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REPORT

on the proposal for a European Parliament and Council regulation on rail transport statistics

(COM(2000) 798 – C5-0052/2001 – 2001/0048(COD))

Committee on Regional Policy, Transport and Tourism

Rapporteur: Juan Ojeda Sanz

Symbols for procedures

- * Consultation procedure
majority of the votes cast
- **I Cooperation procedure (first reading)
majority of the votes cast
- **II Cooperation procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- *** Assent procedure
*majority of Parliament's component Members except in cases
covered by Articles 105, 107, 161 and 300 of the EC Treaty and
Article 7 of the EU Treaty*
- ***I Codecision procedure (first reading)
majority of the votes cast
- ***II Codecision procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- ***III Codecision procedure (third reading)
majority of the votes cast, to approve the joint text

(The type of procedure depends on the legal basis proposed by the Commission)

Amendments to a legislative text

In amendments by Parliament, amended text is highlighted in ***bold italics***. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the legislative text for which a correction is proposed, to assist preparation of the final text (for instance, obvious errors or omissions in a given language version). These suggested corrections are subject to the agreement of the departments concerned.

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PROCEDURAL PAGE

By letter of 12 February 2001 the Commission submitted to Parliament, pursuant to Article 251(2) and Article 285 of the EC Treaty, the proposal for a European Parliament and Council regulation on rail transport statistics (COM(2000) 798 - 2001/0048 (COD)).

At the sitting of 15 February 2001 the President of Parliament announced that she had referred this proposal to the Committee on Regional Policy, Transport and Tourism as the committee responsible and the Committee on Budgets, the Committee on Economic and Monetary Affairs and the Committee on the Environment, Public Health and Consumer Policy for their opinions (C5-0052/2001).

The Committee on Regional Policy, Transport and Tourism appointed Juan Ojeda Sanz rapporteur at its meeting of 20 March 2001.

It considered the Commission proposal and draft report at its meetings of 20 June and 10 July 2001.

At the latter meeting it adopted the draft legislative resolution unanimously.

The following were present for the vote: Konstantinos Hatzidakis, chairman; Rijk van Dam and Helmuth Markov, vice-chairmen; Juan Ojeda Sanz, rapporteur; Sir Robert Atkins, Emmanouil Bakopoulos, Carlos Bautista Ojeda (for Camilo Nogueira Román, pursuant to Rule 153(2) of the Rules of Procedure), Rolf Berend, Theodorus J.J. Bouwman, Carmen Cerdeira Morterero, Luigi Cesaro, Danielle Darras, Garrelt Duin, Alain Esclopé, Giovanni Claudio Fava, Markus Ferber (for Dana Rosemary Scallon), Mathieu J.H. Grosch, Ewa Hedkvist Petersen, Mary Honeyball, Juan de Dios Izquierdo Collado, Georg Jarzembowski, Dieter-Lebrecht Koch, Giorgio Lisi, Sérgio Marques, Erik Meijer, Rosa Miguélez Ramos, Francesco Musotto, Josu Ortuondo Larrea, Karla M.H. Peijs, Wilhelm Ernst Piecyk, Giovanni Pittella (for John Hume), Samuli Pohjamo, Adriana Poli Bortone, Alonso José Puerta, Reinhard Rack, Carlos Ripoll i Martínez Bedoya, Isidoro Sánchez García, Gilles Savary, Ingo Schmitt, Elisabeth Schroedter (for Reinhold Messner), Brian Simpson, Renate Sommer, Dirk Sterckx, Ulrich Stockmann, Margie Sudre, Ari Vatanen, Demetrio Volcic, Ralf Walter (for Joaquim Vairinhos) and Mark Francis Watts.

The Committee on Budgets, the Committee on Economic and Monetary Affairs, and the Committee on the Environment, Public Health and Consumer Policy decided on 3 April and 11 April 2001 respectively not to deliver opinions.

The report was tabled on 11 July 2001.

The deadline for tabling amendments will be indicated in the draft agenda for the relevant part-session.

