSA's contribution to addressing the Ebola outbreak.

In reply to the questions of Members, Mr MYLLY acknowledged the problem of attracting young people to become seafarers. He emphasised the need to promote the possibility of future studies and land-based jobs afterwards. Concerning support for the Blue growth strategy, EMSA provided information on scrutiny of the administrative burden on vessels. With regard to data sharing and protection, Mr MYLLY said that EMSA could not disseminate information to any other party without permission from the Member State concerned. As regards the monitoring of oil and gas installations, he highlighted the possibility of aerial dispersion and providing vessels with a spreading system.

Commenting on the accident on the Flaminia vessel, he said EMSA had responded by organising some simulations involving national authorities, with a view to promoting a coordinated response should such an incident occur in future.

Concerning the maritime spatial planning, the Commission representative informed that EMSA's involvement was not foreseen so far.

Next meeting

- 20 November 2014, 9.00 – 12.30 (Brussels)
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