



**Transport, Telecommunications and Energy Council
(Transport Issues)
Luxembourg, 6 June 2019**

Chair: **Răzvan Cuc**, Minister for Transport of Romania.

The **meeting** will **start** at 9.30.

Ministers will be invited to agree on a Council position ('general approach') on a proposal to make the transport sector more efficient by establishing a uniform legal framework for the transmission of **electronic freight transport information**.

The Council will take note of the progress on a proposal to streamline permit-granting measures in order to facilitate the completion of the **trans-European transport network (TEN-T)**.

The Council will assess progress on a proposal to establish a clear regulatory framework for the **hired vehicles** market and to soften the restrictions on using hired vehicles in international transport.

Ministers will take stock of the progress made on a proposal to revise EU **road charging** rules (Eurovignette) to address issues relating to road infrastructure financing, congestion and greenhouse gas emissions.

The Council will assess progress on a draft regulation revising **rail passengers' rights**.

'Any other business' will include, among many other topics, presidency information on the large number of dossiers agreed on with the European Parliament under the Romanian presidency, as well as presidency information on the proposal on **seasonal time changes**.

Lastly, the incoming Finnish presidency will present its work programme.

Press conference: +/- 18.30.

An **Eastern Partnership Ministerial meeting on transport** will take place in the margins of the Council meeting, starting with a joint lunch at around 13.30 and continuing with a joint ministerial session until around 16.30.

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Press conferences and public events by video streaming: <http://video.consilium.europa.eu>

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¹ This note has been drawn up under the responsibility of the Press Office.

Electronic freight transport information

The Council will be invited to agree on its position ('general approach') on a proposal to make the transport sector more efficient by establishing a uniform legal framework for use and transmission of **digital freight transport information (eFTI)** ([presidency compromise proposal](#)).

Under the Commission [proposal](#) (+ [9060/18 ADD 1](#)), competent national authorities would have to accept information submitted by operators electronically on certified platforms. They would also have to implement that obligation in a uniform manner.

In addition, the draft rules provide for interoperability of the different IT systems and solutions used for the exchange of freight transport information.

Currently the main barrier to wider use of digital transport documents is the authorities' varying and generally low degree of acceptance of digital documents. This situation is caused by a fragmented legal framework and an IT environment characterised by a multitude of non-interoperable systems for electronic information exchange. As a consequence, most freight transport companies and other transport business stakeholders continue to use paper documents.

The **presidency compromise proposal** has introduced a number of clarifications, for example, in the definitions, the regulatory information requirements to which the draft regulation applies, and the functional requirements of eFTI platforms. It has simplified the monitoring and reporting responsibilities of member states, and extended the transition period from four to six years.

Procedure: The Commission presented the proposal in May 2018 under the [third 'Europe on the move' package](#), which is designed to make European mobility safer, cleaner, more efficient and more accessible.

For the proposal to be adopted, the text will need to be approved by both the Council and the European Parliament. The Parliament adopted its first-reading position on 12 March 2019.

Trans-European transport network - streamlining measures

The Council will assess progress on a proposal to **facilitate the completion of the trans-European transport network (TEN-T)** by simplifying and shortening the procedures for granting permits and other regulatory procedures ([progress report](#)). The proposal also aims to clarify the procedures which project promoters need to follow as regards permit granting and public procurement.

Under the Commission [proposal](#) (+ [9075/18 ADD 1](#)); member states would need to set up a single competent authority (one-stop shop) which would be in charge of the overall process and act as the single entry point for project promoters and other investors. Integrated procedures would be established, and they would lead to one comprehensive decision. A maximum time limit of three years would be set for the entire permit-granting process.

There are currently no harmonised EU provisions related to permit-granting and regulatory procedures in the area of the TEN-T, and it is often difficult for promoters to anticipate when the final permit will be granted. However, similar provisions are applicable in the area of the trans-European network for energy (TEN-E).

The proposal has been discussed in the **Council** working party, and on the basis of these discussions, the presidency has presented compromise proposals providing greater simplification, clarity and flexibility for member states. The latest presidency compromise changes the legal nature of the proposal from a regulation to a directive. In addition, it proposes having an overall deadline of four years for the completion of the permit-granting procedure.

Despite the progress made, there are a number of issues that will require further work at technical level. These include the key issues of scope, the role of the single competent authority, and the duration and organisation of the permit-granting process. These would need to be addressed under the incoming presidency in order to make further progress and reach an agreement on this dossier.

Procedure: The Commission presented the proposal in May 2018 under the [third 'Europe on the move' package](#), which is designed to make European mobility safer, cleaner, more efficient and more accessible.

