

# Improving use of rail infrastructure capacity

## OVERVIEW

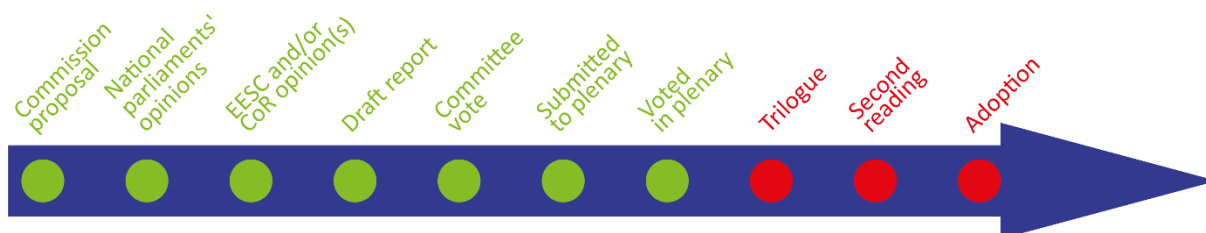
In July 2023, the European Commission tabled a package of proposals aimed at greening freight transport. One of these proposals focuses on improving the use of rail infrastructure capacity. The proposed text suggests changes to the rules governing the planning and allocation of railway infrastructure capacity, which are currently outlined in Directive 2012/34/EU and Regulation (EU) No 913/2010. The goal of the changes is to enhance the management of rail infrastructure capacity and traffic so as to improve service quality, optimise railway network usage, increase traffic capacity and enhance the transport sector's contribution to decarbonisation.

In the European Parliament, the file was referred to the Committee on Transport and Tourism (TRAN), which appointed Tilly Metz (Greens/EFA, Luxembourg) as rapporteur. The TRAN committee adopted its report on 4 March 2024. Parliament adopted its first-reading position during its March 2024 plenary session. Following the European elections, the TRAN committee voted on 7 October 2024 to start interinstitutional negotiations.

**Proposal for a regulation of the European Parliament and of the Council on the use of railway infrastructure capacity in the single European railway area, amending Directive 2012/34/EU and repealing Regulation (EU) No 913/2010**

<i>Committee responsible:</i>	Transport and Tourism (TRAN)	COM(2023)443
<i>Rapporteur:</i>	Tilly Metz (Greens/EFA, Luxembourg)	11.7.2023
<i>Shadow rapporteurs:</i>	Gheorghe Falcă (EPP, Romania)	2023/0271(COD)
	Johan Danielsson (S&D, Sweden)	
	Ondřej Kovařík (P/E, Czechia)	Ordinary legislative
	Ondřej Krutílek (ECR, Czechia)	procedure (COD)
	Valérie Devaux (Renew, France)	(Parliament and Council
	Arash Saeidi (The Left, France)	on equal footing –
		formerly 'co-decision')

*Next steps expected:* Trilogue negotiations



## Introduction

The Commission's [Green Deal](#) sets as a goal to reduce net greenhouse gas emissions by at least 55 % by 2030, compared with 1990 levels. It calls for a 90 % reduction in greenhouse gas emissions from transport and, among other things, it wants a substantial part of the 75 % of inland freight currently carried by road to shift to rail and inland waterways, and an increase the use of multimodal transport.

The [sustainable and smart mobility strategy](#) (SSMS) sets out actions to achieve sustainable, smart and resilient mobility. For rail, the strategy envisages that rail freight traffic should increase by 50 % by 2030 and double by 2050; traffic on high-speed rail should double by 2030 and triple by 2050. Scheduled collective travel under 500 km should be carbon-neutral by 2030.

In the [action plan](#) to boost long-distance and cross-border passenger rail, envisaged by the SSMS, the Commission announced that it would propose an initiative to improve capacity allocation and traffic management processes, for better coordination of capacity allocation in the overall rail system, covering both passenger and freight services.

In 2020, rail transport accounted for 5.1 % of passenger transport between EU countries and 11.5 % of freight transport between them, but only 0.4 % of greenhouse gas emissions from transport in the EU. Greater use of rail as a mostly electrified and energy-efficient mode of transport is seen as a path to reducing transport-related emissions and energy consumption.

## Existing situation

Current rules on capacity management are decided on an annual basis and at national level. The rules on the management and operation of railway infrastructure and the principles and procedures applicable to the allocation of railway infrastructure capacity for domestic and international rail services are set out in Directive 2012/34/EU. Meanwhile, Regulation (EU) No 913/2010 provides for the establishment of rail freight corridors and one-stop shops to facilitate requests for infrastructure capacities for international rail freight services.

According to the Commission, the current approach has led to delays at borders; meanwhile delays due to congestion caused by uncoordinated maintenance work are also common. A number of the shortcomings in EU capacity management rules were identified in the evaluation of Regulation (EU) No 913/2010. The evaluation concluded that the regulation's impact was too limited to contribute to a modal shift from road to rail, and that cross-border cooperation between Member States and infrastructure managers in the management of the rail infrastructure was still ineffective. It also suggested that managing the capacity on rail freight corridors and on the rest of the network separately is inefficient. It pointed out that there are no requirements to use digital tools and there are shortcomings in the monitoring of rail freight services to help improve performance.

