Regulation (EU) No 1315/2013 of the European Parliament and of the Council of 11 December 2013 on Union guidelines for the development of the trans-European transport network and repealing Decision No 661/2010/EU (Text with EEA relevance)

REGULATION (EU) No 1315/2013 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of 11 December 2013

on Union guidelines for the development of the trans-European transport network and repealing Decision No 661/2010/EU

(Text with EEA relevance)

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 172 thereof,

Having regard to the proposal from the European Commission,

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

Having regard to the opinion of the European Economic and Social Committee[(1)],

Having regard to the opinion of the Committee of the Regions[(2)],

Acting in accordance with the ordinary legislative procedure,

Whereas:

(1) Decision No 1692/96/EC of the European Parliament and of the Council[(3)] was recast in the interest of clarity by Decision No 661/2010/EU of the European Parliament and of the Council[(4)].

(2) The planning, development and operation of trans-European transport networks contribute to the attainment of major Union objectives, as set out in, inter alia, the Europe 2020 Strategy and the Commission White Paper entitled "Roadmap to a Single European Transport Area – Towards a competitive and resource efficient transport system" ("the White Paper"), such as the smooth functioning of the internal market and the strengthening of economic, social and territorial cohesion. Their specific objectives also include allowing the seamless, safe and sustainable mobility of persons and goods, ensuring accessibility and connectivity for all regions of the Union, and contributing to further economic growth and competitiveness in a global perspective. Those specific objectives should be achieved by establishing interconnections and interoperability between national transport networks in a resource-efficient and sustainable way. For example, rail interoperability could be enhanced by innovative solutions aimed at improving compatibility between systems, such as on-board equipment and multi-gauge rail tracks.

Changes to legislation: *There are currently no known outstanding effects for the Regulation (EU) No 1315/2013 of the European Parliament and of the Council. (See end of Document for details)*

(3) Growth in traffic has resulted in increased congestion in international transport. In order to ensure the international mobility of passengers and goods, the capacity of the trans-European transport network and the use of that capacity should be optimised and, where necessary, expanded by removing infrastructure bottlenecks and bridging missing infrastructure links within and between Member States and, as appropriate, neighbouring countries, and taking into account the ongoing negotiations with candidate and potential candidate countries.

(4) As stated in the White Paper, the efficiency and effectiveness of transport can be significantly enhanced by ensuring a better modal integration across the network, in terms of infrastructure, information flows and procedures.

(5) The White Paper calls for the deployment of transport-related information and communication technology to ensure improved and integrated traffic management and to simplify administrative procedures through improved freight logistics, cargo tracking and tracing, and optimised schedules and traffic flows. As such measures promote the efficient management and use of transport infrastructure, they should fall within the scope of this Regulation.

(6) The trans-European transport network policy has to take into account the evolution of transport policy and infrastructure ownership. Member States are still the principal entity in charge of creating and maintaining transport infrastructure. However, other entities, including private-sector partners, have also become relevant for the implementation of a multimodal trans-European transport network and the related investments, including regional and local authorities, infrastructure managers, concessionaires or port and airport authorities.

(7) The trans-European transport network consists to a large extent of existing infrastructure. In order fully to achieve the objectives of the new trans-European transport network policy, uniform requirements regarding the infrastructure should be established in a Regulation to be complied with by the infrastructure of the trans-European transport network.

(8) The trans-European transport network should be developed through the creation of new transport infrastructure, through the rehabilitation and upgrading of existing infrastructure and through measures promoting its resource-efficient use. In specific cases, due to the absence of regular maintenance in the past, rehabilitation of rail infrastructure is necessary. Rehabilitation is a process resulting in the achievement of the original construction parameters of existing railway infrastructure facilities combined with the long-term improvement of its quality compared to its current state, in line with the application of the requirements and provisions of this Regulation.

(9) In the implementation of projects of common interest, due consideration should be given to the particular circumstances of the individual project concerned. Where possible, synergies with other policies should be exploited, for instance with tourism aspects by including, within civil engineering structures such as bridges or tunnels, bicycle infrastructure for long-distance cycling paths like the EuroVelo routes.

(10) The trans-European transport network should best be developed through a dual-layer structure consisting of a comprehensive network and a core network based on a common and transparent methodology, those two layers being the highest level of infrastructure planning within the Union.

(11) The comprehensive network should be a Europe-wide transport network ensuring the accessibility and connectivity of all regions in the Union, including the remote, insular and outermost regions, as also pursued by the Integrated Maritime Policy established by Regulation (EU) No 1255/2011 of the European Parliament and of the Council[(5)], and strengthening social and economic cohesion between them. The guidelines laid down by this Regulation ("the guidelines") should set the requirements for the infrastructure of the comprehensive network, in order to promote the development of a high-quality network throughout the Union by 2050.

(12) The White Paper also acknowledges that there remain substantial divergences, in terms of transport infrastructure, between Eastern and Western parts of the Union. Those divergences need to be tackled in order to achieve a fully integrated European transport infrastructure network.

(13) The core network should be identified and appropriate measures should be taken for its development by 2030 as a priority within the framework provided by the comprehensive network. The core network should constitute the backbone of the development of a sustainable multimodal transport network and should stimulate the development of the entire comprehensive network. It should enable Union action to concentrate on those components of the trans-European transport network with the highest European added value, in particular cross-border sections, missing links, multimodal connecting points and major bottlenecks serving the objective, set out in the White Paper, of reducing greenhouse gas emissions from transport by 60 % below 1990 levels by 2050.

