Council of the European Union

Brussels, 6 October 2022
(OR. en)

12983/22

Interinstitutional File:
2021/0420(COD)

LIMITE

TRANS 611
CODEC 1383

WORKING DOCUMENT

From:	General Secretariat of the Council
To:	Delegations
No. prev. doc.:	ST 12250/22 ST 7456/1/22 REV 1
No. Cion doc.:	ST 15109/22 - COM(2021) 812 final
Subject:	Proposal for a Regulation of the European Parliament and of the Council on Union guidelines for the development of the trans-European transport network, amending Regulation (EU) 2021/1153 and Regulation (EU) No 913/2010 and repealing Regulation (EU) 1315/2013 - Examination of a revised Presidency compromise on Chapter III (all sections)

Delegations will find attached a revised Presidency compromise on Chapter III (including all sections) and on Annex V of the above proposal with a view to a detailed examination at the meeting of the Working Party on Transport - Intermodal Questions and Networks on 11 and 13 October.

Changes compared to the previous versions[1] are highlighted in **bold and underlined** for additions and in ~~strikethrough~~ for deletions.

[1] ST 12250/22 for sections 1, 2, 4 and 5 of Chpater III and ST 7456/1/22 REV 1 for sections 3, 6 and 7 of Chapter III.

CHAPTER III

SPECIFIC PROVISIONS

SECTION 1

RAILWAY TRANSPORT INFRASTRUCTURE

Article 14

Infrastructure components

1. Railway transport infrastructure shall comprise, in particular:

(a) railway lines, including:

(i) tracks;

(ii) points;

(iii) level crossings;

(iv) sidings;

(v) tunnels;

(vi) bridges;

(vii) infrastructure mitigating impact on environment;

(b) stations along the lines indicated in Annex I for the transfer of passengers within the rail mode and between rail and other transport modes;

(c) rail service facilities along the lines indicated in Annex I other than passenger stations as defined in Article 3(11) of Directive 2012/34/EU of the European Parliament and of the Council[2], in particular marshalling yards, train formation facilities, shunting facilities, storage sidings, maintenance facilities, other technical facilities like cleaning and washing facilities, relief facilities and refuelling facilities; it also includes automatic gauge-changing facilities for rail;

[2] Directive 2012/34/EU of the European Parliament and of the Council of 21 November 2012 establishing a single European railway area (OJ L 343 14.12.2012, p. 32).

(d) the rail access routes connections up to multimodal freight terminals connected by rail, including the rail access routes up to multimodal freight terminals in inland and maritime ports and airports, and the rail access routes up to marshalling yards as defined by the Annex II, point 2(c) of Directive 2012/34/EU;

(e) trackside control-command signalling;

(f) trackside energy infrastructure;

(g) associated equipment;

(h) ICT systems for transport.

2. The technical equipment associated with railway lines may include electrification systems, equipment for the boarding and alighting of passengers and the loading and unloading of cargo in stations and terminals, as well as innovative technologies in their deployment phase.

Article 15

Transport infrastructure requirements for the comprehensive network

1. Member States shall ensure that the railway infrastructure of the comprehensive network:

(a) complies with Directive (EU) 2016/797 of the European Parliament and of the Council[3] and its implementing measures in order to achieve the interoperability of the comprehensive network;

(b) complies with the requirements of the technical specifications for interoperability (TSIs) adopted pursuant to Articles 4 and 5 of Directive (EU) 2016/797, under the procedure provided for in Article 7(1), points (b), (c), (d) and (e) of that Directive;

(c) deleted.

[3] Directive (EU) 2016/797 of the European Parliament and of the Council of 11 May 2016 on the interoperability of the rail system within the European Union (OJ L 138, 26.5.2016, p. 44).

2. Member States shall ensure that, by 31 December 2050, the railway infrastructure of the comprehensive network, except connections referred to in Article 14(1), point (d),

(a) is fully electrified as regards line tracks and, to the extent necessary for electric train operations, as regards sidings;

~~[(b) provides for a nominal track gauge for new railway lines of 1435 mm, except where the new line is an extension on a network the track gauge of which is different and detached from the main rail lines in the Union;]~~

(c) enables, without special permission, an axle load of at least 22.5 tons;

(d) enables, without special permission, the operation of freight trains with a train length of at least 740 m (including the locomotive(s)). This requirement is met if, on double track lines, at least one train path~~s~~ per hour and direction on average, can be allocated to freight trains with a length of at least 740 m.

(e) deleted.

The requirements set out in points (c) and (d) shall apply only on those lines of the comprehensive network which:

- ~~are~~ connect~~ed~~ a ~~to~~ multimodal freight terminal or a maritime or **an** inland port **with its closest crossing point with core or extended core freight network**, or
- constitute a re-routing line of a freight line of the core or extended core network, or
- operate more than ten freight trains per day **on average** in both directions based on the data for the previous year prior to the notification.

Member States shall, at the latest three years after the entry into force of this Regulation, notify the Commission of the lines concerned. For cross-border lines, such notification shall be made in agreement with the other Member States concerned.

2a. Member States shall ensure that, by 31 December 2050, the railway infrastructure of the comprehensive network on the connections referred to in Article 14(1), point (d) meets the requirements set out in paragraph (2), points (c) and (d).

3. ~~(a)~~ The requirements set out in paragraph 2, ~~points (a), (c) and, (d)~~ and paragraph 2a do not apply to isolated networks.

(b) deleted.

4. Without prejudice to paragraph 3, upon request of a Member State, in duly justified cases, exemptions shall be granted by the Commission by means of implementing acts in respect of requirements referred to in this Article on the ground of specific geographical or significant physical constraints, negative result of socio-economic cost-benefit analysis or potential negative impacts on environment or biodiversity. Any such request shall be substantiated with sufficient justification. The request for exemptions shall be coordinated and agreed with the neighbouring Member State(s) in case of cross-border sections. A Member State may request the granting of several exemptions in a single request.

The Commission shall assess the request in view of the justification provided as well as in terms of its impact on interoperability and continuity of the railway network where relevant.

The Commission may ask additional information to the Member State no later than thirty calendar days following the receipt of request pursuant to the first subparagraph. If the Commission considers that the information provided is insufficient, it may ask the Member State to supplement that information within thirty calendar days from the receipt of that information.

The Commission shall take a decision on the requested exemption no later than 6 months following the receipt of the request pursuant to in the first subparagraph or, in case further information has been provided by the Member States concerned pursuant to the third subparagraph, no later than 4 months following the latest receipt of such information, whichever is the latest date. In the absence of an explicit decision by the Commission within such time-limits, the exemption shall be deemed to be granted.

The Commission shall inform other Member States of the exemptions granted pursuant to this Article.

Article 16

Transport infrastructure requirements for the core network and the extended core network

1. Member States shall ensure that the railway infrastructure of the core network and the extended core network complies with Article 15(1).

2. Member States shall ensure that, by 31 December 2040, the railway infrastructure of the extended core network, except connections referred to in Article 14(1), point (d):

   (a) for lines that are part of the network for freight transport

      (i) meets the requirements set out in Article 15(2), points (a) to (c);

      (ii) enables, without special permission, the operation of freight trains with a train length of at least 740 m (including the locomotive(s)). This requirement is met if at least the following conditions are complied with:

         (a) on double track lines, at least one train path per hour and direction with a total of at least **[36]** ~~48~~ train paths per day and direction, can be allocated to freight trains with a length of at least 740 m;

         (b) on single track lines, at least one train path per two hours and direction can be allocated to freight trains with a length of at least 740 m on single track lines;

      (iii) for rail sections linking the multimodal freight terminals of two urban nodes or the multimodal freight terminal of an urban node and a border **crossing** point, ~~allows,~~ over **[75** ~~90~~**%]** of the length of each rail section, ~~excluding rail access routes~~, **is designed for a speed of at least** ~~for a minimum design speed of~~ 100 km/h for freight trains on the freight lines of the extended core network;[4]

      (iv) provides a standard of at least P400 in accordance with item 1.1.1.1.3.5 of Table 1 in the Annex to Commission Implementing Regulation (EU) 2019/777**.**~~, without any additional requirement for special permission to operate services.~~

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4 See footnote 5) below:

(b) on the connections referred to in Article 14(1), point (d): meets the requirements set out in Article 15(2), point (c) and in Article 16(2), point (a) (ii) and (iv).

(c) for lines that are part of the network for passenger transport

(i) meets the requirements set out in Article 15(2), points (a) and (b), on the passenger lines of the extended core network;

(ii) for rail sections linking the multimodal passenger hubs of two urban nodes or the multimodal freight terminal of an urban node and a border **crossing** point, ~~allows,~~ over **[**75 %**]** of the length of each rail section **is designed for a speed of at least**~~, for a minimum design speed of~~ 160 km/h for passenger trains on the passenger lines of the extended core network[5].