LEGISLATIVE PROPOSAL

Proposal for a European Parliament and Council regulation on rail transport statistics (COM(2000) 798 – C5-0052/2001 – 2001/0048(COD))

The proposal is amended as follows:

Text proposed by the Commission ¹	Amendments by Parliament
Amendment 1 Recital 4	
(4) Community statistics on rail transport are also required <i>for a European system for the observation of the rail market as provided for in Directive xx/xxx/EEC</i> of the European Parliament and of the Council amending Council Directive 91/440/EEC on the development of the Community's railways ¹ .	(4) Community statistics on rail transport are also required <i>in order to fulfil the monitoring tasks provided for under Article 10 b of Directive 2001/12/EEC</i> of the European Parliament and of the Council amending Council Directive 91/440/EEC on the development of the Community's railways ¹ .
¹ <i>OJ L</i> , p.	¹ <i>OJ L 75, 15.3.2001, p. 1</i>

Justification

The creation of a European system for the observation of the market for the transport of goods by rail as such was not adopted during the conciliation procedure on the 'rail package' which ended on 22 November 2000. It would therefore be clearer if reference was made to the Commission's monitoring tasks as defined in Article 10 b of Directive 2001/12.

Amendment 2 Article 2, paragraph 1

This Regulation shall cover all railways in the European Union. Each Member State shall report statistics which relate to transport on its national territory. Member States may exclude from the scope of this Regulation

This Regulation shall cover all railways in the European Union. Each Member State shall report statistics which relate to transport on its national territory. ***Where an undertaking operates in more than one Member State, the national authorities concerned shall call on the undertaking to***

¹ OJ C 180, 26.6.2001, p. 94.

provide data separately for each country in which it operates so as to enable national statistics to be compiled. Member States may exclude from the scope of this Regulation

Justification

Provision needs to be made for cases in which an undertaking has its head office in another Member State.

Amendment 3

Article 4, paragraph 1, indent 9 a (new)

- statistics on investments in rail network infrastructure by type of network (Trans-European Rail Freight Network, national, local), by region and by source of funding (Europe, state, local authority, private or public funding).

Justification

In order to fulfil the monitoring tasks defined under Article 10 b of Directive 2001/12/EC and for the purposes of the Commission report referred to under Article 10 b, paragraph 4, notably regarding the state of the Trans-European Rail Freight Network and infrastructure, it would seem necessary only to provide additional data on traffic. While such data are important, their importance is only relative, for such data depend on there being a network and on the state of that network. It is therefore important to provide additional data in order to compile sufficiently accurate statistics on investments in infrastructure (according to type of network, region and source of funding). Moreover, such data would constitute useful indicators which could help develop the transport-related aspects of regional policy and trans-European network policy taking account of spatial planning considerations, and would be in keeping with recital 2 of the present proposal.

Amendment 4

Annex G, second column, first row

passenger transport:
- number of trains

passenger transport:
- number of trains
(for international trains, national trains, Inter-city and interregional trains)

Justification

It would also be useful to compile data on passenger numbers with a breakdown by train type.

Amendment 5
Annex I, Section I 1.2.5

Passenger transport: metro or light rail *Deleted*
yes/no

Justification

Metro and light rail systems do not fall within the scope of this regulation.

DRAFT LEGISLATIVE RESOLUTION

European Parliament legislative resolution on the proposal for a European Parliament and Council regulation on rail transport statistics (COM(2000) 798 – C5-0052/2001 – 2001/0048(COD))

(Codecision procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2000) 798)¹,
 - having regard to Article 251(2) and Article 285 of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C5-0052/2001),
 - having regard to Rule 67 of its Rules of Procedure,
 - having regard to the report of the Committee on Regional Policy, Transport and Tourism (A5-0265/2001),
1. Approves the Commission proposal as amended;
 2. Asks to be consulted again should the Commission intend to amend the proposal substantially or replace it with another text;
 3. Instructs its President to forward its position to the Council and Commission.

¹ OJ C 180, 26.6.2001, p. 94.

EXPLANATORY STATEMENT

GENERAL JUSTIFICATION AND AIMS

One of the aims of the Common Transport Policy is to promote rail transport for reasons of environmental protection, economic efficiency and energy conservation. This overall objective has been pursued in a series of Community measures aiming to make it easier for the Community's railways to adapt to the needs of the single market, seeking to enhance their efficiency and safety.

