

Tuesday 11 March 2014

P7\_TA(2014)0197

**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 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)**

(2017/C 378/51)

*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.

---

**P7\_TC1-COD(2013)0297**

**Position of the European Parliament adopted at first reading on 11 March 2014 with a view to the adoption of Regulation (EU) No .../2014 of the European Parliament and of the Council amending Regulation (EC) No 91/2003 on rail transport statistics, as regards the collection of data on goods, passengers and accidents**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 338(1) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national Parliaments,

Tuesday 11 March 2014

Acting in accordance with the ordinary legislative procedure <sup>(1)</sup>,

Whereas:

- (1) Regulation (EC) No 91/2003 of the European Parliament and of the Council <sup>(2)</sup> establishes a common framework for producing, transmitting, evaluating and disseminating comparable rail transport statistics in the Union.
- (2) Statistics on the transport of goods and passengers by rail are necessary to enable the Commission to monitor and develop the common transport policy, and the transport elements of policies on the regions and on trans-European networks.
- (3) Statistics on rail safety are also necessary to enable the Commission to prepare and monitor Union action in the field of transport safety. The European Rail Agency collects data on accidents under the Statistical Annex to Directive 2004/49/EC of the European Parliament and of the Council <sup>(3)</sup> as regards common safety indicators and common methods of calculating accident costs.
- (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.** [Am. 1]
- (4) Most Member States transmitting passenger data to the Commission (Eurostat) under Regulation (EC) No 91/2003 have regularly provided the same data for both the provisional and final datasets.
- (5) There should be a balance between the needs of the users and the burden on respondents when producing European statistics.
- (6) Eurostat has conducted a technical analysis of the existing data on rail statistics collected under the Union legislation and of the dissemination policy, within its Working Group and Task Force on rail transport statistics, to simplify as much as possible the various activities necessary for producing statistics, while keeping the final output in line with present and future user needs.
- (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.** [Am. 2]
- (8) Regulation (EC) No 91/2003 confers powers on the Commission to implement some of the provisions of this Regulation. As a consequence of the entry into force of the Treaty on the Functioning of the European Union ('the Treaty'), the powers conferred on the Commission under this Regulation need to be aligned with Articles 290 and 291 of the Treaty.
- (9) In order to reflect new developments in the Member States but at the same time to maintain harmonised rail data collection across the Union and with a view to maintaining the high quality of the data transmitted by the Member States, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission, with a view to adapting the definitions and thresholds for reporting and the contents of the Annexes, and to specifying the information to be supplied.

---

<sup>(1)</sup> Position of the European Parliament of 11 March 2014.

<sup>(2)</sup> Regulation (EC) No 91/2003 of the European Parliament and of the Council of 16 December 2002 on rail transport statistics (OJ L 14, 21.1.2003, p. 1).

<sup>(3)</sup> Directive 2004/49/EC of the European Parliament and of the Council of 29 April 2004 on safety on the Community's railways and amending Council Directive 95/18/EC on the licensing of railway undertakings and Directive 2001/14/EC on the allocation of railway infrastructure capacity and the levying of charges for the use of railway infrastructure and safety certification (Railway Safety Directive) (OJ L 164, 30.4.2004, p. 44).

Tuesday 11 March 2014

- (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**. 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. [Am. 3]
- (11) The Commission should ensure that these delegated acts do not impose a significant additional administrative burden on the Member States and on the respondents.
- (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 <sup>(1)</sup>. **The examination procedure should be used for the adoption of those acts, given their general scope.** [Am. 4]
- (13) The European Statistical System Committee has been consulted.
- (14) Regulation (EC) No 91/2003 should therefore be amended accordingly,

HAVE ADOPTED THIS REGULATION:

#### Article 1

Regulation (EC) No 91/2003 is amended as follows:

- (1) Article 3 is amended as follows:

~~(a) In paragraph 1 points 24-30 are deleted.~~ [Am. 5]

(b) Paragraph 2 is replaced by the following:

‘2. The Commission shall be empowered to adopt, in accordance with Article 10, delegated acts to adapt the technical definitions referred to in paragraph 1 and to provide additional definitions when needed to take into account new developments which require a certain level of technical detail to be defined in order to ensure harmonisation of statistics.’