3. Member States shall ensure that the railway infrastructure of the core network, except connections referred to in Article 14(1), point (d),

(a) by 31 December 2030 :

(i) **for lines that are part of the network for freight transport** ~~on the freight lines~~: meets the requirements set out in Article 16(2), point (a), (i) to (iii);

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5 The Presidency suggests to amend recital 39 as follows, to reflect the changes made in Article 16(2), point a) (iii) and point b, (ii):
"To achieve transformation of the transport sector into a truly multimodal system of sustainable and smart mobility services, the Union should build a high quality transport network with rail services meeting minimum line speed of 100 km/h. Competitive passenger rail has a high potential for the decarbonisation of transport. There is the need to develop a coherent and interoperable European high speed rail network linking its capitals and major cities. Complementing existing high speed lines with passenger lines at a minimum line speed of 160 km/h should in return lead to network effects, a more coherent network and an increased number of passengers travelling by rail. When upgrading the infrastructure, Member States are encouraged to examine possibilities of design for higher speed. However, those requirements should be limited to a certain percentage of the rail sections concerned in order to take into account the need for flexibility on rail sections with special features as a result of topographical, relief or town-planning constraints, to which the speed must be adapted in each case, including inter alia includes interconnecting lines, lines through stations, accesses to terminals and service facilities or depots."

(ii) on the connections referred to in Article 14(1), point (d): meets the requirements set out in Article 15(2), points (c) and in Article 16(2), point (a) (ii);

(iii) **for the lines that are part of the network for passenger transport** ~~on the passenger lines~~: meets the requirements set out in Article 15(2), points (a) and (b).

(b) by 31 December 2040:

(i) **for lines that are part of the network for freight transport** ~~on the freight lines~~: meets the requirement set out in Article 16(2), point a), (iv);

(ii) on the connections referred to in Article 14(1), point (d): meets the requirements set out in Article 16(2), point (a) (iv);

(iii) **for lines that are part of the network for passenger transport** ~~on the passenger lines~~: meets the requirement set out in Article 16(2), point (c), (ii).

4. The requirements set out in **paragraphs 2 to 4 do not apply to isolated networks.**

5. Without prejudice to paragraph 4, upon at the request of a Member State, in duly justified cases, exemptions shall be granted by the Commission by means of implementing acts in respect of requirements referred to in this article on the ground of specific geographical or significant physical constraints, negative result of socio-economic cost-benefit analysis or potential negative impacts on environment or biodiversity. Any such request shall be substantiated with sufficient justification. The request for exemptions shall be coordinated and agreed with the neighbouring Member State(s) in case of cross-border sections. A Member State may request the granting of several exemptions in a single request.

The Commission shall assess the request in view of the justification provided as well as in terms of its impact on interoperability and continuity of the railway network, where relevant.

The Commission may ask additional information to the Member State no later than thirty calendar days following the receipt of request pursuant to the first subparagraph. If the Commission considers that the information provided is insufficient, it may ask the Member State to supplement that information within thirty calendar days from the receipt of that information.

The Commission shall take a decision on the requested exemption no later than 6 months following the receipt of the request pursuant to in the first subparagraph or, in case further information has been provided by the Member States concerned pursuant to the third subparagraph, no later than 4 months following the latest receipt of such information, whichever is the latest date. In the absence of an explicit decision by the Commission within such time-limits, the exemption shall be deemed to be granted.

The Commission shall inform other Member States of the exemptions granted pursuant to this Article.

~~*Article 16a*~~

~~Exemptions from transport infrastructure requirements~~

Moved to Articles 15 and 16.

Article 16a

European standard nominal track gauge for rail

1. Member States shall ensure that any new railway line of the comprehensive network, the extended core network and the core network, including connections referred to in Article 14(1), point (d), provides for the European standard nominal track gauge of 1 435 mm. That requirement is considered to be met when 1 435 mm track gauge trains can circulate on the infrastructure **at the latest by 2030 for the core network, by 2040 for the extended core network and by 2050 for the comprehensive network.** For the purposes of this Article new railway ~~infrastructure~~ **line** ~~-~~means any ~~infrastructure~~ **line** for which construction works have not started on the date of entry into force of this Regulation.

2. ~~Member States with a rail network, or a part thereof, with a track gauge different from that of the European standard nominal track gauge of 1 435 mm shall draw up, at the latest two years after the date of entry into force of this Regulation, a migration plan of the existing railway lines located on the European Transport Corridors to the European standard nominal track gauge of 1 435 mm. Such migration plan shall be coordinated with the neighbouring~~

~~Member State(s) concerned by the migration~~. **By derogation to paragraph 1, the Member States on the territory of which, at the date of entry into force of this Regulation, no new railway line is planned to be connected to the land border of another Member State according to Annex I of this Regulation, shall draw up a plan identifying the new railway line to be built according to the European standard nominal track gauge of 1 435 mm. This plan shall take account of the impact on interoperability with the neighbouring Member State(s), by taking account of, notably, the possible migration of existing railway lines according to paragraph 3. The plan shall include a socio-economic cost-benefit analysis justifying the decision of the Member State, where relevant, not to build new railway infrastructure to the European standard nominal track gauge of 1 435 mm and an assessment of the impact on interoperability. This plan shall be submitted to the Commission at the latest two years after the date of entry into force of this Regulation.**

3. **Member States with an existing rail network, or a part thereof, with a track gauge different from that of the European standard nominal track gauge of 1 435 mm shall draw up, at the latest two years after the date of entry into force of this Regulation, a plan identifying the existing railway lines located on the European Transport Corridors to be migrated** ~~Member States may identify in the migration plan the railway lines which will not migrate~~ to the European standard nominal track gauge of 1 435 mm. **The plan shall be coordinated with the neighbouring Member State(s) concerned by the migration and provide for an indicative timeline for the migration.** The plan shall include a socio-economic cost-benefit analysis justifying the decision **of the Member State, where relevant,** not to migrate railway lines to the European standard nominal track gauge of 1 435 mm and an assessment of the impact on interoperability.

4. The priorities for infrastructure and investment planning **resulting from the plans referred to in paragraphs 2 and 3** shall be included in the first work plan of the European Coordinator for a European Transport Corridor of which the freight railway lines with a track gauge different from that of the European standard nominal track gauge is part, in accordance with Article 53.

Article 17

The European Rail Traffic Management System

1. Member States shall ensure that by 31 December [2040]:

   - on the railway infrastructure of the extended core network and the comprehensive network, except connections referred to in Article 14(1), point (d), ERTMS is equipped, while ensuring a synchronised and harmonised ERTMS deployment trackside and on board of trains;

   - ERTMS is deployed on connections referred to in Article 14(1), point (d), of the extended core and the comprehensive network where such equipment is deemed necessary by the Member State concerned in coordination with the relevant stakeholders, in particular the infrastructure manager.

(a) deleted.

(b) deleted. [6]

2. Member States shall ensure that by 31 December 2030:

   - the railway infrastructure of the core network except connections referred to in Article 14(1), point (d), meets the requirements of paragraph 1.

   - ERTMS is deployed on connections referred to in Article 14(1), point (d), of the core network where such equipment is deemed necessary by the Member State concerned in coordination with the relevant stakeholders, in particular the infrastructure manager.

3. deleted.

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[6] The Presidency suggests amending recital 44 as follows:
"~~In addition, Member States are encouraged to initiate progressively~~ ~~d~~**D**ecommissioning of class B systems ~~trackside as such decommissioning~~ brings ~~about~~ significant maintenance savings for infrastructure managers considering the costs and the complexity of deploying ERTMS and keeping additional trackside systems for a prolonged period. **Member States are therefore encouraged to initiate progressively the decommissioning of class B systems trackside.** ~~However, at this stage, no obligation should be imposed on Member States in that regard: decommissioning should be preceded by the full deployment of ERTMS.~~"

4. Member States shall ensure that the railway infrastructure of the core network, the extended core network and the comprehensive network is equipped with radio-based ERTMS by 31 December 2050.

5. Member States shall ensure that on the railway infrastructure of the core network, the extended core network and the comprehensive network as of 31 December 2030, in case of construction of a new line, radio-based ERTMS is being deployed.

5a. Member States shall ensure that radio-based ERTMS is deployed by 31 December 2050 on connections referred to in Article 14(1), point (d), of the core network, the extended core network and the comprehensive network, where such equipment is deemed necessary by the Member State concerned in coordination with the relevant stakeholders, in particular the infrastructure manager. In case of construction of a new line, such deployment shall be ensured as of 31 December 2030.

5b. The requirements set out in paragraphs 1 to 5a do not apply to isolated networks.

6. **Without prejudice to paragraph 5b, upon** ~~At the~~ request of a Member State, in duly justified cases, exemptions shall be granted by the Commission by means of implementing acts in respect of requirements referred to in paragraphs 1 to 5**a**. Any request for exemption shall be based on **negative result of** ~~a~~ socio-economic cost-benefit analysis and an assessment of the impact on interoperability. Any such request shall be substantiated with sufficient **justification** ~~elements~~. The request for exemptions shall be coordinated and agreed with the neighbouring Member State(s) where applicable. A Member State may request the granting of several exemptions in a single request. Requested exemptions shall comply with the requirements of Directive (EU) 2016/797 of the European Parliament and of the Council[7].

The Commission shall assess the request in view of the ~~elements~~ **justification** provided under the first subparagraph.

