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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 - REVISED consolidated Presidency compromise proposal on all Chapters

Delegations will find attached a further revised consolidated compromise proposal by the Presidency on the above subject with a view to its detailed examination at the meeting of the Working Party on Transport - Intermodal Questions and Networks on 15 and 16 November.

Changes compared to the previous version (ST 14156/22 INIT) are highlighted in **bold and underlined** for additions and in ~~strikethrough~~ for deletions.

[Recitals will be discussed separately.]

CHAPTER I

GENERAL PRINCIPLES

Article 1

Subject matter

1. This Regulation establishes guidelines for the development of a trans-European transport network consisting of the comprehensive network and of the core and extended core network, the two latter being established on the basis of the comprehensive network.

2. This Regulation identifies:

   (a) European Transport Corridors of highest strategic importance on the basis of priority sections of the trans-European transport network;

   (b) projects of common interest and specifies the requirements to be complied with for the development and implementation of the infrastructure of the trans-European transport network.

3. This Regulation sets out the priorities for the development of the trans-European transport network and provides for measures for the implementation of the trans-European transport network.

Article 2

Scope

1. This Regulation applies to the trans-European transport network as specified in the maps in Annex I and in the lists in Annex II . The trans-European transport network comprises transport infrastructure, including infrastructure for the deployment of alternative fuels, ICT systems for transport as well as measures promoting the efficient management and use of such infrastructure and permitting the establishment and operation of sustainable and efficient transport services.

2. The infrastructure of the trans-European transport network consists of the infrastructure for railway transport, inland waterway transport, maritime transport, road transport, air transport and multimodal transport, including in urban nodes[1], as laid down in the relevant sections of Chapters II, III and IV.

Article 3

Definitions

For the purpose of this Regulation, the following definitions apply:

(a) 'project of common interest' means any project carried out pursuant to this Regulation;

(b) 'neighbouring country' means a third country falling within the scope of the European Neighbourhood Policy, the Enlargement Policy, and the European Economic Area, the European Free Trade Association or the EU-UK Trade and Cooperation Agreement;

(c) 'NUTS region' means a region as classified in Regulation (EC) No 1059/2003 on the establishment of a common classification of territorial units for statistics;

(d) 'cross-border section' means the section which ensures the continuity of a project of common interest on both sides of the border, between the closest urban nodes to the border of two Member States or between a Member State and a neighbouring country;

[1] It is proposed to amend Recital 50 as follows:

Urban nodes play an important role on the trans-European transport network as starting point or final destination ("last mile") for passengers and freight moving on the trans-European transport network and are points of transfer within or between different transport modes. It should be ensured that capacity bottlenecks and an insufficient network connectivity within urban nodes do no longer hamper multimodality along the trans-European transport network.The trans-European transport network policy should focus on promoting seamless traffic flows from, to and across urban nodes on the network. The local connectivity within urban nodes should be addressed by the competent local, regional or national authorities, in particular through relevant measures of the SUMPs.

(e) 'bottleneck' means a physical, technical, functional, operational or administrative barrier which leads to a system break affecting the continuity of traffic for long-distance or cross-border flows;

(f) 'urban node' means an urban area where elements of the transport infrastructure of the trans-European transport network, such as ports including passenger terminals, airports, railway stations, bus terminals, logistic platforms and facilities and freight terminals located in and around the urban area, are connected with other elements of that infrastructure and with the infrastructure for regional and local traffic, including the one related to active modes;

(g) 'isolated network' means the rail network of a Member State, or a part thereof, with a track gauge different from that of the European standard nominal track gauge (1435 mm[2]).

(h) Deleted;

(i) 'multimodal transport' means the carriage of passengers or freight, or both, using two or more modes of transport;

(j) 'multimodal digital mobility services' means services as defined in Article […] of Directive 2010/40 (EU) on the framework for the deployment of Intelligent Transport Systems[3];

(k) 'interoperability' means the ability, including all the regulatory, technical and operational conditions, of the infrastructure, including digital infrastructure in a transport mode or segment, to allow safe and uninterrupted traffic and information flows which achieve the required levels of performance for that infrastructure mode or segment;

(l) 'multimodal passenger hub' means a connection point between at least two transport modes for passengers, where travel information, access to public transport and transfers between modes, including active modes, are ensured and which act as an interface between urban nodes and longer-distance transport networks;

(m) 'multimodal freight terminal' means a structure equipped for transhipment between at least two transport modes or between two different rail systems, and for temporary storage of freight, such as terminals in inland or maritime ports, along inland waterways, in airports as well as rail road terminals;

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2 Following recital to be added:
26a) An isolated network for the purposes of this Regulation should mean a rail network of a Member State, or a part thereof, with a track gauge different from that of the European standard nominal track gauge. Imposing certain standards and requirements of this Regulation to such networks, or parts thereof, is not justified in economic cost-benefit terms by virtue of the specificities of such networks arising from their detachment with other networks of a different track gauge.

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

(n) 'logistic platform' means an area which is directly linked to the transport infrastructure of the trans-European transport network, which includes at least one freight terminal and enables logistics activities to be carried out;

(o) ‘sustainable urban mobility plan’ (SUMP) means a document for strategic mobility planning, aiming at improving, in a sustainable way, accessibility to and mobility within the functional urban area for people, businesses and goods in view in particular of a better quality of life;

(p) ‘active modes’ means the transport of people or goods, through non-motorised means, based on human physical activity, including those with electric auxiliary propulsion as referred to in Article 2(2) (h) of Regulation (EU) No 168/2013;

(q) ’ICT systems for transport' means information and communications technology systems and applications using information, communication, navigation or positioning/localisation technologies, enabling to process, store and exchange the data and information needed to manage infrastructure, mobility and traffic on the trans-European transport network effectively, to report relevant information to authorities and to provide value-added services to citizens, shippers and operators, including systems for resilient, safe, secure, environmentally sound and capacity-efficient use of the network. They include systems, technologies and services referred to in points (r) to (x) and may also include on-board devices with corresponding infrastructure or digital components;

(r) 'intelligent transport system' (ITS) means a system as defined in Article 4(1) of Directive (EU) 2010/40/EU of the European Parliament and of the Council of 7 July 2010 on the framework for the deployment of Intelligent Transport Systems in the field of road transport and for interfaces with other modes of transport[4];

(s) 'Vessel Traffic Monitoring and Information Systems' (VTMIS) means systems established by Directive 2002/59/EC of the European Parliament and of the Council[5];

(t) 'River Information Services’ (RIS) means information and communication technologies on inland waterways as defined in Article 3, point (a) of Directive 2005/44/EC of the Parliament and of the Council[6];

(u) ‘European Maritime Single Window environment’ (EMSWe) means the legal and technical framework as defined in Regulation (EU) 2019/1239 of the European Parliament and of the Council[7];

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4 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 Systems in the field of road transport and for interfaces with other modes of transport (OJ L 207, 6.8.2010, p. 1).