## Parliament's starting position

In its December 2022 [resolution](#) on the action plan to boost long-distance and cross-border passenger rail, Parliament recognised the crucial role of rail in decarbonising mobility. It highlighted that the availability of capacity and an absence of bottlenecks were key for efficient network use and for increasing the modal share of rail. It further highlighted the role of digitalisation and better coordination, in particular for cross-border rail traffic. It also stressed the need for better coordination of the way that capacity is managed in Member States' networks, with a view to improving the utilisation of available capacity. It called on the Commission to ensure greater harmonisation of procedures and criteria for capacity planning and allocation, as well as full interoperability of digital tools. It also asked the Commission to consider the creation of coordination mechanisms for the better integration of cross-border rail traffic into national traffic and for more efficient management of rail capacity for both passenger and freight trains.

## Preparation of the proposal

The Commission carried out a number of consultations ahead of tabling the proposal. These included a [consultation on the call for evidence](#), an [open public consultation](#), focus group meetings, surveys and interviews, and stakeholder events with infrastructure managers and with railway undertakings. According to the Commission, responses to the call for evidence and the open public consultation showed that most respondents agree with the identified problems, and there is broad support among stakeholders for the initiative overall.

The [impact assessment](#) accompanying the proposal identifies a preferred policy option, which envisages capacity and traffic management beyond corridor lines, introducing more comprehensive harmonisation and modernisation of the rules for capacity and traffic management. It entrusts additional responsibilities for harmonisation to coordinating bodies at EU level.

According to the assessment, the changes would support a larger volume of traffic on the rail network to the benefit of passengers and freight rail. The additional capacity resulting from the proposal would be expected to increase railway traffic by 4 % (nearly 250 million train kilometres). This additional capacity would generate an economic value of €2 500 million for railway undertakings. It would also be expected to provide passengers with more connections and higher service frequency, and would give the freight shippers more choice.

Better capacity allocation would also generate savings of about €420 million for rail companies and for infrastructure managers. In addition, the proposal would improve cross-border coordination, making rail transport more reliable.

The proposal is expected to lead to savings for national authorities (estimated at €2.6 million over the 2025–2050 period), a positive impact on employment in the railway sector (estimated at around 42 000 additional jobs a year) and positive climate and environmental impacts (a decrease in CO<sub>2</sub> emissions of about 26 million tonnes over the 2025–2050 period).

## The changes the proposal would bring

The [proposal](#) focuses on the planning and allocation of railway infrastructure capacity, currently covered by Directive 2012/34/EU and Regulation (EU) No 913/2010. The aim of the changes is to allow rail infrastructure capacity and traffic to be managed more efficiently, thereby improving the quality of services and optimising the use of the railway network, accommodating larger volumes of traffic and ensuring that the transport sector contributes to decarbonisation.

More specifically, the proposal includes:

- general rules for capacity management in three stages: (i) strategic capacity planning; (ii) scheduling and allocation of capacity; and (iii) adaptation and rescheduling of capacity;
- obligations on infrastructure managers to work jointly to develop a European framework for capacity management, with specific provisions for the management of scarce infrastructure capacity and in cases of restrictions relating to work on infrastructure and degraded infrastructure;
- obligations concerning traffic management, disruption and crisis management and related cross-border coordination;
- a performance review framework, with monitoring tasks for the European Network of Infrastructure Managers (ENIM), and a new performance review body;
- the deployment of digital tools enabling better capacity and traffic management.

## Advisory committees

The advisory committees are the European Economic and Social Committee (EESC) and the European Committee of the Regions (CoR). This legislative procedure requires that both be consulted. The EESC issued its [opinion](#) on 6 February 2024. The CoR issued an [opinion](#) on the greening of freight package on 1 February 2024.

## National parliaments

National parliaments were invited to scrutinise the proposal for any subsidiarity issues by [20 November 2023](#). No subsidiarity concerns have been raised.

## Stakeholder views<sup>1</sup>

The Community of European Railways ([CER](#)) has welcomed the proposal as a timely piece of legislation to tackle a rigid legal framework. The CER expresses hope that the new rules will provide the grounds for an efficient capacity management and will address the 'lack of harmonisation, synchronisation and coordination of the capacity allocation processes'. The rail sector welcomes the rolling-planning concept as a crucial principle for maintaining flexibility in capacity requests, and it also welcomes the changes to incentivise efficient use of the available infrastructure.

## Legislative process

The proposal was tabled on 11 July 2023. In the European Parliament, the Committee on Transport and Tourism (TRAN) was assigned to take the lead, and it appointed Tilly Metz (Greens/EFA, Luxembourg) as rapporteur. On 12 March 2024, Parliament voted on the [report](#), calling for better use of rail tracks, adequate financing of infrastructure and greater use of digital tools in capacity management to avoid congestion and delays, improve punctuality and shift more transport to rail.

To improve coordination of railway capacity, Parliament suggests that ENIM should have more powers to coordinate cross-border capacity and traffic, and supports splitting capacity planning into three stages that cover long-term strategic planning (every 5 years), annual scheduling and adaptation.

Parliament also proposes the establishment of a European Railway Platform bringing together railway undertakings, operators, ports and providers of rail-related services. The platform would function as a consultative body to ENIM and would have to be consulted on matters relating to capacity planning and distribution.

To ensure that rail infrastructure has sufficient and timely funding, Parliament suggests that agreements should be signed between EU governments and infrastructure managers for a term of at least 5 years.

Following the European elections of 6–9 June 2024 and the start of the new parliamentary term, the TRAN committee [voted](#) on 7 October 2024 to start interinstitutional negotiations.

## SOURCE

European Parliament, [Single European railway area: use of railway infrastructure capacity](#), Legislative Observatory (OEIL).

## ENDNOTE

- <sup>1</sup> This section aims to provide a flavour of the debate and is not intended to be an exhaustive account of all different views on the proposal.

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