The Commission may ask additional information to the Member State no later than thirty calendar days following the receipt of request pursuant to the first subparagraph. If the Commission considers that the information provided is

[7] Directive (EU) 2016/797 of the European Parliament and of the Council of 11 May 2016 on the interoperability of the rail system within the European Union (OJ L 138, 26.5.2016, p. 44).

insufficient, it may ask the Member State to supplement that information within thirty calendar days from the receipt of that information.

The Commission shall take a decision on the requested exemption no later than 6 months following the receipt of the request pursuant to in the first subparagraph or, in case further information has been provided by the Member States concerned pursuant to the third subparagraph, no later than 4 months following the latest receipt of such information, whichever is the latest date. In the absence of an explicit decision by the Commission within such time-limits, the exemption shall be deemed to be granted.

The Commission shall inform other Member States of the exemptions granted pursuant to this ~~paragraph~~ **Article**.

Article 18

[Moved to Art. 65]

Article 19

Additional priorities for railway infrastructure development

In the promotion of projects of common interest related to railway infrastructure, and in addition to the general priorities set out in Articles 12 and 13, attention shall be given to the following:

(a) migrating to the European standard nominal track gauge (1 435 mm);

(~~a~~**b**) mitigating the impact of noise and vibration caused by rail transport, in particular through measures for rolling stock and for infrastructure, including noise protection barriers;

(~~b~~**c**) improving the safety of level crossings;

(~~c~~**d**) where appropriate, connecting railway transport infrastructure with inland waterway port infrastructure;

(~~d~~**e**) subject to socio-economic costs and benefits analysis, developing of infrastructure for train length above 740 m and up to 1500 m and 25.0 t axle load when constructing and modernising railway lines relevant for freight traffic;

(~~e~~**f**) developing and deploying innovative technologies for railways, building in particular on the work of the Shift2Rail and Europe's Rail Joint Undertakings, notably automatic train operation, advanced traffic management, and digital connectivity for passengers based on ERTMS and digital automatic couplings as well as 5G connectivity;

(~~f~~**g**) when building or upgrading railway infrastructure, ensure the continuity and accessibility of pedestrian and cycling paths~~,~~ **and develop bicycle parking in the vicinity of the stations** in order to promote the active modes of transport;

(~~g~~**h**) developing innovative alternative fuels technologies for railways, such as hydrogen for sections that are exempted from the electrification requirement and rail access routes.

(~~h~~**i**) for the development of ~~comprehensive~~ **the trans-European transport** network, providing a standard of at least P400 in accordance with item 1.1.1.1.3.5 of Table 1 in the Annex to Commission Implementing Regulation (EU) 2019/777[8], without any additional requirement for special permission to operate services.

[8] Commission Implementing Regulation (EU) 2019/777 of 16 May 2019 on the common specifications for the register of railway infrastructure and repealing Implementing Decision 2014/880/EU (OJ L 139I, 27.5.2019, p. 312).

SECTION 2

INLAND WATERWAYS TRANSPORT INFRASTRUCTURE

Article 20

Infrastructure components

1. Inland waterways infrastructure shall comprise, in particular:

(a) rivers;

(b) canals;

(c) lakes and lagoons;

(d) related infrastructure such as locks, elevators, bridges, reservoirs and associated flood and drought prevention and mitigation measures which may bring positive effects to inland waterway navigation;

(e) access waterways and last mile connections to multimodal freight terminals connected by inland waterways, in particular in inland and maritime ports;

(f) mooring and rest places;

(g) inland ports, including basic port infrastructure in the form of internal basins, quay walls, berths, jetties, docks, dykes, backfills, platforms, land reclamation and the infrastructure necessary for transport operations within the port area and outside the port area;

(h) associated equipment referred to in paragraph 2;

(i) ICT systems for transport, including RIS;

(j) the connections of the inland ports to the other modes in the trans-European transport network;

(k) infrastructure related to facilities for alternative fuels;

(l) infrastructure necessary for zero waste operations and circular economy measures.

2. Equipment associated with inland waterways may include equipment for the loading and unloading of cargos and storage of goods in inland ports. Associated equipment may include, in particular, propulsion and operating systems which reduce pollution, such as water and air pollution, energy consumption and carbon intensity. It may also include waste reception facilities, shore-side electricity power supply and other alternative fuels infrastructure for supply and generation ~~and used oil collection facilities~~, as well as equipment for ice-breaking, hydrological services and dredging of the fairway, port and port approaches to ensure year-round navigability.

3. In order to be part of the comprehensive network, an inland port shall meet the following conditions:

(a) it has an annual freight transhipment volume exceeding 500,000 tonnes. The total annual freight transhipment volume shall be based on the latest available three-year average, based on the statistics published by Eurostat;

(b) it is located on the inland waterway network of the trans-European transport network.

Article 21

Transport infrastructure requirements for the comprehensive network

1. Member States shall ensure that inland ports on the comprehensive network, by 31 December 2050:

(a) will be connected with the road or rail infrastructure;

(b) offer at least one multimodal freight terminal open to all operators and users in a non-discriminatory way and which shall apply transparent and non-discriminatory charges;

(c) are equipped with facilities to improve the environmental performance of vessels in ports, **which may include** ~~such as~~ **waste** reception facilities, degassing facilities, noise reduction measures, measures to reduce air and water pollution.

2. Member States shall ensure that alternative fuels infrastructure is deployed in inland ports in accordance with Regulation (EU) […] [on the deployment of alternative fuels infrastructure].

Article 22

Transport infrastructure requirements for the core network

1. Member States shall ensure that the inland ports of the core network meet the requirements set out in Article 21(1), points (a) and (b), by 31 December 2030 and in Article 21(1), points (c), by 31 December 2040.

2. Member States shall ensure that the inland waterway network, including connections referred to in Article 20(1), point (e), is maintained to enable efficient, reliable and safe navigation for users by ensuring minimum waterway requirements **laid down in paragraph 3, point (a)** and **minimum levels of service requirements laid down in paragraph 3, points (b), (c) and (d) are complied with, and** by preventing the deterioration of these minimum requirements or any of its defined underlying criteria (Good Navigation Status).

3. Member States shall by 31 December 2030 in particular ensure that:

(a) Rivers, canals, lakes, lagoons, inland ports and their access routes provide a navigable channel depth of at least 2.5 m and a minimum height under non-openable bridges of at least 5.25 m at defined reference water levels, which are exceeded at a defined number of days per year on a statistical average.

The reference water levels shall be established on the basis of the number of days per year on which the actual water level exceeded the specified reference water level. Subject to the approval of the Member States concerned in accordance with Article 172 TFEU, the Commission shall adopt implementing acts, to be elaborated in close cooperation with such Member States, specifying the reference water levels referred to in the previous subparagraph per corridor, per waterway or per waterway section. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 59(3).

When specifying the reference water levels the Commission shall take into account the requirements which are set out in international conventions, in agreements concluded between Member States, including in the regulations adopted by the river navigation commissions set up by such conventions and agreements.

(b) Member States shall publish on a website accessible to the public the number of days per year as referred to in the second subparagraph of this point during which the actual water level exceeds or does not achieve the specified reference water level for navigation channel depth as well as the average waiting times at each lock;

(c) operators of locks shall ensure that locks are operated and maintained in such a way that waiting times are minimised;

(d) rivers, canals, lakes and lagoons are equipped with RIS for all services according to Directive 2005/44/EC[9], so as to guarantee real-time information to users across borders.

[9] Directive 2005/44/EC of the European Parliament and of the Council of 7 September 2005 on harmonised river information services (RIS) on inland waterways in the Community (OJ L 255, 30.9.2005, p.152).

4. **Upon** ~~At the~~ request of a Member State, in duly justified cases, exemptions from the minimum requirements referred to in paragraph (3), point (a), shall be granted by the Commission **per waterway and where appropriate per waterway section** by means of implementing acts on the ground of specific geographical or significant physical constraints, or negative **result of** socio-economic cost-benefit analysis or potential negative impacts on environment or biodiversity, or on cultural heritage. Any such request shall be substantiated with sufficient **justification** ~~elements~~. The request for exemptions shall be coordinated and agreed with the neighbouring Member State(s) where applicable. A Member State may request the granting of several exemptions in a single request.

The Commission shall assess the request in view of the ~~elements~~ **justification** provided under the first subparagraph.

The Commission may ask additional information to the Member State no later than thirty calendar days following the receipt of request pursuant to the first subparagraph. If the Commission considers that the information provided is insufficient, it may ask the Member State to supplement that information within thirty calendar days from the receipt of that information.

The Commission shall take a decision on the requested exemption no later than 6 months following the receipt of the request pursuant to in the first subparagraph or, in case further information has been provided by the Member States concerned pursuant to the third subparagraph, no later than 4 months following the latest receipt of such information, whichever is the latest date. In the absence of an explicit decision by the Commission within such time-limits, the exemption shall be deemed to be granted.

The Commission shall inform other Member States of the exemptions granted pursuant to this ~~paragraph~~ **Article.**

~~Any request for exemption shall be coordinated and agreed with the neighbouring Member State(s) where applicable~~.

~~Any request for exemption shall be based on a socio-economic cost-benefit analysis, the assessment of specific geographic or significant physical constraints and/or of potential negative impacts on environment and biodiversity.~~

Deterioration of the minimum requirements caused by direct human action or by lack of diligence in the maintenance of the inland waterway network shall not be considered as a case justifying the granting of an exemption.