5 Directive 2002/59/EC of the European Parliament and of the Council of 27 June 2002 establishing a Community vessel traffic monitoring and information system and repealing Council Directive 93/75/EEC (OJ L 208, 5.8.2002, p. 10).

6 Directive 2005/44/EC of the 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).

(v) ‘Air Traffic Management / Air Navigation Service System’ (ATM/ANS System) means an ATM/ANS system as defined in Article 3(7) of Regulation (EU) 2018/1139;

(w) 'European Rail Traffic Management System' (ERTMS) means the system referred to in Directive (EU) 2016/797 and in the Annex, point 2.2, to the Commission Regulation (EU) 2016/919[8];

(x) 'radio-based ERTMS’ means ERTMS of level 2 or level 3 that uses radio to pass movement authorities to the train pursuant to Commission Regulation (EU) 2016/919[9];

(y) ‘class B systems’ means train protection and voice radio legacy systems as defined in the Annex, point 2.2, to the Commission Regulation (EU) 2016/919;

(z) ‘maritime port’ means a maritime port as defined in Article 2(16) of Regulation (EU) 2017/352;

(aa) ‘short-sea shipping’ means the movement of cargo and passengers by sea between ports situated in geographical waters of one or several Member States or between a port situated in waters of Member States and a port situated in waters of an adjacent third country having a coastline on the seas bordering waters of one or several Member States;

(ab) ‘electronic freight transport information’ (eFTI) means the electronic communication of regulatory information between economic operators and competent authorities in accordance with Regulation (EU) 2020/1056 of the European Parliament and of the Council[10];

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7 Regulation (EU) No 2019/1239 of the European Parliament and of the Council of 20 June 2019 establishing a European Maritime Single Window environment and repealing Directive 2010/65/EU (OJ L 198, 25.7.2019, p. 64).

8 Commission Regulation (EU) 2016/919 of 27 May 2016 on the technical specification for interoperability relating to the ‘control-command and signalling’ subsystems of the rail system in the European Union (OJ L 158, 15.6.2016, p. 1).

9 Commission Regulation (EU) 2016/919 of 27 May 2016 on the technical specification for interoperability relating to the ‘control-command and signalling’ subsystems of the rail system in the European Union (OJ L 158, 15.62016, p.1).

10 Regulation (EU) No 2020/1056 of the European Parliament and of the Council of 15 July 2020 on electronic freight transport information (OJ L 249, 31.7.2020, p. 33).

(ac) 'Single European Sky' (SES) means the systems established under Regulation (EC) No 549/2004[11], (EC) 550/2004[12], (EC) No 551/2004[13], and (EU) No 2018/1139[14] of the European Parliament and of the Council to reinforce air traffic safety standards, to contribute to the sustainable development of the air transport system and to improve the overall performance of air traffic management and air navigation services for general air traffic in Europe;

(ad) 'vertiport' means an area used for the take-off and landing of vertical take-off and landing (VTOL) aircrafts;

(ae) 'aircraft contact stand' means a stand in a designated area of the airport apron equipped with a passenger boarding bridge;

(af) 'SESAR project' means the project to modernise air traffic management in Europe, aimed at providing the Union with a high performance, standardised and interoperable air traffic management infrastructure, and consisting in an innovation cycle that includes the SESAR definition phase, the SESAR development phase and the SESAR deployment phase;

(ag) 'Europe's Rail Project' means a project of the Europe's Rail Joint Undertaking, or its predecessor Shift2Rail;

(ah) 'European ATM Master Plan' means the plan endorsed by Council Decision 2009/320/EC[15], and as subsequently amended[16];

(ai) 'rail freight governance' means the governance bodies referred to in Article 8 of Regulation (EU) 913/2010;

(aj) 'maintenance' means works intended to maintain the condition and capability of existing infrastructure during its lifetime;

(ak) 'socio-economic cost-benefit analysis' means a quantified ex-ante evaluation, based on a recognised methodology, of the value of a project, taking into account all the relevant

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11 Regulation (EC) No 549/2004 of the European Parliament and of the Council of 10 March 2004 laying down the framework for the creation of the single European sky (OJ L 96, 31.3.2004, p. 1).

12 Regulation (EC) No 550/2004 of the European Parliament and of the Council of 10 March 2004 on the provision of air navigation services in the single European sky (OJ L 96, 31.3.2004, p. 10).

13 Regulation (EU) No 551/2004 of the European Parliament and of the Council of 10 March 2004 on the organisation and use of the airspace in the single European Union (OJ L 96, 31.3.2004, p. 20).

14 Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency (OJ L 212, 22.8.2018, p. 1).

15 OJ L 95, 9.4.2009, p. 41

16 Council Decision 2009/320/EC of 30 March 2009 endorsing the European Air Traffic Management Master Plan of the Single European Sky ATM Research (SESAR) project (OJ L 95, 9.4.2009, p. 41).

social, economic, health, climate-related and environmental benefits and costs. The analysis of climate-related and environmental costs and benefits shall be based on the environmental impact assessment carried out pursuant to Directive 2011/92/EU of the European Parliament and of the Council[17];

(al) 'alternative fuels' means alternative fuels as defined in Article 2(3) of Regulation (EU) […] [on the deployment of alternative fuels infrastructure];

(am) 'safe and secure parking area' means a parking area accessible to drivers engaged in the carriage of goods or passengers, meeting the requirements of Article 8a (1) of Regulation (EC) No 561/2006 of the European Parliament and of the Council[18] and which has been certified in accordance with Union standards and procedures, pursuant to Article 8a (2) of that Regulation;

(an) 'weigh in motion system' means an automatic system set up on the road infrastructure with the objective to identify vehicles or vehicle combinations in circulation that are likely to have exceeded the relevant weight limits, in accordance with Directive 96/53/EC of the European Parliament and of the Council[19].

(ao) 'project authorising decision' means the decision or a set of decisions, which may be of an administrative nature, taken simultaneously or successively by an authority or by authorities of a Member State, not including administrative and judicial appeal authorities, under a national legal system and administrative law that determine whether or not a project promoter is entitled to implement the project on the geographical area concerned on the core, extended core or comprehensive network, without prejudice to any decision taken in the context of an administrative or judicial appeal procedure.

Article 4

Objectives of the trans-European transport network

1. The overall objective of the development of the trans-European transport network is to establish one multimodal Union wide network of high quality.

2. The trans-European transport network shall strengthen the social, economic and territorial cohesion of the Union and contribute to the creation of a single European transport area

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17 Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment (OJ L 26, 28.1.2002, p. 1).

18 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 (OJ L 102, OJ 11.4.2006, p. 1).