- (2) Article 4 is amended as follows:

(a) In paragraph 1, points ~~b and h~~ **and d** are deleted. [Am. 6]

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

**‘(ga) statistics on rail infrastructure (Annex Ga);’** [Am. 7]

**(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**

<sup>(1)</sup> 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 (OJ L 55, 28.2.2011, p. 13).

Tuesday 11 March 2014

***under the Annex to Commission Directive 2009/149/EC (\*) on railway safety is fully comparable to the accident data collected by Eurostat on other transport modes.***

(\*) ***Commission Directive 2009/149/EC of 27 November 2009 amending Directive 2004/49/EC of the European Parliament and of the Council as regards Common Safety Indicators and common methods to calculate accident costs (OJ L 313, 28.11.2009, p. 65).*** [Am. 8]

(b) Paragraph 2 is replaced by the following:

‘2. Under Annexes A and C, Member States shall report data for undertakings:

(a) whose total volume of goods transport is at least 200 million tonne-km or at least 500 000 tonnes;

(b) whose total volume of passenger transport is at least 100 million passenger-km;

(c) reporting in Annex A and Annex C is optional below these thresholds.’

(c) Paragraph 3 is replaced by the following:

‘3. Under Annex L, Member States shall provide the total data for undertakings below the threshold referred to in paragraph 2 if these data are not reported under Annexes A and C, as specified in Annex L.’

(d) Paragraph 5 is replaced by the following:

‘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.’ [Am. 9]

(e) The following paragraph is added:

‘6. When exercising its power pursuant to this paragraph, the Commission shall ensure that the delegated acts adopted do not impose a significant additional administrative burden on the Member States and on the respondents.’

(3) In Article 5(2) point b is replaced by the following:

‘(b) administrative data, including data collected by regulatory authorities, in particular the rail freight waybill if available’.

(4) Article 7 is replaced by the following:

‘Article 7

Dissemination

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).*** [Am. 10]

(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.***’ [Am. 11]

Tuesday 11 March 2014

(5) In Article 8, paragraphs are added:

‘3. For the purposes of this Regulation, the quality criteria to be applied to the data to be transmitted are those referred to in Article 12(1) of Regulation (EC) No 223/2009 of the European Parliament and of the Council (\*).

4. The Commission shall, by means of implementing acts, specify the modalities, structure, periodicity and comparability elements for the standard quality reports. These implementing acts shall be adopted in accordance with the examination procedure referred to in Article 11.

(\*) Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009 on European statistics and repealing Regulation (EC, Euratom) No 1101/2008 of the European Parliament and of the Council on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities, Council Regulation (EC) No 322/97 on Community Statistics, and Council Decision 89/382/EEC, Euratom establishing a Committee on the Statistical Programmes of the European Communities (OJ L 87, 31.3.2009, p. 164).’

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

#### **‘Article 9**

##### **Report**

**By ... (\*) 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.’. [Am. 12]**

(\*) **Three years after the date of entry into force of this Regulation.**

(7) Article 10 is replaced by the following:

#### **‘Article 10**

##### **Exercise of the delegation**

1. The power to adopt delegated acts shall be conferred on the Commission subject to the conditions laid down in this Article.

2. The power to adopt delegated acts referred to in Articles 3(2) and 4(5) shall be conferred on the Commission for ~~an indeterminate~~ **a period of time five years** from ... (\*). **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.** [Am. 13]

3. The delegation of power referred to in Articles 3(2) and 4(5) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

Tuesday 11 March 2014

4. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

5. A delegated act adopted pursuant to Articles 3(2) and 4(5) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.'

(\*) The exact date of the entry into force of the amending Regulation.