4a. In case of force majeure, Member States shall rehabilitate the navigability conditions to the previous status as soon as the situation allows for it.

5. The Commission may adopt guidelines ensuring a coherent approach on the application of the good navigation status in the Union. These guidelines may cover in particular:

(a) **complementary parameters for waterways specific for free flowing rivers**;

(b) deleted.

(c) deleted.

(d) deleted.

(e) deployment of alternative energy infrastructure to ensure corridor-wide access to alternative fuels;

(f) use of digital applications of the network and automation processes;

(g) resilience of the infrastructure to climate change, natural hazards and human-made disasters or intentional disruptions;

(h) introduction and promotion of new technologies and innovation for zero-carbon energy fuels and propulsion systems.

6. Deleted.

Article 23

Additional priorities for inland waterway infrastructure development

In the promotion of projects of common interest related to inland waterway infrastructures, and in addition to the general priorities set out in Articles 12 and 13, attention shall be given to the following:

(a) where appropriate, achieving higher standards for modernising existing waterways and for creating new waterways, in order to meet market demands;

(b) prevention and mitigation measures against flooding and droughts;

(c) improvement of digitalisation and automation processes, in particular in view of an increased safety, security and sustainability in inland waterway transport, including within urban nodes;

(d) modernisation and expansion of the capacity of the infrastructure**, including mooring and rest places and their services** necessary for multimodal transport operations within as well as outside the port area **and along the waterway**;

(e) promoting and developing measures to improve the environmental performance of inland waterway transport and transport infrastructure, including zero and low emission vessels and measures to mitigate impacts on water bodies and water-dependent biodiversity, in accordance with the applicable requirements under Union law or relevant international agreements.

(f) development and use of shallow- draught inland waterway vessels suited for low water levels**;** ~~.~~

(g) when building or upgrading inland waterways infrastructure, ensure the continuity and accessibility of pedestrian and cycling paths in order to promote the active modes of transport.

SECTION 3

MARITIME TRANSPORT INFRASTRUCTURE AND THE EUROPEAN MARITIME SPACE

Article 24

Infrastructure components

1. The European Maritime Space[10] connects and integrates the maritime components described in paragraph 2 with the landside network through the creation or upgrading of short-sea shipping routes and through the development of maritime ports on the territory of Member States and their hinterland connections to provide an efficient, viable and sustainable integration with other modes of transport.

2. The European Maritime Space consists of:

   (a) the maritime transport infrastructure within the port area of the core and comprehensive network, including hinterland connectivity;

   (b) wider benefit actions that are not linked to specific ports and that benefit the European Maritime Space and the maritime industry widely, such as support to activities ensuring year-round navigability (icebreaking), ~~or~~ facilitating the transition towards sustainable maritime transport, improving the synergies between transport and energy by fostering the role of ports as energy hubs and helping the energy transition, and ICT systems for transport and hydrographic surveys;

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10 Recital 27 is amended as follows:
The land-side infrastructure network, established through the core network, extended core network and comprehensive network, should integrate with the maritime dimension of the trans-European transport network. To this end, a truly sustainable, smart, seamless and resilient European Maritime Space should be created **which should** ~~replace~~ **embrace the former "Motorways of the Sea"**. It should encompass all maritime infrastructure components of the trans-European transport network.

(c) the promotion of sustainable and resilient short-sea shipping links[11], in particular those that concentrate flows of freight in order to reduce negative **external costs such as** emissions and congestion from road transport within the Union and those that improve access to ~~-~~outermost and other remote, insular and peripheral regions **through the establishment or upgrading of sustainable, regular and frequent maritime services.**

(d) deleted.

3. Maritime transport infrastructure referred to in point (a) of paragraph 2 shall comprise, in particular:

(a) maritime ports, including the infrastructure necessary for transport operations within the port area,;

(b) basic port infrastructure such as internal basins, quay walls, berths, platforms, jetties, docks, dykes, backfills and land reclamation;

(c) sea canals;

(d) navigational aids;

(e) port approaches, fairways and locks;

(f) breakwaters;

(g) the connections of the ports to the trans-European transport network;

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[11] Recital 47 is amended as follows:
Short sea shipping can make a substantial contribution to the decarbonisation of transport by carrying more freight and passengers. **There is however a need to better integrate short-sea shipping links, constituting** ~~"Motorways of the Sea" projects funded by the Connecting Europe Facility have demonstrated very positive results in this regard. However, "Motorways of the Sea" projects have also shown the need to better integrate~~ the maritime dimension of the trans-European transport network, with the landside network and to put stronger emphasis on the entire transport and logistic chain, both to sea and hinterland. The newly created overaching concept of the European Maritime Space should be promoted by creating or upgrading short-sea shipping routes and by developing maritime ports and their hinterland connections as to provide an efficient and sustainable integration with other modes of transport.

(h) ~~digital infrastructure and~~ ICT systems for transport, including EMSWe and VTMIS;

(i) infrastructure related to alternative fuels;

(j) associated equipment, which may include, in particular, equipment for traffic and cargo management, for the reduction of negative effects on the environment, including for zero waste operations and circular economy measures, for improving energy efficiency, for the reduction of noise, and for the use of alternative fuels, as well as equipment to ensure year-round navigability, including ice-breaking, hydrological surveys, and for capital dredging and protection of the port and port approaches;

(k) deleted.

(l) infrastructure facilitating port activities related to offshore wind farms and renewable energy.

4. In order to be part of the comprehensive network, a maritime port shall meet at least one of the following conditions:

(a) its total annual passenger traffic volume exceeds 0.1% of the total annual passenger traffic volume of all maritime ports of the Union. The reference amount for this total volume is the latest available three-year average, based on the statistics published by Eurostat;

(b) its total annual cargo volume – either for bulk or for non-bulk cargo handling – exceeds 0.1% of the corresponding total annual cargo volume handled in all maritime ports of the Union. The reference amount for this total volume is the latest available three-year average, based on the statistics published by Eurostat;

(c) it is located on an island and provides the sole point of access to a NUTS 3 region in the comprehensive network;

(d) it is located in an outermost region or a peripheral area, outside a radius of 200 km from the nearest other port in the comprehensive network.

Article 25

Transport infrastructure requirements for the comprehensive network

1. Member States shall ensure that:

   (a) alternative fuels infrastructure is deployed in maritime ports of the comprehensive network in accordance with the Regulation (EU) […] [on the deployment of alternative fuels infrastructure];

   (b) maritime ports of the comprehensive network are equipped with the necessary infrastructure to improve the environmental performance of ships in ports, ~~among others~~ **in particular** reception facilities for the delivery of waste from ships in accordance with Directive (EU) 2019/883 of the European Parliament and of the Council[12];

   (c) VTMIS and SafeSeaNet are implemented in accordance with Directive 2002/59/EC;

   (d) maritime national single windows are implemented in accordance with Regulation (EU) 2019/1239.

2. Member States shall ensure that, by 31 December 2050:

   (a) maritime ports of the comprehensive network are connected with the rail and road infrastructure and, where possible, inland waterways;

   (b) any maritime port of the comprehensive network that serves freight traffic offers at least one multimodal freight terminal which is open to all operators and users in a non-discriminatory way and which applies transparent and non-discriminatory charges;

12 Directive (EU) 2019/883 of the European Parliament and of the Council of 17 April 2019 on port reception facilities for the delivery of waste from ships, amending Directive 2010/65/EU and repealing Directive 2000/59/EC (OJ L 151, 7.6.2019, p. 116).

(c) sea canals, port fairways and estuaries **which** connect two seas, or **which** provide access from the sea to maritime ports ~~and~~ correspond at least to inland waterways that meet the requirements of Article 22;

(d) maritime ports of the comprehensive network connected to inland waterways are equipped with dedicated handling capacity for inland waterway vessels.

The obligation to ensure the connection referred to in point (a) of the first subparagraph shall not apply where specific geographic or significant physical constraints prevent such connection.

3. **Upon** ~~At the~~ **a** request of a Member State, in duly justified cases exemptions from the minimum requirements referred to in the first subparagraph of paragraph (2), shall be granted by the Commission by means of implementing acts on the ground of specific geographical or significant physical constraints or negative **result of** socio-economic cost-benefit analysis or potential negative impacts on environment or biodiversity. Any such request shall be substantiated with sufficient **justification** ~~evidence~~. A Member State may request the granting of several exemptions in a single request.

The Commission shall assess the request in view of the justification provided under the first subparagraph.

The Commission may ask additional information to the Member State no later than thirty calendar days following the receipt of request pursuant to the first subparagraph. If the Commission considers that the information provided is insufficient, it may ask the Member State to supplement that information within thirty calendar days from the receipt of that information.

The Commission shall take a decision on the requested exemption no later than 6 months following the receipt of the request pursuant to in the first subparagraph or, in case further information has been provided by the Member States concerned pursuant to the third subparagraph, no later than 4 months following the latest receipt of such information, whichever is the latest date. In the absence of an explicit decision by the Commission within such time-limits, the exemption shall be deemed to be granted.

