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*Committee on Transport and Tourism*

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**2013/0297(COD)**

23.10.2013

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## **DRAFT REPORT**

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))

Committee on Transport and Tourism

Rapporteur: Michael Cramer

### ***Symbols for procedures***

*	Consultation procedure
***	Consent procedure
***I	Ordinary legislative procedure (first reading)
***II	Ordinary legislative procedure (second reading)
***III	Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

### ***Amendments to a draft act***

#### **Amendments by Parliament set out in two columns**

Deletions are indicated in ***bold italics*** in the left-hand column. Replacements are indicated in ***bold italics*** in both columns. New text is indicated in ***bold italics*** in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

#### **Amendments by Parliament in the form of a consolidated text**

New text is highlighted in ***bold italics***. Deletions are indicated using either the ■ symbol or strikeout. Replacements are indicated by highlighting the new text in ***bold italics*** and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.

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## **DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION**

**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 (A7-0000/2013),
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 7

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

(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.

##### *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. ***The Commission should continue to provide reports at regular intervals on the way in which this Regulation is implemented.***

Or. en

## Amendment 2

### 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

##### *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

implementing powers<sup>4</sup>.

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.

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

Or. en

*Justification*

*See amendment to Article 1-paragraph 1 - point 4 (Article 7 of Regulation (EC) 91/2003).*

**Amendment 3**

**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*

*Amendment*

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

***deleted***

Or. en

*Justification*

*In line with the amendment on keeping in the Annex H on statistics on accidents.*

**Amendment 4**

**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*

*Amendment*

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

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

deleted.

deleted.

Or. en

*Justification*

*In line with the amendment on keeping in the Annex H on statistics on accidents.*

**Amendment 5**

**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);'.***

Or. en

**Amendment 6**

**Proposal for a regulation**

**Article 1 – point 2 – point d**

Regulation (EC) No 91/2003

Article 4 – paragraph 5

*Text proposed by the Commission*

*Amendment*

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.

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 technical developments.

Or. en

## Amendment 7

### 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).***

Or. en

## Amendment 8

### 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.'***

Or. en

## Amendment 9

### Proposal for a regulation

#### Article 1 – point 6

*Text proposed by the Commission*

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

*Amendment*

(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;***

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

Or. en

*Justification*

*Necessary in order to evaluate the impact of modification of this Regulation.*

**Amendment 10**

**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.***

Or. en

**Amendment 11**

**Proposal for a regulation**

**Article 1 – point 9 a (new)**

Regulation (EC) No 91/2003

Annex A – column 2 – row 1 – paragraph 3 a (new)

*Text proposed by the Commission*

*Amendment*

***(9a) In Annex A, column 2, row 1 the following paragraph is added:***

***'Silent freight wagons equipped or retro-fitted with composite brake blocks in:***

***- number'.***

Or. en

**Amendment 12**

**Proposal for a regulation**

**Article 1 – point 10**

Regulation (EC) No 91/2003  
Annexes B, D, H, I

*Text proposed by the Commission*

*Amendment*

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

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

Or. en

*Justification*

*The requirement to collect data on accidents should stay with both Eurostat and European Rail Agency.*

### **Amendment 13**

#### **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'.***

Or. en

### **Amendment 14**

#### **Proposal for a regulation**

#### **Article 1 – point 11 b (new)**

Regulation (EC) No 91/2003

Annex H

***(11b) 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'.***

Or. en

## **Amendment 15**

### **Proposal for a regulation**

#### **Article 1 – point 12**

Regulation (EC) No 91/2003

Annexes L and G a (new)

(12) ***Annex L*** is added as set out in the

(12) ***Annexes G a and L*** are added as set

Annex to this Regulation.

out in the Annex to this Regulation.

Or. en

## **Amendment 16**

### **Proposal for a regulation**

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

Regulation (EC) No 91/2003

Annex C

*Text proposed by the Commission*

*Amendment*

**– seat-km**

Or. en

## **Amendment 17**

### **Proposal for a regulation**

**Annex – 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**

Or. en

## **Amendment 18**

### **Proposal for a regulation**

**Annex – Annex C – column 2 – row 1 – paragraph 2 b (new)**

Regulation (EC) No 91/2003

Annex C

*Text proposed by the Commission*

*Amendment*

**Trains, not carrying bicycles, in:**

**– number, market share and type**

Or. en

## **Amendment 19**

### **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;***
- 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.’***

Or. en

## EXPLANATORY STATEMENT

### Background

Regulation (EC) No 91/2003, which the Commission proposes to amend, establishes common rules for the production of Union rail transport statistics. Data collected within this framework cover goods and passenger transport, as well as data collected on traffic flows on the rail network and on accidents.

### The Commission proposal

The proposal simplifies Regulation (EC) No 91/2003 by preserving only 'detailed' reporting requirements and abandoning the current concept of 'simplified' reporting, thus reducing the burden on Member States and respondents, with no significant loss in the quality of data for the transport of goods and passengers by rail, and shortening the timelines for disseminating passenger rail data.

For smaller undertakings below the specified thresholds, Member States would have to report an 'overall' figure for aggregated indicators in a separate Annex.

The Commission proposes to delete the requirement to collect data on accidents, as these statistics are also collected by the European Rail Agency (ERA).

Finally, the proposed amendment of Regulation (EC) No 91/2003 takes into account the adjustments to the Treaty on the Functioning of the European Union, as regards granting the Commission delegated and implementing powers.

### Rapporteur's view

Your Rapporteur welcomes the Commission's intention to simplify rules for the generation of Union rail transport statistics, and to align the existing comitology provisions to delegated and implementing acts.

However, the Rapporteur is of the opinion that data collection should be extended further to rail infrastructure data, and that more measurement variables in statistics on passenger transport should be included, in particular with regard to cross-border connections that should be at the heart of the EU's transport policy. He proposes to add a few classes of data, such as the number and type of trains, bicycles carried (based on Article 6 of the Rail Passenger Regulation), the number of new and retro-fitted silent freight waggons equipped with composite brake blocks (based on the new Connecting Europe Facility (CEF) Regulation).

Your Rapporteur is also of the opinion that there is a need for streamlining the powers delegated to the Commission to safeguard the Parliament's prerogatives.

Your Rapporteur believes that the requirement to collect data on accidents should not be taken away from Eurostat. Instead, cooperation on data collected has to be ensured and put in place with the European Rail Agency. Moreover, a requirement to collect data on incidents has to be added, since this contributes to a higher level of rail safety.