(8) Article 11 is replaced by the following:

'Article 11

Committee

1. The Commission shall be assisted by the European Statistical System Committee, established by Regulation (EC) No 223/2009. That Committee shall be a committee within the meaning of Regulation (EU) No 182/2011 of the European Parliament and the Council (\*).

2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

(\*) Regulation (EU) No 182/2011 of the European Parliament and the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).'

(9) Article 12 is deleted.

(10) Annexes B, D, ~~H~~ and I are deleted. [Am. 15]

(11) Annex C is replaced as set out in the Annex to this Regulation.

**(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*'. [Am. 16]

**(c) 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 ≤ 50 km*

— *50 km < d ≤ 150 km*

— *150 km < d ≤ 300 km*

— *300 km < d ≤ 500 km*

— *500 km < d ≤ 750 km*

Tuesday 11 March 2014

—  $750 \text{ km} < d \leq 1\,000 \text{ km}$

—  $d > 1\,000 \text{ km}$ '. [Am. 17]

(d) 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’. [Am. 18]

(11b) The following Annex is inserted:

**‘Annex Ga**

**Rail infrastructure data**

1. Number of kilometres of rail infrastructure, equipped with ERTMS;
2. Length in kilometres of the rail network continuously equipped with ERTMS (in the Member State);
3. 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;
4. Number of cross-border rail points, abandoned for use of passengers or freight transport or dismantled rail infrastructure;
5. Number of stations, barrier-free, accessible for persons with reduced mobility (PRMs) and disabled persons.’.  
[Am. 23]

(11c) 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’. [Am. 19]

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

Tuesday 11 March 2014

Article 2

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.** [Am. 21]

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at ...

*For the European Parliament*

*The President*

*For the Council*

*The President*

---

Tuesday 11 March 2014

## ANNEX

## 'Annex C

ANNUAL STATISTICS ON PASSENGER TRANSPORT — DETAILED REPORTING	
List of variables and units of measurement	<p>Passengers transported in:</p> <ul style="list-style-type: none"> <li>— number of passengers</li> <li>— passenger-km</li> </ul> <p>Passenger train movements in:</p> <ul style="list-style-type: none"> <li>— train-km</li> </ul> <p><b>Locomotives equipped with ERTMS in:</b></p> <ul style="list-style-type: none"> <li>— <b>number</b> [Am. 22]</li> </ul>
Reference period	Year
Frequency	Every year
List of tables with the breakdown for each table	<p>Table C3: passengers transported, by type of transport</p> <p>Table C4: international passengers transported, by country of embarkation and by country of disembarkation</p> <p>Table C5: passenger train movements</p>
Deadline for transmission of data	Eight months after end of reference period
First reference period	2012
Notes	<p>1. Type of transport is broken down as follows:</p> <ul style="list-style-type: none"> <li>— national</li> <li>— international</li> </ul> <p>2. For Tables C3 and C4, Member States shall report data including information from ticket sales outside the reporting country. This information may be obtained either directly from the national authorities of other countries or through international compensation arrangements for tickets'</p>

Tuesday 11 March 2014

'Annex L

Table L.1

LEVEL OF TRANSPORT ACTIVITY IN GOODS TRANSPORT	
List of variables and units of measurement	Goods transported in: — total tonnes — total tonne-km Goods train movements in: — total train-km
Reference period	One year
Frequency	Every year
Deadline for transmission of data	Five months after end of reference period
First reference period	201X
Notes	Only for undertakings with a total volume of freight transport of less than 200 million tonne-km and less than 500 000 tonnes and not reporting under Annex A (detailed reporting)

Table L.2

LEVEL OF TRANSPORT ACTIVITY IN PASSENGER TRANSPORT	
List of variables and units of measurement	Passengers transported in: — total passengers — total passenger-km Passenger train movements in: — total train-km
Reference period	One year
Frequency	Every year
Deadline for transmission of data	Eight months after end of reference period
First reference period	201X
Notes	Only for undertakings with a total volume of passenger transport of less than 100 million passenger-km and not reporting under Annex C (detailed reporting)