The Commission shall inform other Member States of the exemptions granted pursuant to this ~~paragraph~~ **Article.**

Article 26

Transport infrastructure requirements for the core network

1. Member States shall ensure that the maritime transport infrastructure of the core network complies with Article 25(1).

2. Member States shall ensure that the maritime transport infrastructure of the core network meets the requirements set out in Article 25(2) by 31 December 2030.

3. **Upon** ~~At the~~ request of a Member State, in duly justified cases, exemptions from the minimum requirements referred to in paragraph (2), shall be granted by the Commission by means of implementing acts on the ground of specific geographical or significant physical constraints or negative **result of** socio-economic cost-benefit analysis or potential negative impacts on environment or biodiversity. Any such request shall be substantiated with sufficient ~~evidence~~ **justification**. A Member State may request the granting of several exemptions in a single request.

The Commission shall assess the request in view of the justification provided under the first subparagraph.

The Commission may ask additional information to the Member State no later than thirty calendar days following the receipt of request pursuant to the first subparagraph. If the Commission considers that the information provided is insufficient, it may ask the Member State to supplement that information within thirty calendar days from the receipt of that information.

The Commission shall take a decision on the requested exemption no later than 6 months following the receipt of the request pursuant to in the first subparagraph or, in case further information has been provided by the Member States concerned pursuant to the third subparagraph, no later than 4 months following the latest receipt of such information, whichever is the latest date. In the absence of an explicit decision by the Commission within such time-limits, the exemption shall be deemed to be granted.

The Commission shall inform other Member States of the exemptions granted pursuant to this ~~paragraph~~ **Article**.

Article 27

Additional priorities for maritime infrastructure development and the European Maritime Space

In the promotion of projects of common interest related to maritime infrastructure and the European Maritime Space, and in addition to the priorities set out in Articles 12 and 13, attention shall be given to the following:

(a) upgrading maritime access, such as breakwaters, sea channels, fairways, locks, capital dredging and navigational aids;

(b) construction or upgrading basic port infrastructure, such as internal basins, quay walls, berths, platforms, jetties, docks, dykes, backfills and land reclamation **and the improvement of the interconnection infrastructure defined in Article 36(a)**;

(c) improvement of digitalisation and automation processes, in particular in view of an increased safety, security, efficiency and sustainability;

(d) introduction and promotion of new technologies **and inovation**, **as well as renewable and low carbon fuels** ~~in particular zero-emission technologies, and innovation,~~;

(e) improvement of the resilience of the logistic chains and international maritime trade, including in relation to climate adaptation;

(f) noise reduction and energy efficiency measures;

(g) promoting zero and low emission vessels serving and operating short-sea shipping links, and developing measures to improve the environmental performance of maritime transport for port call or supply chain optimisation in accordance with the applicable requirements under Union law or relevant international agreements**, including the use of eco-incentives schemes**;

(h) actions referred to in points (b) and (c) of Article 24(2).

SECTION 4

ROAD TRANSPORT INFRASTRUCTURE

Article 28

Infrastructure components

1. Road transport infrastructure shall comprise, in particular:

(a) roads including:

(i) bridges;

(ii) tunnels;

(iii) junctions;

(iv) crossings;

(v) interchanges;

(vi) hard shoulders;

~~(vii) parking and rest areas, including safe and secure parking areas for commercial vehicles;~~

(viii) deleted;

(ix) deleted;

(x) infrastructure mitigating impact on environment;

(b) associated equipment, including, weigh in motion systems;

(c) digital infrastructure and ICT systems for transport;

(d) access routes to multimodal freight terminals;

(e) connections of the freight terminals and logistic platforms to the other modes in the trans-European transport network;

(f) bus terminals;

(g) infrastructure related to facilities for alternative fuels**:** ~~.~~

(h) parking and rest areas, including safe and secure parking areas for commercial vehicles.

2. The roads referred to in point (a) of paragraph 1 and indicated in Annex I are those which play an important role in long-distance freight and passenger traffic, integrate the main urban and economic centres and interconnect with other transport modes.

3. Equipment associated with roads may include, in particular, equipment for traffic management, information and route guidance, for the levying of tolls or user charges, for safety, for reducing negative environmental effects, for refuelling or recharging of vehicles with alternative propulsion, and for safe and secure parking areas for commercial vehicles.

Article 29

Transport infrastructure requirements for the comprehensive network

1. Member States shall ensure that:

(a) the safety of road transport infrastructure is ensured, monitored and, when necessary, improved in accordance with Directive 2008/96/EC of the European Parliament and of the Council[13];

(b) the roads are designed, built or upgraded and maintained with high level of safety of traffic through, in particular, the implementation of the latest proven technologies;

[13] Directive 2008/96/EC of the European Parliament and of the Council of 19 November 2008 on road infrastructure safety management (OJ L 319, 29.11.2008, p. 59).

(c) the roads are designed, built or upgraded and maintained with high level of environmental protection, including as appropriate through noise reduction measures and the collection, treatment and release of water run-off;

(d) road tunnels over 500 m in length comply with Directive 2004/54/EC of the European Parliament and of the Council[14];

(e) where applicable, the interoperability of toll collection systems is ensured in accordance with Directive (EU) 2019/520 of the European Parliament and of the Council[15] and with Commission Implementing Regulation C/2019/9080[16] and Commission Delegated Regulation C/2019/8369[17];

(f) where applicable, the tolls or user charges are levied in accordance with Directive 1999/62/EC of the European Parliament and of the Council[18];

(g) any intelligent transport system on road transport infrastructure complies with Directive (EU) […] on the framework for the deployment of Intelligent Transport Systems and is deployed in a manner consistent with delegated acts adopted under that Directive[19];

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14 Directive 2004/54/EC of the European Parliament and of the Council of 29 April 2004 on minimum safety requirements for tunnels in the trans-European road network (OJ L 167, 30.4.2004, p. 39).

15 Directive (EU) 2019/520 of the European Parliament and of the Council of 19 March 2019 on the interoperability of electronic road toll systems and facilitating cross-border exchange of information on the failure to pay road fees in the Union (OJ L 91, 29.3.2019, p. 45).

16 Commission Implementing Regulation (EU) 2020/204 of 28 November 2019 on detailed obligations of European Electronic Toll Service providers, minimum content of the European Electronic Toll Service domain statement, electronic interfaces, requirements for interoperability constituents and repealing Decision 2009/750/EC (OJ L 43, 17.2.2020, p. 49).

17 Commission Delegated Regulation (EU) 2020/203 of 28 November 2019 on classification of vehicles, obligations of European Electronic Toll Service users, requirements for interoperability constituents and minimum eligibility criteria for notified bodies (OJ L 43, 17.2.2020, p. 41).

18 Directive 1999/62/EC of the European Parliament and of the Council of 17 June 1999 on the charging of heavy goods vehicles for the use of certain infrastructures (OJ L 187, 20.7.1999, p. 42).

19 Directive 2021/… revising Directive 2010/40/EU of the European Parliament and of the Council of 7 July 2010 on the framework for the deployment of Intelligent Transport

(h) alternative fuels infrastructure is deployed on the road network in **accordance** with Regulation (EU) […] [on the deployment of alternative fuels infrastructure].

2. Member States shall ensure that by 31 December 2050 the roads referred in Article 28. 1(a), of the comprehensive network:

~~(a) meets the following requirements:~~

~~(i) they prohibit stopping and parking on the running carriageway; and~~

~~(ii) they do not cross at grade with any railway or tramway track .~~

(b) rest areas are available at a maximum distance of ~~60~~ **100** km from each other, providing sufficient parking space, and appropriate facilities, including sanitary facilities, that meet the needs of a diverse workforce;

(c) ~~safe and secure parking areas are available at a maximum distance of 100 km from each other, providing a sufficient parking space for commercial vehicles and complying with the requirements set out in Article 8a(1) of Regulation (EC) No 561/2006 [20];~~

~~The safe and secure parking areas shall be located on the TEN-T network or within 3 km driving distance from the nearest exit of a TEN-T road;~~

(d) weigh in motion systems are installed every 300 km on average on the network of a Member State. When deploying those systems Member States may focus on road sections with high intensity of freight traffic. Weigh in motion systems shall allow the identification of vehicles and vehicle combinations that are likely to have exceeded the maximum authorised weights set out in Directive 96/53/EC.

3. Member States shall ensure, by 31 December 2030, the deployment or use of the means to detect safety-related events or conditions, and collection of the relevant road traffic data,

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Systems in the field of road transport and for interfaces with other modes of transport] (OJ L […]).

~~[20] Regulation (EC) No 561/2006 of the European Parliament and of the Council of 15 March 2006 on the harmonisation of certain social legislation relating to road transport and amending Council Regulations (EEC) No 3821/85 and (EC) No 2135/98 and repealing Council Regulation (EEC) No 3820/85 (*OJ L 102, 11.4.2006, p. 1–14).*~~

for the purpose of providing road safety-related minimum universal traffic information as defined in Commission Delegated Regulation 886/2013[21].