19 Council directive 96/53/EC of 25 July 1996 laying down for certain road vehicles circulating within the Community the maximum authorized dimensions in national and international traffic and the maximum authorized weights in international traffic (OJ L 235, 17.9.1996, p. 59).

which is sustainable, safe, efficient and resilient and which increases the benefits for its users and supports inclusive growth. It shall demonstrate European added value by contributing to the objectives laid down in the following four categories:

(a) sustainability through:

(i) promotion of zero and low emission mobility in line with the relevant Union CO_2 reduction targets;

(ii) enabling greater use of more sustainable modes of transport, in particular by further developing a long-distance rail passenger network, including at high speed, and an interoperable rail freight network, a reliable inland waterway and short-sea shipping network across the Union and also by promoting active modes of transport;

(iii) increased environmental protection;

(iv) reduction of negative externalities including those related to environment, health, congestion and accidents;

(v) greater energy security;

(b) cohesion through:

(i) accessibility and connectivity of all regions of the Union, including outermost regions and other remote, insular, peripheral and mountainous regions as well as sparsely populated areas;

(ii) reduction of infrastructure quality gaps between regions and Member States;

(iii) for both passenger and freight traffic, efficient coordination and interconnection between transport infrastructure for, on the one hand, long-distance traffic and, on the other, regional and local traffic and transport services in urban nodes;

(iv) a transport infrastructure that reflects the specific situations in different parts of the Union and provides for a balanced coverage of all European regions;

(c) efficiency through:

(i) the removal of infrastructure bottlenecks and the bridging of missing links, both within the transport infrastructures and at connecting points between them, within Member States' territories and between them;

(ii) the removal of interoperability bottlenecks, including gaps in digitalisation;

(iii) the interoperability of national, regional and local transport networks;

(iv) optimal integration and interconnection of all transport modes, including in urban nodes;

(v) the promotion of economically efficient, high-quality transport contributing to further economic growth and competitiveness;

(vi) more efficient use of new and existing infrastructure in operation;

(vii) cost-efficient application of innovative technological and operational concepts;

(d) increasing the benefits for its users through:

(i) ensuring the accessibility for users and meeting their mobility and transport needs, taking into account in particular the needs of people in situations of vulnerability, including persons with disabilities or reduced mobility and people living in remote regions, including the outermost regions and islands;

(ii) ensuring safe, secure and high-quality standards, including quality of services to the users, for both passenger and freight transport;

(iii) supporting the quality, efficiency and sustainability of transport services which are accessible and affordable;

(iv) supporting mobility that is fit for the changing climate and resilient to natural hazards and human-made disasters, and facilitates efficient and fast deployment of emergency and rescue services, including for persons with disabilities or reduced mobility;

(v) ensuring the resilience of infrastructure, in particular on cross-border sections;

(vi) offering alternative transport solutions, including on other modes, in case of network disturbances.

(vii) supporting active modes of mobility by enhancing accessibility and quality of related infrastructure**, thereby improving** ~~as well as~~ safety **and health** for active users of infrastructure **and fostering the environmental benefits of those modes;**

Article 5

Resource-efficient network and environmental protection

1. The trans-European transport network shall be planned, developed and operated in a resource-efficient way, and in accordance with the applicable Union and national environmental requirements, through:

(a) the development of new infrastructure, the improvement and maintenance of existing transport infrastructure, notably by including maintenance over the life-time of the infrastructure in the planning phase of construction or improvement of the infrastructure and by keeping the infrastructure operational;

(b) the optimisation of infrastructure integration and interconnection;

(c) the deployment of alternative fuels recharging and refuelling infrastructure;

(d) the deployment of new technologies and ICT systems for transport to preserve or improve the infrastructure performance, where such deployment is economically justified or required to improve safety and security;

(e) the optimisation of infrastructure use, in particular through efficient capacity and traffic management and the shift towards more sustainable mobility patterns, including the development of sustainable, attractive and efficient multimodal transport services;

(f) the taking into account of possible synergies with other networks, in particular the trans-European energy or telecommunication networks or the dual-use network identified in the Military Requirements for Military Mobility within and beyond the EU;

(g) the development of green, sustainable and climate resilient infrastructure designed to reduce as much as possible the negative impact on the health of citizens living around the network, the environment and degradation of ecosystems;

(h) the adequate consideration of the resilience of the transport network and its infrastructure, especially at cross-border sections, with regard to a changing climate as well as natural hazards and human-made disasters, as well as disruptions, intentional or not, including for traffic, with a view to addressing those challenges;

(i) Deleted.

2. In planning and developing the trans-European transport network, Member States may adapt the detailed route alignment of sections taking into account the particular circumstances in the various parts of the Union, such as topographical features of the regions concerned and environmental considerations while ensuring compliance with this Regulation. Such adaptation shall not go beyond what is allowed by the relevant project authorising decision .

3. The environmental assessment of plans and projects shall be carried out in accordance with Council Directive 92/43/EEC[20], Directives 2000/60/EC[21], 2001/42/EC[22], 2002/49/EC[23],

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[20] Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ L 206, 22.7.1992, p. 7).

[21] Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy (OJ L 327, 22.12.2000, p. 1).

[22] Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment (OJ L 197, 21.7.2001, p. 30).

[23] Directive 2002/49/EC of the European Parliament and of the Council of 25 June 2002 relating to the assessment and management of environmental noise (OJ L 189 18.7.2002, p. 12).

2009/147/EC[24] and 2011/92/EU of the European Parliament and of the Council[25]. For the projects of common interest for which the procurement process for an environmental assessment has not yet been initiated at the date of entry into force of this Regulation, the compliance with the "do no significant harm" principle should also be assessed.

Article 6

Gradual development of the trans-European transport network

1. Without prejudice to Article 8, paragraph 4a, the trans-European transport network shall be gradually developed in three steps: the completion of a core network by 31 December 2030, of an extended core network by 31 December 2040 and the comprehensive network by 31 December 2050, unless otherwise specified in this Regulation. This shall be achieved, in particular, by implementing a structure for that network with a coherent and transparent methodological approach, comprising a comprehensive network and a core and extended core network, with transport and urban nodes as multimodal connecting points between long distance traffic and the regional and local transport networks.

2. The comprehensive network shall consist of all existing and planned transport infrastructures of the trans-European transport network as well as measures promoting the efficient and socially and environmentally sustainable use of such infrastructure.

3. The core and extended core network shall consist of those parts of the trans-European transport network which shall be developed as a matter of priority for achieving the objectives for the development of the trans-European transport network.

Article 7

European Transport Corridors

The European Transport Corridors shall consist of the parts of the core or extended core network which are of the highest strategic importance for the development of sustainable and multimodal freight and passenger transport flows in Europe and for the development of interoperable high quality infrastructure and operational performance.

Article 8

Projects of common interest

1. Projects of common interest shall contribute to the development of the trans-European transport network through the creation of new transport infrastructure, through the

[24] Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (OJ L 20, 26.1.2010, O. 7).

[25] Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment (OJ L 26, 28.1.2012, p. 1).

upgrading of the existing transport infrastructure or through measures promoting the resource-efficient use of the network.

2. A project of common interest shall:

(a) demonstrate European added value by contributing to the objectives falling within at least two of the four categories set out in Article 4; and

(b) be economically viable on the basis of a socio-economic cost-benefit analysis or, in case of sparsely populated areas, have a positive contribution to the development of the network on the basis of a socio-economic cost-benefit analysis[26].