For the proposal to be adopted, the text will need to be approved by both the Council and the European Parliament. The Parliament adopted its first-reading position on 13 February 2019.

[About TEN-T](#)

Hired vehicles

The Council will assess progress on a proposal to **update the rules on hired vehicles** ([progress report](#)).

The [proposal](#) aims to establish a clear and uniform regulatory framework for the hired vehicles market. It also seeks to soften the restrictions on using hired vehicles in international transport, as hired vehicles tend to be newer, safer and less polluting. Broader possibilities for hiring vehicles would give transport operators more flexibility to carry out their transport activities in a more efficient way.

The proposal is part of the first mobility package and is linked to the proposed overhaul of rules on access to the profession of road transport operator and access to the road haulage market (regulations 1071/2009 and 1072/2009).

The [current directive](#) provides for a minimum level of market opening for the use of vehicles hired without drivers for the transport of goods by road between member states. However, it allows a member state to restrict the use of hired vehicles by undertakings established on its territory to vehicles registered in that member state. It also allows member states to prohibit the use of hired vehicles above six tonnes for own-account operations. In addition, an EU country may decide that undertakings established in another member state can only hire vehicles registered in that same member state for the purpose of traffic between the member states in question.

Under the Commission proposal, EU countries would no longer be able to restrict the use of hired vehicles for own-account operations. The Commission also proposes that member states would have to allow a vehicle hired in another member state to be used in their territory for at least four months a year, so that transport companies would be able to meet peak demand and replace defective vehicles. A limitation of the rental period is considered necessary to prevent possible fiscal distortions due to significant differences in road vehicle taxation among member states.

In the **Council**, concerns expressed by delegations in relation to the proposal have included its impact on vehicle tax revenues and the need to have effective control measures in particular to monitor cabotage activities.

In its progress report, the presidency considers that the good progress made has resulted in a further reduction of the member states' concerns, while at the same time preserving the core objectives of the original proposal. The presidency also notes that many delegations have emphasised the link to the main files of the first mobility package.

Procedure: The Commission presented the proposal in May 2017 under the first mobility package ([Europe on the move](#)), which is designed to promote clean, competitive and socially fair mobility.

The Council and the European Parliament must agree on the text before it can enter into force. The Parliament adopted its first-reading position in January 2019.

Road charging ('Eurovignette')

Ministers will assess progress made on a proposal to **revise EU road charging rules** (Eurovignette directive) to address issues relating to road infrastructure financing, congestion and greenhouse gas emissions by reinforcing the 'polluter pays' and 'user pays' principles ([progress report](#)).

Road charging is a national choice in the EU, and member states are free to introduce it on their territory or not. The current **Eurovignette** directive lays down certain common rules to be followed by those member states that wish to levy such charges. These rules concern distance-based tolls and time-based user charges (vignettes) for heavy goods vehicles (above 3.5 tonnes) for the use of certain infrastructures. The idea is that the cost of constructing, operating and developing infrastructure can be leveraged through tolls and vignettes to road users.

In its [proposal](#) (+ [9672/17 ADD 1](#)) the Commission suggests stipulating that for those countries which decide to charge for road use, charging should be only based on the distance driven, in order to reflect actual usage and pollution. The scope of the directive would be wider, so as to include buses and coaches, light commercial vehicles, and passenger cars.

The **Council** held a policy debate on the proposal on 4 December 2017 ([Council outcome document](#)).

In its progress report, based on the work carried out so far, the presidency draws the conclusion that a clear majority of the member states considers that several requirements in the Commission proposal are too prescriptive, limiting the member states' flexibility in the use of their policy instruments.

Issues to be solved include, for example, impact on existing concession contracts; the possible need to include time-based charging as a cost-effective alternative to distance-based charging; treatment of private cars, as well as buses, coaches and minibuses; and the conflict between the proposed further earmarking of road charging revenues and national budgetary practices (and even constitutional principles).

While additional technical work is necessary, the presidency considers it feasible to develop a position that could be supported by a majority of the member states.

Procedure: The Commission presented the proposal in May 2017 as part of the first mobility package ([Europe on the move](#)). For it to be adopted, the text will need to be approved by both the Council and the European Parliament. The Parliament adopted its first-reading position on 25 October 2018.

Rail passenger rights

The Council will take stock of progress on a draft regulation **updating rail passengers' rights** ([progress report](#)).

The [proposal](#) revises the [current regulation](#) from 2007, which applies to both domestic and international journeys and services.