4. **Upon** ~~At the~~ request of a Member State, in duly justified cases, exemptions from the requirement set out in paragraph 2 shall be granted by the Commission by means of implementing acts where the traffic density does not exceed 10,000 vehicles per day in both directions and/or on the ground of specific geographical or significant physical constraints or negative **result of** socio-economic cost-benefit analysis or potential negative impacts on environment or biodiversity. Any such request shall be substantiated with sufficient **justification.** ~~elements. and shall be based on, the assessment of specific geographic or significant physical constraints and/or of potential negative impacts on environment and biodiversity of the investments.~~ The request for exemptions shall be coordinated and agreed with the neighbouring Member State(s) where applicable. A Member State may request the granting of several exemptions in a single request.

The Commission shall assess the request in view of the ~~elements~~ **justification** provided under the first subparagraph.

The Commission may ask additional information to the Member State no later than thirty calendar days following the receipt of request pursuant to the first subparagraph. If the Commission considers that the information provided is insufficient, it may ask the Member State to supplement that information within thirty calendar days from the receipt of that information.

The Commission shall take a decision on the requested exemption no later than 6 months following the receipt of the request pursuant to in the first subparagraph or, in case further information has been provided by the Member States concerned pursuant to the third subparagraph, no later than 4 months following the latest receipt of such information, whichever is the latest date. In the absence of an explicit decision by the Commission within such time-limits, the exemption shall be deemed to be granted.

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[21] Commission delegated Regulation (EU) No 886/2013 of 15 May 2013 supplementing Directive 2010/40/EU of the European Parliament and of the Council with regard to data and procedures for the provision, where possible, of road safety-related minimum universal traffic information free of charge to users(OJ L 247, 18.9.2013, p. 6).

The Commission shall inform other Member States of the exemptions granted pursuant to this ~~paragraph~~ **Article.**

Article 30

—Transport infrastructure requirements for the core network and extended core network

1. Member States shall ensure that the road infrastructure of the core network and extended core network complies with Article 29(1).

1a. Member States shall ensure that the roads, as referred in Art 28. 1(a) comply with the following requirements, by 31 December 2030 for the road infrastructure of the core network and by 31 December 2040 for the road infrastructure of the extended core network:

(i) they provide, except at special points or temporarily, separate carriageways for the two directions of traffic, separated from each other by a dividing strip not intended for traffic or~~, exceptionally,~~ by other means **ensuring equivavlent level of safety**; **and**

(ii) they do not cross at grade with any road, railway or tramway track, bicycle path or footpath~~; and~~**.**

~~(iii) they do not serve properties bordering on it.~~

2. Member States shall ensure that by 31 December 2040:

a) rest areas are available along roads of the core and extended core network at a maximum distance of 60 km from each other, providing sufficient parking space and appropriate facilities, including sanitary facilities, that meet the needs of a diverse workforce;

b) safe and secure parking areas located on roads of the core and extended core network or within 3 km driving distance from the nearest exit of a TEN-T road are available at a maximum distance of 100 km from each other, providing a

sufficient parking space for commercial vehicles and complying with the requirements set out in Article 8a(1) of Regulation (EC) No 561/2006 [22];

c)~~2. Member States shall ensure that the road infrastructure of the core network and extended core network~~ meets the requirements set out in Article 29(2), ~~second indent~~, point~~s, (b) and (c) and~~ (d). ~~by 31 December 2040.~~

3. Deleted.

4. Member States shall ensure that the road infrastructure meets the requirements set out in Article 29(3)**:**

- by 31 December 2025 for those infrastructure of the core network;

- by 31 December 2030 for those infrastructure of the extended core network.

5. **Upon** ~~At the~~ request of a Member State, in duly justified cases, exemptions from the requirement set out in paragraphs 1a and 2 shall be granted by the Commission by means of implementing acts where the traffic density does not exceed 10,000 vehicles per day in both directions and/or on the ground of specific geographical or significant physical constraints or negative **result of** socio-economic cost-benefit analysis or potential negative impacts on environment or biodiversity. Any such request shall be substantiated with sufficient **justification**~~elements~~. The request for exemptions shall be coordinated and agreed with the neighbouring Member State(s) where applicable. A Member State may request the granting of several exemptions in a single request.

The Commission shall assess the request in view of the justification provided under the first subparagraph.

The Commission may ask additional information to the Member State no later than thirty calendar days following the receipt of request pursuant to the first subparagraph. If the Commission considers that the information provided is

insufficient, it may ask the Member State to supplement that information within thirty calendar days from the receipt of that information.

The Commission shall take a decision on the requested exemption no later than 6 months following the receipt of the request pursuant to in the first subparagraph or, in case further information has been provided by the Member States concerned pursuant to the third subparagraph, no later than 4 months following the latest receipt of such information, whichever is the latest date. In the absence of an explicit decision by the Commission within such time-limits, the exemption shall be deemed to be granted.

The Commission shall inform other Member States of the exemptions granted pursuant to this ~~paragraph~~ **Article.**

Article 31

Additional priorities for road infrastructure development

In the promotion of projects of common interest related to road infrastructure, and in addition to the general priorities set out in Articles 12 and 13, attention shall be given to the following:

(a) improvement and promotion of road safety, taking into account the needs of vulnerable users and road users in all their diversity, in particular persons with reduced mobility;

(b) mitigation of congestion on existing roads, in particular through intelligent traffic management, including dynamic congestion charges or tolls varied based on the time of day, week or season;

(c) improvement of digitalisation and automation processes, introduction of innovative technologies to improve the control of compliance with the Union road transport legal framework, including smart and automated enforcement tools and ~~5G~~ communication infrastructure;

(d) when building or upgrading road infrastructure, ensure the continuity and accessibility of pedestrian and cycling paths in order to promote the active modes of transport;

(e) development of safe and secure parking areas providing a sufficient parking space for commercial vehicles and complying with the requirements set out in Article 8a(1) of Regulation (EC) No 561/2006 [23] on the comprehensive network.

SECTION 5

AIR TRANSPORT INFRASTRUCTURE

Article 32

Infrastructure components

1. Air transport infrastructure shall comprise, in particular:

(a) air space, routes and airways;

(b) airports, including the infrastructure and equipment necessary for ground and transport operations within the airport area, and vertiports;

(c) the connections of the airports to the other modes in the trans-European transport network;

(d) ATM/ANS Systems and associated equipment, including space-based equipment;

(e) infrastructure related to alternative fuels, and electricity supply to stationary aircraft;

(f) infrastructure for the on-site production of alternative fuels and improving energy efficiency and reducing climate, environmental and noise emissions of airports or of associated airport operations such as ground-handling services, aircraft operations and passenger ground transport;

(g) infrastructure used for separate waste collection, waste prevention and activities in the area of circular economy.

2. An airport shall be part of the comprehensive network, where it meets at least one of the following conditions:

(a) for cargo airports, the total annual cargo volume is at least 0.2% of the total annual cargo volume of all airports of the Union;

(b) for passenger airports, the total annual passenger traffic is at least 0.1% of the total annual passenger volume of all airports of the Union, unless the airport in question is situated outside a radius of 100 km from the nearest airport in the comprehensive network or outside a radius of 200 km where there is a high-speed railway line in the region in which it is situated.

The total annual passenger volume and the total annual cargo volume are based on the latest available three-year average, based on the statistics published by Eurostat.

Article 33

Transport infrastructure requirements for the core and comprehensive network

1. Member States shall ensure that:

(a) the airports of the core network with a total annual passenger traffic volume of more than twenty five million passengers are connected to the **trans-European railway** network and to corresponding urban nodes, as set out in Annex II, and allow for direct railway connections from the airport to other urban nodes, including where relevant with the high-speed rail network, by 31 December 2040, except where specific geographic or significant physical constraints prevent such connections;

(aa) the airports of the core network with a total annual passenger traffic volume of more than four and less than twenty five million passengers are connected to the **trans-European railway** network and to corresponding urban nodes, as set out in Annex II, by railway, metro, light rail or trams, by 31 December 2040, except where specific geographic or significant physical constraints prevent such connections;

(b) the airports of the comprehensive network with a total annual passenger traffic volume of more than four million passengers are connected to the ~~TEN-T~~ **trans-European transport** network and to corresponding urban nodes, as set out in Annex II, by the railway, metro, light rail or trams by 31 December 2050, except where specific geographic or significant physical constraints prevent such connections;

(c) any airport located on their territory offers at least one terminal which is open to all operators and users in a non-discriminatory way and which shall apply transparent, and non-discriminatory charges;

(d) common basic standards for safeguarding civil aviation against acts of unlawful interference, as adopted by the Union in accordance with Regulation (EC) No 300/2008 of the European Parliament and of the Council[24], apply to the air transport infrastructure;

(e) infrastructure for air traffic management is such as to permit the implementation of the Single European Sky, in accordance with Regulation (EC) No 549/2004, (EC) No 550/2004, (EC) No 551/2004 and (EU) No 2018/1139, of air transport operations, in order to improve the performance and sustainability of the European aviation system, of implementing rules and of Union specifications;

(f) alternative fuels infrastructure is deployed in airports in accordance with Regulation (EU) […] [on the deployment of alternative fuels infrastructure];

(g) **the airports of the core and comprehensive network with a total annual passenger traffic volume of more than four million passengers provide** ~~air transport~~ infrastructure ~~provides~~ for pre-conditioned air supply to stationary aircraft at aircraft contact stands used for commercial transport operations **by 31 December**

[24] Regulation (EC) No 300/2008 of the European Parliament and of the Council of 11 March 2008 on common rules in the field of civil aviation security and repealing Regulation (EC) No 2320/2002 (OJ L 97, 9.4.2008, p. 72).