(c) Deleted.

3. A project of common interest encompasses its entire cycle, including feasibility studies and permission procedures, construction, operation and evaluation.

4. Member States shall take all necessary measures to ensure that the projects are carried out in compliance with relevant Union and national law, in particular with Union legal acts on the environment, climate protection, safety, security, competition, state aid, public procurement, public health and accessibility as well as legislation on non-discrimination.

4a. The implementation of projects of common interest depends on their degree of maturity, the compliance with Union and national legal procedures, and the availability of financial resources, without prejudging the financial commitment of a Member State or of the Union.

5. The Commission may recommend Member States to establish single entities for the coordination, construction and/or management of cross-border infrastructure projects of common interest, especially for large-scale and complex ones. The relevant European Coordinator shall have the status of observer in the supervisory board or a similar steering body of that single entity.

Article 9

Cooperation with third countries

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[26] It is proposed to amend Recital 8 as follows:
"Projects of common interest should contribute to the development of the trans-European transport network through the creation of new transport infrastructure, through the maintenance and upgrading of existing infrastructure and through measures promoting its resource-efficient use. Projects of common interests should demonstrate a European added value. Such projects should also be economically viable. Projects in sparsely populated areas, for which it might be difficult to demonstrate the economic viability as social and territorial cohesion benefits might value higher, should at least have a positive contribution to the development of the network on the basis of a socio-economic cost-benefit analysis, taking into account the specific characteristics and constraints of the area concerned.

1. The Union may cooperate with third countries in order to connect the trans-European transport network with their infrastructure networks through the projects of common interests, where relevant with a view to enhancing sustainable economic growth and competitiveness and in particular to:

(a) promote the extension into third countries of the trans-European transport network policy together with other related Union policies, in particular in the fields of environment and climate protection[27];

(b) ensure the connection between the trans-European transport network and the transport networks of the third countries at border crossing points, including on the territory of the third country in order to guarantee seamless traffic flows, border checks, border surveillance and other border control procedures;

(ba) ensure on the territory of the third country the connection between the trans-European transport network and the transport networks of the third countries;

(c) complete the transport infrastructure in third countries which serve as links between parts of the trans-European transport network in the Union;

(d) promote the interoperability between the trans-European transport network and networks of third countries;

(e) facilitate maritime transport and promote short-sea shipping routes with third countries provided they do not contribute to carbon leakage;

(f) facilitate inland waterway transport with third countries;

(g) facilitate air transport with third countries, in order to promote efficient and sustainable economic growth and competitiveness, including the extension of the Single European Sky and improved air traffic management cooperation;

(h) connect and implement ICT systems for transport in those countries;

(i) promote decarbonisation of transport, in particular through deployment of alternative fuels infrastructure in third countries in view of establishing a continuous network linked with the trans-European transport network.

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27 It is proposed to amend Recital 38 as follows:

Cooperation with third countries, including neighbouring countries, is necessary in order to ensure connection and interoperability between the infrastructure networks of the Union and those countries. In view of this, the Union should, where appropriate, promote projects of common interest with those countries and also assess and ensure that the objectives and requirements of the trans-European transport network are complied with in order to ensure the interoperability of the Union network and are aligned with the goal of achieving climate neutrality in the EU by 2050 in order to ensure level playing field in transport, in particular by preventing carbon leakage.

2. Annex IV sets out indicative maps of the trans-European transport network extended to specific neighbouring countries, specifying where applicable a core and comprehensive network according to the criteria of this Regulation.

3. This article shall not prejudge any kind of financial contribution of the Union to projects in third countries under other EU legal acts.

CHAPTER II

GENERAL PROVISIONS

Article 10

General provisions for the core network, the extended core network and the comprehensive network

1. The core network, the extended core network and the comprehensive network shall:

   (a) be as specified in the maps in Annex I and in the lists in Annex II;

   (b) be further specified through the description of the infrastructure components;

   (c) meet the requirements for the transport infrastructures set out in this Chapter and Chapters III and IV;

   (d) constitute the basis for the identification of projects of common interest.

2. The core network and extended core network shall consist of those parts of the comprehensive network which shall be developed as a matter of priority for achieving the objectives of the trans-European transport network policy. References to 'core network' in Regulation (EU) 2021/1153 shall be construed as including 'extended core network' as defined in this Regulation. References to 'core network' in Regulation (EU) […] [on the deployment of alternative fuels infrastructure] shall be construed as references to 'core network' as defined in this Regulation. References to 'comprehensive network' in Regulation (EU) […] [on the deployment of alternative fuels infrastructure] shall be construed as references to 'extended core network' and 'comprehensive network' as defined in this Regulation.

3. The nodes of the network are set out in Annex II and include urban nodes and transport nodes (airports, maritime ports, inland ports, rail road terminals and terminals along inland waterways).

4. Member States shall take the appropriate measures for the core network, the extended core network and the comprehensive network to be developed in order to comply with the relevant provisions of this Regulation by the dates specified in Article 6(1), unless specified otherwise in this Regulation.

Article 11

General provisions for the European Transport Corridors

1. The nine European Transport Corridors, namely :

   i. Atlantic;

   ii. Baltic **Sea –** Black **Sea –** Aegean Sea;

   iii. Baltic Sea – Adriatic Sea;

   iv. Mediterranean;

   v. North Sea – Rhine – Mediterranean;

   vi. North Sea – Baltic;

   vii. Rhine – Danube;

   viii. Scandinavian – Mediterranean;

   ix. Western Balkans – Eastern Mediterranean,

   are specified in the maps in Annex III.

2. Member States shall take the appropriate measures for the European Transport Corridors to be developed in order to comply with the provisions of this Regulation, by 31 December 2030 for their infrastructure which is part of the core network, and by 31 December 2040 for their infrastructure which is part of the extended core network, unless specified otherwise in this Regulation.

3. Subject to Article 172(2) TFEU, the Commission is empowered to adopt delegated acts in accordance with Article 60 of this Regulation to amend within the limits of Article 7 the alignment of the European Transport Corridors in Annex III to this Regulation, in order to take into account the development of major trade flows and traffic or substantial changes to the network. With respect to amendments to alignments of corridors affecting the parts in the territory of neighbouring countries, such delegated acts shall be based on high-level agreements on transport infrastructure networks between the Union and the neighbouring countries concerned.