The proposal for a regulation on rail transport statistics, which aims to ensure that the necessary statistical data is available in order to monitor developments in the sector, to assess the impact of community measures and to help prepare future community measures constitutes a further step in the promotion of rail transport. The lack of comparable statistical information in this area has been a widely recognised shortcoming which will be remedied by this Regulation.

Statistical data on rail transport has been gathered since 1980 pursuant to Council Directive 80/1177. However, this legal act has some shortcomings and would benefit from being brought up to date so as to adapt it to the new conditions arising from the rail package. The main shortcomings are, inter alia, that:

- it covers only freight transport;
- it includes a list of railway administrations for which data are to be compiled which no longer corresponds to present needs as a result of the restructuring of the rail industry which introduced the distinction between infrastructure managers and operators (railway undertakings);
- quality problems have been identified in these statistics;
- there is no provision for adaptation of the Directive via a committee procedure.

Taken together, these shortcomings and the fact that it would be useful to have a more detailed breakdown by region enabling in future the transport of passengers and freight to be described on a region by region basis throughout the Union, highlighted the need to propose a replacement for Directive 80/1177.

The importance of the Regulation with regard to the fundamental issue of safety should be stressed since the provision of harmonised safety data is a basic precondition for monitoring the development of rail safety and for comparing safety performance between modes of transport, between Member States and between railway undertakings.

It should also be noted that the new legal act takes the form of a Regulation rather than a Directive, since it is intended to be directly applicable in Member States without transposition into national law. This does not affect the freedom of national authorities to compile the specified statistics using methods which take account of the different conditions existing in Member States. The use of a Regulation is in line with other statistical legal acts which have been adopted since 1997.

FEATURES OF THE REGULATION

The new legal act defines common rules for rail transport statistics and includes a set of annexes specifying a set of statistical tables. The rules cover definitions, provisions for data collection, transmission and dissemination, and a committee procedure for the adoption of implementing measures and for later adaptation of the Regulation. They also include provisions for maintaining the quality of the statistics, for evaluation and for reporting to the European Parliament and the Council. Finally, the Regulation includes provisions relating to the coverage of rail transport.

As regards data collection, the aim is to have a flexible approach, in order to minimise the costs for national authorities and operators, and to take advantage of existing data collection activities. Although national authorities remain responsible for coordination and quality control, other designated organisations may participate in data collection.

The Regulation provides for the dissemination of all data collected under Annexes A-H, subject to safeguards for data for which railway undertakings explicitly request special treatment on the grounds of confidentiality.

The coverage of the Regulation is the subject of a number of provisions, Article 2 stating the overall objective of complete coverage of railways in the European Union. Each Member State is to report on rail transport on its national territory. Where an operator is active in more than one Member State, the national authorities will request the operator to provide data separately for each country, in order to compile the national data.

In the interests of cost-efficiency, Member States may also exclude from their reporting certain categories of minor railways and also the smallest operators up to a cumulative threshold of 2% of the market.

Finally, the Regulation provides for a whole new series of Community statistics on passenger transport by rail, taking account of the methodological constraints on collection of rail passenger data. Additional statistics on rail passenger transport, for example distinguishing high-speed services or separating urban services from inter-city services, are envisaged for the future but are not included at present since Eurostat considers it necessary to develop the methodology for such statistics through voluntary reporting.

CONCLUSIONS

The rapporteur welcomes the Commission proposal for a Regulation on rail transport statistics aiming to create an adequate statistical data base on passenger and freight transport by rail, including data relating to safety.

The Commission notes that the shortcomings referred to above constitute the main reason for proposing the Regulation but that the Community statistics which are to be compiled will benefit a broad range of users in the Member States. The advantages offered include:

- information on the rail transport market;
- information which can be used by operators to benchmark their operations against the industry average;
- information which could be used in seeking finance for major projects, statistical data being useful to financial institutions since it gives objective information on the viability of

projects.

Finally, it is important for the rail sector that such data be made available as soon as possible and that it be presented in as clear a manner as possible since it would contribute significantly to the provision of an exact overview of the European Union's rail system.