2030 for airports of the core network and 31 December 2040 for airports of the comprehensive network.[25]

2. **Upon** ~~At the~~ request of a Member State, the Commission shall, in duly justified cases, grant exemptions by means of implementing acts in respect of the requirements set out in paragraph 1, points (a), (aa), (b), ~~(c)~~ and (g) on the ground of specific geographical or significant physical constraints, including the non-existence of a railway system on the territory or negative **result of** socio-economic cost-benefit analysis or potential negative impacts on environment or biodiversity. Any such request shall be substantiated with sufficient **justification** ~~elements~~. Member State may request the granting of several exemptions in a single request.

The Commission shall assess the request in view of the justification provided under the first subparagraph.

The Commission may ask additional information to the Member State no later than thirty calendar days following the receipt of request pursuant to the first subparagraph. If the Commission considers that the information provided is insufficient, it may ask the Member State to supplement that information within thirty calendar days from the receipt of that information.

The Commission shall take a decision on the requested exemption no later than 6 months following the receipt of the request pursuant to in the first subparagraph or, in case further information has been provided by the Member States concerned pursuant to the third subparagraph, no later than 4 months following the latest receipt of such information, whichever is the latest date. In the absence of an explicit decision by the Commission within such time-limits, the exemption shall be deemed to be granted.

The Commission shall inform other Member States of the exemptions granted pursuant to this ~~paragraph~~ **Article**.

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[25] New definition will be added to Art. 3 - 'aircraft contact stand' means a stand in a designated area of the airport apron equipped with a passenger boarding bridge;

Article 34

Additional priorities for air transport infrastructure development

In the promotion of projects of common interest related to air transport infrastructure, and in addition to the priorities set out in Articles 12 and 13, attention shall be given to the following:

(a) increasing airport energy and operational efficiency;

(b) supporting the implementation of the Single European Sky and of interoperable systems, in particular those developed by the SESAR project in accordance with the European ATM Master Plan ;

(c) improvement of digitalisation and automation processes, in particular in view of an increased safety and security;

(d) improving multimodal interconnections between airports and infrastructure of other transport modes, and between airports and urban nodes where appropriate;

(e) improving sustainability and mitigating climate, environmental and noise impacts, in particular by introducing new technologies and innovation, alternative fuels, zero- and low emission aircraft and zero and low carbon infrastructure.

(f) connection of the airports **of the trans-European transport network** with a total annual passenger traffic volume of less than four million passengers to the network and to corresponding urban nodes, as set out in Annex II, by the railway, metro, light rail or trams.

(g) infrastructure providing pre-conditioned air supply to stationary aircraft at the airports of the trans-European transport network at remote stands or at and contact stands in the airports with a total annual passenger traffic volume of less than four million passengers.

SECTION 6

INFRASTRUCTURE FOR MULTIMODAL FREIGHT TERMINALS

Article 35

Identification of the multimodal freight terminals

1. The multimodal freight terminals of the trans-European transport network are terminals that are:

   (a) located in **or adjacent to** the maritime ports of the trans-European transport network, as listed in Annex II;

   (b) located in **or adjacent to** the inland ports ~~as~~ **listed in Annex II, or along the inland waterways** of the trans-European transport network;

   (ba) located in the airports of the trans-European transport network, as listed in Annex II;

   (c) located within or in the vicinity of an urban node, as listed in Annex II; or

   (d) classified as rail road terminals of the trans-European transport network, as listed in Annex II.

2. Member States shall make all possible efforts to ensure that there is sufficient multimodal freight terminal capacity serving the trans-European transport network, taking into account current and future traffic flows, in particular flows serving urban nodes, industrial centres, ports and logistics hubs.

3. Within three years after the entry into force of this Regulation, Member States shall conduct a market and prospective analysis[26] on multimodal freight terminals on their territory. This analysis shall at least:

(a) examine the current and the future traffic flows of freight, including traffic flows of freight transported by road;

(b) identify the existing multimodal freight terminals of the trans-European transport network on their territory, and assess the need for new multimodal freight terminals or additional transhipment capacity in existing terminals;

(c) analyse how to ensure adequate distribution of multimodal freight terminals with adequate transhipment capacity in order to meet the needs identified in point (b). This shall take into account the terminals located in border areas of neighbouring Member States.

Member States shall consult shippers, transport and logistics operators which operate on their territory. They shall take into account the results of the consultation in their analysis.

Member States shall notify the results of the analysis to the Commission without delay.

4. In case the analysis under paragraph 3 identifies the need for new multimodal freight terminals or additional transhipment capacity in existing terminals, Member States shall elaborate **an action plan** ~~policy framework~~ for the development of a multimodal freight terminal network, including locations where such needs have been identified.

The **action plan** ~~policy framework~~ shall be notified to the Commission no later than twelve months after finalising the analysis under paragraph 3.

On the basis of this **action plan** ~~policy framework~~, Member States shall notify to the Commission a list of rail road terminals which they propose to add to Annexes I and II.

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26 Add in a recital:
"Member States should conduct a market and prospective analysis on multimodal freight terminals on their territory and elaborate **an action plan** ~~policy framework~~ for the development of a multimodal freight terminal network. In that respect they may refer to existing studies and plans."

5. In order to be part of the trans-European transport network and to be listed in Annex II, a rail road terminal shall meet at least one of the following conditions:

(a) its annual transhipment of freight exceeds, for non-bulk cargo, 800,000 tonnes or, for bulk cargo, 0.1% of the corresponding total annual cargo volume handled in all maritime ports of the Union;

(b) it is the main rail road terminal designated by the Member State for a NUTS 2 region, where there is no rail road terminal complying with point (a) in that NUTS 2 region,

(c) it is proposed to be added in Annexes I and II by the Member State in accordance with paragraph 4.

Article 36

Infrastructure components

Multimodal freight terminals shall comprise, in particular:

(a) infrastructure interconnecting the different modes of transport within a terminal area and its vicinity;

(b) equipment such as cranes, conveyors or other transhipment devices to move freight between different transport modes and for the positioning and storage of freight;

(c) dedicated areas such as gate area, intermediate buffer and waiting area, transhipment area and driving or loading lanes;

(d) ICT systems relevant for efficient terminal operations such as those that facilitate infrastructure capacity planning, transport operations, connections between the modes, and transhipment;

(e) infrastructure for alternative fuels.

Article 37

Transport infrastructure requirements

1. ~~By 31 December 2030~~, Member States shall **make all possible efforts to** ensure in a fair and non-discriminatory manner that all multimodal freight terminals, ~~referred to in Article 35(1):~~ **which are open to all operators and users in non-discriminatory way and apply transparent and non-discriminatory charges in maritime ports and inland waterways ports as listed in Annex II and in all rail road terminals indicated in Annex I and listed in Annex II, meet following requirements:**

(a) are connected to the modes of transport which are available in the area, where feasible, unless not justified in socio-economic cost-benefit terms;

~~2. By 31 December 2030, the multimodal freight terminal referred to in Article 35(1) shall be:~~

(~~a~~**b**) **are** equipped **inside the terminal or within the 3 km distance from the terminal** with at least one recharging station as defined in Article 2, point (43), of Regulation (EU) […] [on the deployment of alternative fuels infrastructure] dedicated to serve heavy-duty vehicles, by 31 December 2030~~;~~

(~~b~~**c**) **are** equipped with digital tools to facilitate by **31 December 2030:**

(i) efficient terminal operations such as, where relevant, photogates, terminal operation system, driver digital check-in/check-out, cameras or other sensors on transhipment equipment as well as railside camera systems;

(ii) the provision of information flows within a terminal and between the transport modes along the logistic chain and the terminal.

2. Member States shall make all possible efforts to ensure in a fair and non-discriminatory manner that, by 31 December 2030, those multimodal freight terminals referred to in Article 37(1) which are connected to the rail network and

which carry out vertical transhipment, are ~~and are open to all operators and users in a non-disriminatory way and which applies transparent and non-disriminatory charges~~

~~(e)~~ able to handle the following types of craneable intermodal loading units**: container, swap body or semi-trailer**~~/goods road motor vehicle~~ **suitable for intermodal transport** ~~in case the multimodal freight terminal is connected to rail network and carries out vertical transhipment.~~

3. ~~By 31 December 2040, the~~ **Member States shall make all possible efforts to ensure in a fair and non-discriminatory manner that** multimodal freight terminals referred to in Article 3**7**~~5~~(1), which are connected to the rail network, shall be able to accommodate 740 m long trains **by 31 December 2040.** ~~without manipulation. If this is not economically viable, adequate measures shall be taken to improve the operational efficiency of accommodating 740 m long trains, such as extension and electrification of departure and arrival sidings, adjustments to signalling systems and improvements to the track configuration~~.

This paragraph shall not apply to multimodal freight terminals which are connected to isolated rail networks.