Article 12

General priorities for the core, the extended core and the comprehensive network

1. In the development of the core, the extended core and the comprehensive network, general priority shall be given to measures that are necessary for:

   (a) increasing the share of more sustainable modes of transport for freight and passengers, in particular in view of a reduction of GHG emissions and pollution and of an increase of social and economic benefits from transport;

   (b) ensuring enhanced accessibility and connectivity for all regions of the Union while taking into consideration territorial and social cohesion as well as the specific case of the outermost regions and other remote, insular, peripheral and mountainous regions as well as sparsely populated areas;

   (c) ensuring optimal integration of the transport modes and interoperability between transport modes, including active modes of mobility in urban areas;

   (d) bridging missing links and removing bottlenecks, particularly in terms of interoperability and for cross-border sections;

   (e) deploying the necessary infrastructure which ensures a seamless circulation of zero and low emission vehicles, vessels and aircrafts;

   (f) promoting the efficient and sustainable use of the infrastructure and, where necessary, increasing capacity;

   (g) keeping existing infrastructure operational and improving or maintaining its quality in terms of safety, security, efficiency of the transport system and transport operations, climate and disaster resilience, environmental performance, and the continuity of traffic flows;

   (h) improving the quality of services and social conditions for transport workers, accessibility for all users, including persons with disabilities or reduced mobility and other people in situations of vulnerability;

   (i) improving digitalisation and developing automation, in particular through the implementation and deployment of ICT systems for transport.

2. In order to complement the measures set out in paragraph 1, particular consideration shall be given to measures that are necessary for:

   (a) contributing to mitigating exposure of urban areas to negative effects of transiting rail and road transport; and

(b) Moved to (a)

(c) Deleted; [28]

(d) optimising the use of infrastructure, in particular through efficient capacity management, traffic management and increased operational performance.

(e) contributing to positive health and environmental effects by promoting the use of active modes of mobility through the development of corresponding infrastructure for cycling and walking.

Article 13

General priorities for the European Transport Corridors

In the development of the European Transport Corridors, general priority shall be given to measures that are necessary for:

(a) the development of a high performance and fully interoperable rail freight network across the Union;

(b) the development of an interoperable high performance rail passenger network, including at high speed, connecting urban nodes across the Union;

(c) the development of an efficient aviation and inland waterways transport infrastructure and of a maritime transport infrastructure well integrated within the European Maritime Space;

(d) the development of a safe and secure road network, with sufficient alternative fuel infrastructures;

(e) the development of improved multimodal and interoperable transport solutions ;

(f) the promotion of intermodal integration of the entire logistic chain, interconnecting efficiently in the transport and urban nodes;

(g) the deployment of the necessary infrastructure which ensures a seamless circulation of zero and low emission vehicles, vessels and aircrafts.

[28] This paragraph which deals with the removal of bottlenecks, in particular for interoperability, has been merged with paragraph 1(d).

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[29], 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;

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[29] 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[30] 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 without prejudice to the exemptions provided for in Article 7(1) of that Directive;

(c) deleted.

[30] 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) deleted.

(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 per hour and direction on average **on a daily basis**, 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:

- connect a 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 line that is part of the core or extended core ~~freight~~ network **for freight transport**, 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 sections, 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) and which is connected to railway lines used for freight transport as defined in Article 15(2) meets the requirements set out in paragraph 2, points (c) and (d), unless,with respect to the requirements set out in paragraph 2, point (d), an exemption from the application of Article 37 (3) **has been** ~~was~~ granted by the Commision pursuant to Article 37(5).

3. The requirements set out in paragraph 2, 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 with the neighbouring Member State(s) in case of cross-border sections. The neighbouring Member State(s) may provide an opinion to the Member State requesting the exemption. The Member State shall attach the opinion(s) of the neighbouring Member State(s) to its request. 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 significant impact on interoperability and continuity of the railway network where relevant. The Commission shall take duly into account the opinion(s) of the neighbouring Member State(s) concerned.

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) for lines that are part of the network for freight transport:

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

   (b) 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:

      (i) on double track lines, at least one train path per hour and direction, can be allocated to freight trains with a length of at least 740 m;

      (ii) 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;

   (c) 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, over [75%] of the length of each rail section, is designed for a speed of at least 100 km/h for freight trains on the freight lines of the extended core network.[31]

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31 See footnote 34 below:

2a. 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) for lines that are part of the network for passenger transport:

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

(b) for rail sections linking the multimodal passenger hubs of two urban nodes or the multimodal passenger hubs of an urban node and a border crossing point, over [75 %] of the length of each rail section is designed for a speed of at least 160 km/h for passenger trains on the passenger lines of the extended core network[32].

2b. Member States shall ensure that, by 31 December 2040, the railway infrastructure of the extended core network 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 (b), unless, with respect to the requirements set out in Article 16(2), point (b), an exemption from the application of Article 37 (3) **has been** ~~was~~ granted by the Commision pursuant to Article 37(5).

3. 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):

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32 The Presidency suggests to amend recital 39 as follows:

"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 **lines designed for a speed** ~~rail services meeting minimum line speed~~ of **at least** 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 **designed for a** ~~at a minimum line~~ speed of **at least** 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 **speed design** 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 interconnecting lines, lines through stations, accesses to terminals and service facilities or depots. **When upgrading the infrastructure, Member States are encouraged to examine possibilities of design for higher speed as provided in Annex I of Directive 2016/797.**"

(a) for lines that are part of the network for freight transport: meets the requirements set out in Article 16(2), points (a), (b) and (c);

(b) for the lines that are part of the network for passenger transport: meets the requirements set out in Article 15(2), point~~s~~ (a).

3a. Member States shall ensure that, by 31 December 2040, the railway infrastructure **that is part of the core network for passenger transport**, except connections referred to in Article 14(1), point (d)~~:~~

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

~~(b) for lines that are part of the network for passenger transport:~~ meets the requirement set out in Article 16(2a), point (b).

3ab. **Member States shall ensure that, by 31 December 2040, lines for freight transport that are part of the railway infrastructure of the core or extended network, including connections referred to in Article 14(1), point (d), allow for the circulation of freight trains carrying standard semi-trailers up to 4 meters high on standard wagons of a height of 33 centimetres on the European Transport Corridors on their territories[33].**

This requirement shall be deemed to be met if at least the following conditions are complied with on each European Transport Corridor on the territory of the Member State:

- **there is at least one direct line meeting that requirement enabling uninterrupted operation of trains in the territory of a Member State as well as on cross-border lines with each neighbouring Member State**;

[33] **New recital 40a is proposed as follows:**
Intermodal traffic accounts for around half of rail freight ton-kilometres in Europe, with its share growing. In order to achieve goals stipulated in the Communication of the Commission on the Sustainable and Smart Mobility Strategy to double the portion of freight transport carried by railway, special attention should be paid to transport which combines rail for the main part of the journey and truck for the first and last mile. In a view to contributing to the increase of intermodal traffic, the infrastructure should allow for the circulation of freight trains carrying standard semitrailers up to 4 meters high on standard wagons of a height of 33 centimetres. The requirement corresponds to the P400 standard laid down by the International Union of railway (UIC) which is an internationally recognised standard. However, complying with that requirement entails numerous, sometimes costly, adaptation. It is therefore important to find a balanced approach to the implementation of this requirement and ensure that its implementation is done in a cost-effective manner. In this respect, Member States should ensure requirement is implemented in the way that at least one domestic direct line, one direct rail freight line connection with neighbouring Member State(s), and one connection to at least one rail-road terminal or multimodal freight terminal located in or adjacent to a maritime port which is part of the European Transport Corridor in the territory of a Member State is ensured. Moreover, if one or more end points of a corridor are located on the territory of a Member State, there should be at least one direct line meeting that requirement to at least one of these end points. When selecting the relevant lines, Member States should take into account the current and future rail freight transport flows.