(14) Exemptions from the infrastructure requirements applicable to the core network should be possible in duly justified cases. This should include cases where investment cannot be justified, for example in sparsely populated areas.

(15) The particular situation of isolated or partially isolated rail networks should be recognised by way of exemptions from certain infrastructure requirements.

(16) When carrying out the review of the implementation of the core network by 2023, the Commission should take into account national implementation plans and future enlargements.

(17) The trans-European transport network covers only part of the existing transport networks. In the framework of the review of the implementation of the core network by 2023, the Commission should evaluate, in cooperation with the Member States concerned, whether other parts, such as certain class III inland waterways, should be integrated into the network. In the context of that review, the Commission should also assess the state of progress of the projects and should be able, where necessary, to reconsider the deadlines, taking account of any developments that may affect the likelihood of those deadlines being met.

(18) When carrying out the review of the implementation of the core network by 2023, the Commission, after consulting the Member States, should evaluate whether to include other parts in the network, especially the priority projects included in Decision No 661/2010/EU.

(19) In order to establish the core network in a coordinated and timely manner, thereby making it possible to maximise the network benefits, Member States concerned should ensure that appropriate measures are taken to finalise the projects of common interest by 2030. With respect to the comprehensive network, Member States should make all possible efforts with the aim of completing it and complying with the relevant provisions of the guidelines by 2050.

(20) It is necessary to identify projects of common interest which will contribute to the achievement of the trans-European transport network and which contribute to the achievement of the objectives and correspond to the priorities established in the guidelines. Their implementation should depend on their degree of maturity, on their compliance with Union and national legal procedures and on the availability of financial resources, without prejudging the financial commitment of a Member State or of the Union.

(21) Projects of common interest should demonstrate a European added value. Cross-border projects typically have a high European added value, but may have lower direct economic effects compared to purely national projects. Such cross-border projects should be the subject of priority intervention by the Union in order to ensure that they are implemented.

(22) Projects of common interest for which Union funding is sought should be the subject of a socio-economic cost-benefit analysis based on a recognised methodology, taking into account the relevant social, economic, climate-related and environmental benefits and costs. The analysis of climate-related and environmental costs and benefits should be based on the environmental impact assessment carried out pursuant to Directive 2011/92/EU of the European Parliament and of the Council[(6)].

(23) In order to contribute to the climate reduction targets of the Transport White Paper of a 60 % cut in greenhouse gas emissions below 1990 levels by 2050, the greenhouse gas impacts of projects of common interest in the form of new, extended or upgraded transport infrastructures should be assessed.

(24) Some parts of the network are managed by actors other than Member States. However, Member States are responsible for ensuring that the rules governing the network are correctly applied within their territory. As the development and implementation of the trans-European transport network requires a common application of this Regulation, all parts of the network should be subject to the rights and obligations provided for by this Regulation, as well as to those laid down in other relevant Union and national law.

(25) Cooperation with neighbouring and third countries is necessary in order to ensure connection and interoperability between the respective infrastructure networks. Therefore, the Union should where appropriate promote projects of common interest with those countries.

(26) In order to achieve modal integration across the network, adequate planning of the trans-European transport network is required. This also entails the implementation of specific requirements throughout the network in terms of infrastructure, telematic applications, equipment and services. It is therefore necessary to ensure adequate and concerted deployment of such requirements across Europe for each transport mode and for their interconnection across the trans-European transport network and beyond, in order to obtain the benefits of the network effect and to make efficient long-range trans-European transport operations possible.

(27) In order to determine existing and planned transport infrastructures for the comprehensive and the core network, maps should be provided and adapted over time to take into account the evolution of traffic flows. The technical basis of those maps is provided by the interactive geographical and technical information system for the trans-European transport network (TENtec), which contains a higher level of detail concerning the trans-European transport infrastructure.

(28) The guidelines should set priorities in order to enable the trans-European transport network to be developed within the specified timescale.

(29) Telematic applications are necessary in order to provide the basis for optimising traffic and transport operations and traffic safety and improving related services. Information to passengers, including information on ticketing and reservation systems, should be provided in line with Commission Regulation (EU) No 454/2011[(7)].

(30) The guidelines should provide for the development of the comprehensive network in urban nodes, in accordance with Union aims regarding sustainable urban mobility, as those nodes are the starting point or the final destination ("last mile") for passengers and freight moving on the trans-European transport network and are points of transfer within or between different transport modes.

(31) Thanks to its large scale, the trans-European transport network should provide the basis for the large-scale deployment of new technologies and innovation, which, for example, can help to enhance the overall efficiency of the European transport sector and reduce its carbon footprint. This will contribute towards the objectives of the Europe 2020 Strategy and the White Paper's target of a 60 % cut in greenhouse gas emissions by 2050 (based on 1990 levels) and at the same time contribute to the objective of increasing fuel security for the Union. In order to achieve those objectives, the availability of alternative clean fuels should be improved throughout the trans-European transport network. The availability of alternative clean fuels should be based on demand for those fuels and there should not be any requirement to provide access to each alternative clean fuel at each fuel station.

(32) The trans-European transport network must ensure efficient multi-modality in order to allow better and more sustainable modal choices to be made for passengers and freight and in order to enable large volumes to be consolidated for transfers over long distances. This will make multimodality economically more attractive for passengers, users and freight forwarders.