4. ~~By 31 December 2050, the multimodal freight terminals referred to in Article 35(1), which are connected to the rail network, shall be able to handle any 740 m long train without manipulation.~~

5. **Upon** ~~At the~~ request of a Member State, in duly justified cases, exemptions from the obligations under paragraphs 1 to **3**4 shall be granted by the Commission by means of implementing acts on the ground of specific geographical or significant physical constraints, in particular when the terminal is located in spatially restricted area, or negative **result of** socio-economic cost-benefit analysis or potential negative impacts on environment or biodiversity. Any such request shall be substantiated with sufficient **justification**~~elements~~ . A Member State may request the granting of several exemptions in a single request.

The Commission shall assess the request in view of the justification provided under the first subparagraph.

The Commission may ask additional information to the Member State no later than thirty calendar days following the receipt of request pursuant to the first

subparagraph. If the Commission considers that the information provided is insufficient, it may ask the Member State to supplement that information within thirty calendar days from the receipt of that information.

The Commission shall take a decision on the requested exemption no later than 6 months following the receipt of the request pursuant to in the first subparagraph or, in case further information has been provided by the Member States concerned pursuant to the third subparagraph, no later than 4 months following the latest receipt of such information, whichever is the latest date. In the absence of an explicit decision by the Commission within such time-limits, the exemption shall be deemed to be granted.

The Commission shall inform other Member States of the exemptions granted pursuant to this ~~paragraph~~ **Article.**

Article 38

Additional priorities for multimodal transport infrastructure development

In the promotion of projects of common interest related to multimodal transport infrastructure, and in addition to the general priorities set out in Articles 12 and 13, attention shall be given to the following:

(a) facilitating interconnections between different transport modes;

(b) removing the main technical and administrative barriers to multimodal transport, including by the implementation of eFTI;

(c) developing a smooth flow of information enabling transport services across the trans-European transport system;

(d) facilitating the interoperability for data sharing, access to data and data re-use within and between the transport modes;

(e) promoting~~, where appropriate,~~ that ~~private~~ sidings **and multimodal freight terminals** on the trans-European transport network allow for the handling of 740 m

long trains without manipulation**, including those which are migrated to European nominal standard track gauge**;

(f) extension and electrification of departure and arrival sidings, adjustments to signalling systems and improvements to the track configuration.

SECTION 7

URBAN NODES

Article 39

Urban nodes components

1. An urban node shall comprise, in particular:

   (a) transport infrastructure in the urban node that is part of the trans-European transport network, including bypasses;

   (b) access points to the trans-European transport network, notably railway stations and bus terminals, multimodal freight terminals, ports or airports;

   (c) deleted

2. The cities at the centre of each urban nodes of the trans-European transport network are listed in Annex II. In order to be part of the trans-European transport network and to be listed in Annex II, an urban node shall have a population of 100.000 inhabitants or more, or, where no such urban node exists in a NUTS 2 region, it shall be the main node of that NUTS 2 region.

Article 40

Urban nodes requirements

1. When developing the trans-European transport network in urban nodes, in order to ensure the effective functioning of the entire network without bottlenecks, Member States shall ensure:

(a) **the** availability of alternative fuels recharging and refuelling infrastructure, in accordance to Regulation (EU) […] [on the deployment of alternative fuels infrastructure];

(b) by 31 December 2027:

(i) **the** adoption and monitoring of a SUMP[27] for each urban node in line with Annex V that includes notably measures to integrate the different modes of transport and shift towards sustainable mobility, to promote efficient zero and low-emission mobility including urban logistics, to reduce air and noise pollution and that takes long-distance trans-European transport flows into consideration;

(ii) **the** collection and submission to the Commission of urban mobility indicators, as defined in paragraph 2 of this Article, for each urban node. Thereafter these indicators shall be submitted every three years;

(c) by 31 December 2030:

(i) for passenger transport: sustainable, seamless and safe interconnection between rail, road, the active modes of transport and, as appropriate, inland waterway, air, and maritime infrastructure;

(ii) deleted;

(iii) for freight transport: sustainable, seamless and safe interconnection between rail, road, and, as appropriate, inland waterway, air and maritime infrastructure as well as appropriate connections with logistics platforms and facilities;

(iv) the development of multimodal passenger hubs to facilitate first and last mile connections which are equipped with at least one recharging station as defined

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[27] **Add in a recital:**
"Sustainable urban mobility plans (SUMPs) may be included in existing plans**, that may be further developed to meet SUMPs requirements,** and/or in broader plans that also integrate land use plans for instance given the interlinkages between land use and mobility. Several SUMPs should be allowed in the cases of highly populated urban nodes.

in Article 2, point (43), of Regulation (EU) […] [on the deployment of alternative fuels infrastructure] dedicated to serve buses and coaches;

(d) by 31 December 2040: the development, where economically viable, **or designate** of at least one multimodal freight terminal allowing for sufficient transhipment capacity within or in the vicinity of the urban node.

One multimodal freight terminal may serve several urban nodes and be located in the urban node itself or in its vicinity. **Member States shall inform the Commission accordingly.**

2. The Commission shall adopt, no later than one year after the entry into force of this Regulation an implementing act defining, in a limited number, the indicators related to transport sustainability and safety referred to under paragraph 1(b). When setting up the detailed set of indicators, the availability and accessibility of data at **regional and** local level shall be taken into consideration. That implementing act shall be adopted in accordance with the examination procedure referred to in Article 59(3).

3. The Commission shall also establish, no later than one year after the entry into force of this Regulation, an internet interface allowing the relevant authorities to submit the SUMPs and the indicators referred to in paragraph 1(b), and allowing the Member States to ensure that the SUMPs and the indicators have been submitted.

Article 41

Additional priorities for urban nodes

In the promotion of projects of common interest related to urban nodes, and in addition to the general priorities set out in Articles 12 and 13, attention shall be given to the following:

(a) first and last mile connections between and to the access points to the trans-European transport network referred to in Article 39(1)(b), in order to increase the performance of the trans-European transport network, such as metros or tramways;

(b) seamless interconnection between the infrastructure of the trans-European transport network and the infrastructure for regional and local sustainable transport. It may include, for passengers, the ability to access information, book, pay their journeys

and retrieve their tickets through multimodal digital mobility services, and for freight, urban logistic facilities to enhance the consolidation of deliveries in urban areas, such as micro-hubs and cycle logistic hubs, in particular those connected with railway and waterborne transport infrastructure;

(c) mitigation of the exposure of urban areas to negative effects of transiting rail and road transport, which may include bypasses;

(d) promotion of efficient and low-noise zero emission transport and mobility, including greening urban fleets for passengers and freight;

(e) increase of the modal share of public transport and of active modes and measures to orientate primarily the mobility of passengers in favour of these modes.~~;~~

(f) deleted.

ANNEX V

SUSTAINABLE URBAN MOBILITY PLANNING REQUIREMENTS FOR URBAN NODES

This annex sets out the requirements for urban nodes for the development of Sustainable Urban Mobility Plans.

1) *Goals and objectives*: A Sustainable Urban Mobility Plan (SUMP) shall have as central goal improving accessibility of the functional urban area and providing high-quality, safe and sustainable low-emission mobility to, through and within the functional urban area. It shall notably support zero-emission mobility and the implementation of an urban transport system which contributes to a better overall performance of the trans-European transport network, in particular through the development of infrastructure for the seamless circulation of zero-emission vehicles as well as of multimodal passenger hubs to facilitate first and last mile connections and of multimodal freight terminals serving urban nodes.

2) *Long-term vision and short-term implementation plan*: A SUMP shall include a – or be linked to an existing – long term strategy for the future development of transport infrastructure and multi-modal services. It shall also include a delivery plan for the short-term implementation of the strategy. It shall be embedded into an integrated approach for sustainable development of the urban area and linked to relevant land-use and spatial planning.

3) *Integration of the different modes of transport*: A SUMP shall promote multimodal transport through the integration of the different modes and measures aimed at facilitating seamless and sustainable mobility. It shall include actions to increase the modal share of the more sustainable forms of transport such as public transport, active mobility, and, as appropriate, inland waterway and maritime transport. It shall also include actions to promote zero-emission mobility, in particular with regard to the greening of the urban fleet, to reduce congestion and to improve road safety in particular of vulnerable road users.

4) *Effective functioning of TEN-T*: A SUMP should duly take into account the impact of various urban measures on the traffic flows, both passenger and freight, on the trans-European transport network with the aim to ensure seamless transit, bypass, or interconnection through and around the urban nodes, including of zero-emission vehicles. It shall in particular include actions to alleviate congestion, improve road safety and remove bottlenecks affecting the traffic flows on the TEN-T.

5) *Participatory approach*: The development and implementation of a SUMP shall be based on an integrated approach with a high level of cooperation, coordination and consultation between the different levels of government and relevant authorities. Citizens as well as representatives of civil society and economic actors shall also be involved.

6) *Monitoring and performance indicators*: A SUMP shall include objectives, targets and indicators underpinning the current and future performance of the urban transport system, at minimum, on greenhouse gas emissions, congestion, accidents and injuries, modal share and access to mobility services, as well as data on air and noise pollution in cities. The implementation of a SUMP shall be monitored using performance indicators. Member States

and the relevant authorities shall implement mechanisms to ensure that a SUMP is in line with the provisions of this Annex and of high quality.