- **there is at least one direct line meeting that requirement to at least one rail-road terminal or one multimodal freight terminal located in or adjacent to a maritime port which is part of the European Transport Corridor on the territory of a Member State;**

- **if one or more end points of a corridor are located on the territory of a Member State, there is at least one direct line meeting that requirement to at least one of these end points.**

For cross-border sections, the determination of the lines concerned shall be made in agreement with the neighbouring Member State(s) concerned.

Member States shall, at the latest three years after the entry into force of this Regulation, notify the Commission of the lines concerned.

3b. Member States shall ensure that, by 31 December 2030, the railway infrastructure of the core network 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 (b) unless, with respect to the requirements set out in Article 16(2), point (b), an exemption from the application of Article 37 (3) **has been** ~~was~~ granted by the Commission pursuant to Article 37(5)**.**~~, and, by 31 December 2040, meets the requirements set out in Article 16(3a), point (a);~~

4. The requirements set out in paragraphs 2 to 3b 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 with the neighbouring Member State(s) in case of cross-border sections. The neighbouring Member State(s) may provide an opinion to the Member State requesting the exemption. The Member State shall attach the opinion(s) of the neighbouring Member State(s) to its request. 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 significant impact on interoperability and continuity of the railway network, where relevant. The Commission shall take duly into account the opinion(s) of the neighbouring Member State(s) concerned.

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

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 **and** by 2040 for the extended core network ~~and by 2050 for the comprehensive network~~. For the purposes of this Article new railway line means any line for which construction works have not started on the date of entry into force of this Regulation.

2. 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 carry out an assessment, at the latest two years after the date of entry into force of this Regulation, identifying the existing railway lines located on the European Transport Corridors in view of their possible migration to the European standard nominal track gauge of 1 435 mm. The assessment shall be coordinated with the neighbouring Member State(s), **in case of cross-border sections** ~~where relevant~~. The assessment shall include a socio-economic cost-benefit analysis **on the viability of the possible migration** and an assessment of the impact on interoperability.

Based on the assessment under the first subparagraph, the Member States shall draw up a migration plan where relevant, at the latest one year following the completion of the assessment, identifying the existing railway lines located on the European Transport Corridors to be migrated to the European standard nominal track gauge of 1 435 mm and provide for an indication of the timeline of the migration.

Sub-paragraphs 1 and 2 shall apply mutatis mutandis to the railway lines for which construction works have started on the date of entry into force of this Regulation.

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.

5. Upon the request of a Member State, in duly justified cases, a **temporary** ~~n~~ exemption from the requirements referred to in paragraph 1 **shall** ~~may~~ be granted by the Commission

by means of implementing acts in respect of the requirement referred to in paragraph 1 for new railway lines of the **core and extended core network** ~~comprehensive network~~, or for part thereof**, on the ground of negative results of socio-economic cost-benefit analysis**. Any request for exemption shall be based on sufficient justification. In the case of cross-border sections, the requests for exemption shall be coordinated with the neighbouring Member State. The neighbouring Member State may provide an opinion to the Member State requesting the exemption. The Member State shall attach the opinion(s) of the neighbouring Member State(s) to its request. 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 significant impact on interoperability and continuity of the railway network, where relevant. The Commission shall take duly into account the opinion(s) of the neighbouring Member State(s) concerned.

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 second 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.

The Commission shall inform other Member States of the exemptions granted pursuant to the fourth subparagraph.

Article 17

The European Rail Traffic Management System

1. Member States shall ensure that:

   - ERTMS is equipped on the railway infrastructure of the extended core network by 31 December 2040 and the comprehensive network by 31 December 2050, except

connections referred to in Article 14(1), point (d), while ensuring a synchronised and harmonised ERTMS deployment trackside and on board of trains[34];

- ERTMS is deployed on connections referred to in Article 14(1), point (d), of the extended core by 31 December 2040 and the comprehensive network by 31 December 2050 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. [35]

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.

2a. Member State shall aim, where appropriate, at decommissioning of class B systems by 31 December 2050.

3. deleted.

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.

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[34] The Presidency suggest amending recital 42 as follows:
"Member States should ensure that the European Rail Traffic Management System (ERTMS) is deployed on the comprehensive network by 2050, on the extended core network by 2040 and on the core network by 2030. When deploying ERTMS on the comprehensive network, priority in terms of timing should be given to the lines which can contribute to the safe and efficient cross-border international rail transport.

[35] The Presidency suggests amending recital 44 as follows:
"Decommissioning of class B systems brings 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."

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 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 5a. Any request for exemption shall be based on negative result of socio-economic cost-benefit analysis and an assessment of the impact on interoperability. Any such request shall be substantiated with sufficient justification. The request for exemptions shall be coordinated with the neighbouring Member State(s) in case of cross-border sections. The neighbouring Member State(s) may provide an opinion to the Member State requesting the exemption. The Member State shall attach the opinion(s) of the neighbouring Member State(s) to its request. 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[36].

The Commission shall assess the request in view of the justification provided under the first subparagraph as well as in terms of its significant impact on interoperability.-The Commission shall take duly into account the opinion(s) of the neighbouring Member State(s) concerned.

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

[36] 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).

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 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), where relevant;

(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;

(c) improving the safety of level crossings;

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

(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;

(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;

(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;

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

(i) for the development of the trans-European transport network, providing a standard of **ensuring the circulation of freight trains carrying standard semi-trailers up to 4 meters high on standard wagons of a height of 33 centimetres** ~~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[37]~~, without any additional requirement for special permission to operate services.

SECTION 2

INLAND WATERWAYS TRANSPORT INFRASTRUCTURE

Article 20

Infrastructure components

1. Inland waterways infrastructure shall comprise, in particular:

(a) rivers;

~~[37] 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).~~

(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, 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 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) (Good Navigation Status).

Member States shall prevent the deterioration of these minimum requirements or any of its defined underlying criteria. In case inland waterway network exceeds these minimum requirements at the date of entry into force of this Regulation, Member States shall make all possible efforts to prevent the deterioriation of its 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 and, if applicable, in consultation with river navigation commissions set up by international agreements, 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[38], so as to guarantee real-time information to users across borders.

4. Upon 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. The request for exemptions shall be coordinated with the neighbouring Member State(s) where applicable. The neighbouring Member State(s) may provide an opinion to the Member State requesting the exemption. The Member State shall attach the opinion(s) of the neighbouring Member State(s) to its request. 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 shall take duly into account the opinion(s) of the neighbouring Member State(s) concerned.

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.

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[38] 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).

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.