The revision aims to introduce the concept of force majeure in the provision of rail services, cut down exemptions to the rules and improve the rights of persons with disabilities and reduced mobility. It would also encourage the availability of 'through-tickets', which cover successive railway services possibly operated by several companies.

The current rules as interpreted by the EU Court of Justice do not allow railway companies to be exempted from compensating passengers for delays caused by force majeure. This distinguishes rail from other transport modes and is perceived by rail companies as being discriminatory. To remedy this, the proposal introduces a force majeure clause that would apply in exceptional situations caused by severe weather conditions and natural disasters.

Member states may currently exempt certain domestic services from the application of the regulation. The proposed rules would significantly curtail these possibilities.

In addition, the proposal strengthens provisions on assistance and information for people with disabilities or with reduced mobility. It also seeks to improve enforcement of the rules in general by setting out more detailed complaint-handling procedures and deadlines.

In the **Council**, discussions in the working party have shown the need to examine the proposal in the light of the reality in the sector. Adaptations may be necessary, for example, in cases where member states have already applied the derogations allowed by the current regulation, in particular in situations involving public service obligations; to better take into account the special character of urban, suburban and regional services (as opposed to long-distance services); and to address a number of other issues.

While the presidency considers that the first compromise proposal is an important step towards a Council position, further preparatory work remains.

Procedure: The Commission presented the proposal in September 2017. For it to be adopted, the text will need to be approved by both the Council and the European Parliament. The Parliament adopted its first-reading position on 15 November 2018.

[European Commission modernises European rail passenger rights \(Commission information\)](#)

Other business

- a) Current legislative proposals
 - i) Directive amending directive 2008/96/EC on road infrastructure safety management
[Making roads safer – EU agrees on reforms to strengthen road infrastructure management \(21/2/2019 press release\)](#)
 - ii) Regulation on establishing a European Maritime Single Window environment (EMSWe)
[Cutting red tape for ships – provisional agreement with Parliament on maritime single window \(7/2/2019 press release\)](#)
 - iii) Directive on the minimum training of seafarers
[Seafarers' training: provisional agreement with Parliament on simpler framework \(11/2/2019 press release\)](#)
 - iv) Directive on the promotion of clean and energy-efficient road transport vehicles
[Promoting clean vehicles: provisional deal with Parliament \(12/2/2019 press release\)](#)
 - v) Decision amending directive 96/53/EC on weights and dimensions of certain road transport vehicles
[Roll-out date for safer, more aerodynamic lorry cabs confirmed by Council \(22/5/2019 press release\)](#)
 - vi) Regulation on the Connecting Europe Facility (CEF)
[Connecting Europe Facility: Coreper confirms common understanding with the Parliament on extending the programme \(13/3/2019 press release\)](#)
 - vii) Directive on discontinuing seasonal changes of time
([3/12/2018 progress report](#)).
[Information from the presidency](#)
- b) Clean Planet for all: A European strategic long-term vision for a prosperous, modern, competitive and climate-neutral economy
[Information from the presidency](#)
- c) Airspace capacity
[Information from the Commission](#)
- d) Tackling greenhouse gas emissions and congestion by aviation pricing
[Information from the Luxembourg delegation](#)
- e) Connectivity-related outcomes of the EU-China summit (Brussels, 9 April 2019)
[Information from the Commission](#)
- f) Study on transport externalities
[Information from the Commission](#)
- g) Conference on "Benefits for regions resulting from the implementation of the route Via Carpatia" (Łańcut, Poland, 17 April 2019)
[Information from the Polish delegation](#)
- h) Work programme of the incoming presidency
[Information from the Finnish delegation](#)

Eastern Partnership Ministerial meeting on transport

On the sidelines of the Council, EU ministers will meet together with their counterparts from six Eastern Partner countries (Armenia, Azerbaijan, Belarus, Georgia, Republic of Moldova and Ukraine) at an Eastern Partnership Ministerial meeting on transport.

The meeting will include a joint lunch and a ministerial session.

The main topics for discussion are cooperation on road safety and infrastructure.

The meeting also aims to endorse a [joint declaration](#) on regional transport cooperation within the framework of the Eastern Partnership in the context of the 10th anniversary of the Eastern Partnership.

The joint declaration is expected to take stock of the main achievements in the transport relations between the EU and the partner countries over the last 10 years in areas such as the extended trans-European transport network (TEN-T), road safety and aviation. The joint declaration will also confirm the EU's intention to continue the regional cooperation within the Eastern partnership in the transport sector.

[Eastern Partnership \(background information\)](#)