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;

(aa) complementary parameters for navigable width of channel;

(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;

(h) promoting actions to prevent deterioration of the waterway requirements.

SECTION 3

MARITIME TRANSPORT INFRASTRUCTURE AND THE EUROPEAN MARITIME SPACE

Article 24

Infrastructure components

1. The European Maritime Space[39] 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), facilitating the transition towards sustainable maritime transport, improving the synergies between transport and energy, inter alia 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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[39] 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 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[40], 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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40 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 **on sea, inter alia as to reduce road congestion on the Union's territory and to improve access to peripheral and island regions and states**. There is however a need to better integrate short-sea shipping links, constituting 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. **Moreover, that new concept should foster sustainable short-sea shipping links with the aim to concentrate flows of freight on sea-based logistical routes in such a way as to improve existing maritime links or to establish new viable, regular and frequent maritime links.**

(h) 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;

(ba) its total annual cargo volume – for bulk and /or for non-bulk cargo handling – exceeds annually 500.000 tonnes and its contribution to the diversification of EU energy supplies and to the acceleration of the roll-out of renewable energies is **one of the** ~~a~~ main **activities** ~~activity~~ of the port.[41] **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, in

41 Recital 46 will be amended as follows:
Being the entry and exit points for the land infrastructure of the trans-European transport network, maritime ports play an important role as cross-border multimodal nodes which serve not only as transport hubs, but also as gateways for trade, industrial clusters and energy hubs. As highlighted in the RePowerEU plan adopted by the Commission, there is a need for diversification of energy supplies and accelerated roll-out of renewable energy. Maritime ports can contribute to this goal through the deployment of off-shore wind installations, production of green hydrogen and transport and storage of liquefied natural gas. To strengthen synergies between the transport and energy sector in the efforts to decarbonise the Union's economy, maritime ports can also play a role in transporting carbon dioxide through pipelines or other modes of transport.

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[42];

(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 **with a total annual cargo volume of more than 2 million tons** 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;

(c) sea canals, port fairways and estuaries which connect two seas, or which provide access from the sea to maritime ports 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 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

[42] 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).

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. 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 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 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 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 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

(ba) the improvement of the interconnection infrastructure, equipment and systems defined in Article 36;

(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;

(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) deleted;

(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[43];

(b) the roads are designed, built or upgraded and maintained with high level of safety of traffic;

(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[44];

(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[45] and with Commission Implementing Regulation C/2019/9080[46] and Commission Delegated Regulation C/2019/8369[47];

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43 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).

44 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).

45 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).

46 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

(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[48];

(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[49];

(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) deleted.

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

(c) deleted.

(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

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interoperability constituents and repealing Decision 2009/750/EC (OJ L 43, 17.2.2020, p. 49).

47 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).

48 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).

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

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, for the purpose of providing road safety-related minimum universal traffic information as defined in Commission Delegated Regulation 886/2013[50].

4. Upon 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. The request for exemptions shall be coordinated with the neighbouring Member State(s) where applicable. Neighbouring Member States may provide an opinion to the Member State requesting the exemption. The Member State shall attach the opinions of neighbouring Member States to its request. 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 shall take duly into account the opinion(s) of the neighbouring Member State(s) concerned.

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

[50] 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).

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 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 by other means ensuring equivalent level of safety; and

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

(iii) deleted.

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) deleted;

c) meets the requirements set out in Article 29(2)(d).

3. Member States shall make all possible efforts to ensure the development of 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 of road of the trans-European transport network**, with a distance of 150 km between two such areas on average,** 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 by 31 December 2040[51]. **When developing those parking areas, Member States may focus on road sections with high intensity of freight traffic.**

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

- **for the existing infrastructure of the core network** by 31 December 2025 **and for the existing infrastructure of the extended core network by 31 December 2030;** ~~for those infrastructure of the core network;~~

- **for the new infrastructure of the core network** by 31 December 2030 **and for the new infrastructure of the extended core network by 31 December 2040** ~~for those infrastructure of the extended core network.~~

5. Upon 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. The request for exemptions shall be coordinated with the neighbouring Member State(s) where applicable. The neighbouring Member State(s) may provide an opinion to the Member State requesting the exemption. The Member State shall

[51] 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 (Text with EEA relevance) (OJ L 102, 11.4.2006, p. 1–14)

attach the opinion(s) of the neighbouring Member State(s) to its request. 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 shall take duly into account the opinion(s) of the neighbouring Member State(s) concerned.

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 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[52] 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;

[52] 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 (Text with EEA relevance) (OJ L 102, 11.4.2006, p. 1–14).

(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 four 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;[53]

(b) deleted.

(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 in accordance with Directive (EC) No 2009/12[54];

(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[55], 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];

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53 The Presidency suggests to add a new recital 48a:
"Member States should promote the connection of airports to urban nodes, by rail, metro, light rail or trams to improve connectivity, ensure adequate capacity and user convenience**, except where specific geographic or significant physical constraints prevent such connections**. With respect to Union's largest airports, which are global hubs, Member States are encouraged to develop or enhance connections to long-distance rail or high-speed rail to provide alternatives to short haul flights."

54 Directive 2009/12/EC of the European Parliament and of the Council of 11 March 2009 on airport charges (OJ L 70, 14.3.2009, p. 11).

55 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).

(g) the airports of the core and comprehensive network with a total annual passenger traffic volume of more than four million passengers provide infrastructure for pre-conditioned air supply to stationary aircraft at aircraft contact stands used for commercial transport operations by 31 December 2030 for airports of the core network and 31 December 2040 for airports of the comprehensive network.

2. Upon 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) 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. 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 Article.

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, including those aiming at ensuring safe and full integration of new air vehicles, manned and unmanned.

(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 comprehensive network and core 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 all airports of the trans-European transport network at remote stands, ~~or~~ **and** at contact stands in the airports **of the trans-European transport network** 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 open to all operators and users in a non-discriminatory way and** 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 of the trans-European transport network, as listed in Annex II;

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

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

   (d) classified as rail road terminals or terminals along the inland waterways 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[56] 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 for the development of a multimodal freight terminal network, including locations where such needs have been identified.

4a. The action plan shall be notified to the Commission no later than twelve months after finalising the analysis under paragraph 3.

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56 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 for the development of a multimodal freight terminal network. In that respect they may refer to existing studies and plans. To this aim, they may refer to existing studies and plans. The action plan prepared by Member States should promote the development of multimodal freight terminals without creating any obligation to Member States to implement the action plan or to the private sector to invest in terminals, the plan should not be subject to Strategic Environmental Assessment.

4b. On the basis of this action plan, Member States shall notify to the Commission a list of rail road terminals and terminals along inland waterways which they propose to add to Annexes I and II.

5. In order to be part of the trans-European transport network and to be listed in Annex II, a rail road terminal or a terminal along inland waterways 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. Member States shall make all possible efforts to ensure in a fair and non-discriminatory manner that all multimodal freight terminals, which are open to all operators and users in non-discriminatory way and apply transparent and non-discriminatory charges in maritime ports and inland ports as listed in Annex II and in all rail road terminals and terminals along inland waterways indicated in Annex I and listed in Annex II, meet the following requirements:

   (a) are connected to at least two modes of transport which are available in the area;

   (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;

   (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 able to exchange information with open and interoperable systems.

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 able to handle the following types of craneable intermodal loading units: container, swap body or semi-trailer suitable for intermodal transport.

3. Member States shall make all possible efforts to ensure in a fair and non-discriminatory manner that multimodal freight terminals referred to in Article 37(1), which are connected to the rail network, shall be able to accommodate 740 m long trains by 31 December 2040.

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

4. Deleted.

5. Upon request of a Member State, in duly justified cases, exemptions from the provisions under paragraphs 1 to 3 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. 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 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 sidings and multimodal freight terminals on the trans-European transport network allow for the handling of 740 m long trains without manipulation;

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

(g) promoting, where appropriate, that sidings are migrated to European nominal standard track gauge.

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[57] for each urban node that includes inter alia 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;

(ii) the collection and submission to the Commission of urban mobility indicators, as defined in paragraph 2 of this Article, for each urban node;

(c) by 31 December 2030, the development of multimodal passenger hubs to facilitate first and last mile connections which are equipped 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 buses and coaches;

(d) by 31 December 2040, the development, where economically viable, of at least one multimodal freight terminal, if such a terminal does not already exist, 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.

1a. When adopting and monitoring the SUMPs, ~~Member States and~~ local authorities shall make all possible efforts**, in cooperation with national authorities, where relevant,** to ensure that SUMPs are in line with the guidelines in Annex V while also taking into consideration long distance trans-European transport flows.

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57 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.

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). Such implementing act shall also specify individual deadlines for submitting each indicator. Those deadlines shall be set from 3 to 5 years. 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;

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

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

(c) mitigation of the exposure of urban areas to negative effects of transiting rail and road transport;

(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;

(g) promotion of efficient low-noise and low-carbon urban freight delivery.

CHAPTER IV

PROVISIONS FOR SMART AND RESILIENT TRANSPORT

Article 42

ICT systems for transport

1. ICT systems for transport shall be such as to enable capacity and traffic management and the exchange of information within and between transport modes, for multimodal transport operations and value-added transport-related services, improvements in resilience, safety, security, congestion and operational and environmental performance, and simplified administrative procedures. ICT systems for transport shall also facilitate seamless connection between infrastructure and mobile assets.

2. The following ICT systems for transport shall be deployed in accordance with and within the limits of specific provisions laid down in Union law, across the Union, in order to ensure the presence of a set of interoperable basic capabilities in all Member States:

   (a) for railways: ERTMS, telematics applications for freight and passenger services as referred to in the Technical Specification for Interoperability, in particular outputs from Shift2Rail and Europe's Rail Joint Undertaking;

   (b) for inland waterways: RIS;

   (c) for road transport and its interfaces with other modes of transport: ITS;

   (d) for maritime transport: for vessel traffic management VTMIS services and for information exchange the European Maritime Single Window environment (EMSWe);

   (e) for air transport: ATM/ANS systems, in particular those resulting from the SESAR project;

   (f) for multimodal transport: eFTI.

3. deleted.

Article 43

Sustainable freight transport services

1. Member States shall promote projects of common interest which both provide efficient freight transport services that use the infrastructure of the trans-European transport network and contribute to reducing GHG emissions and other negative environmental and socio-economic impacts, and which aim to:

   (a) improve sustainable use of transport infrastructure, including its efficient management;

   (b) promote the deployment of innovative transport services, including short-sea shipping links in the framework of the European Maritime Space, ICT systems for transport and the development of the ancillary infrastructure necessary to achieve mainly environmental and safety-related goals of those services;

   (c) facilitate multimodal transport service operations, including the necessary accompanying information flows, and improve cooperation of the participants of the logistic chain, including shippers, operators, service providers and their customers;

   (d) stimulate resource efficiency and zero- and low-emission operation, in particular in the fields of technologies, operations, vehicle traction, driving/steaming, systems and operations planning; or

   (e) improve links to the most vulnerable and isolated parts of the Union, in particular the outermost regions, and other remote, insular, peripheral and mountainous regions as well as sparsely populated areas promoting regular and frequent services.

2. deleted.

Article 44

New technologies and innovation

In order for the trans-European transport network to keep up with innovative technological developments and deployments, the aim shall be in particular to:

(a) support and promote the decarbonisation of transport through transition to zero- and low-emission vehicles, vessels and aircrafts and other innovative and sustainable transport and network technologies in harmonised and coordinated way;

(b) enhance the decarbonisation of all transport modes by stimulating energy efficiency, introduce zero and low emission solutions, including hydrogen and electricity supply systems, as well as other new solutions such as sustainable fuels, and provide corresponding infrastructure, where possible through synergies with the TEN-E. Such infrastructure may include grid access and other facilities necessary for the energy supply, may take account of the infrastructure-vehicle interface and may encompass ICT systems for transport. Transport infrastructure may serve as energy hub to serve different transport modes, in order to connect local production of clean energy with zero emission mobility applications. Transport infrastructure may also contribute to the deployment of other technologies accelerating the decarbonisation of the economy.

(c) support the take-up and deployment of new digital technologies, in particular promote data exchange and connectivity infrastructure with uninterrupted coverage across the network to ensure the highest level and performance of digital infrastructure and reach higher levels of automation;

(d) improve the safety and sustainability of the movement of persons and of the transport of goods;

(e) improve the operation, management, accessibility, interoperability, multimodality and efficiency of the network, including through the development of multimodal digital mobility services;

(f) promote efficient ways to provide accessible and comprehensible information to all users and providers of transport services regarding interconnections, interoperability and multimodality and regarding the environmental impacts of their transport choices;

(g) deleted.

(h) promote measures to reduce negative externalities, such as congestion, damage to health and pollution of any kind including noise and emissions;

(i) introduce security technology;

(j) improve transport infrastructure resilience against disruptions and climate change through infrastructure upgrades and design, as well as digital, cyber secure solutions aimed at the protection of the network in the context of natural and human-made disasters;

(k) further advance the development and deployment of ICT systems and new technologies for transport within and between modes of transport.

Article 45

Safe and secure infrastructure

Deleted.

Article 46

Resilience of infrastructure

1. Member States shall make all possible efforts to ensure that when projects of common interest are planned and implemented the security and resilience of the infrastructure to climate change, natural hazards, human-made disasters, accidents and operational interruptions as well as intentional disruptions affecting the functioning of the Union transport system are taken into account. In particular, due consideration shall be given to:

(a) interdependencies, linkages and cascading effects with other networks such as telecommunication and electricity network;

(b) safety, security and performance in the presence of multiple hazards;

(c) structural infrastructure quality during its whole lifecycle, with particular attention to the future projected climate conditions;

(d) civil protection needs to react to disruptions;

(e) cyber-security and resilience of infrastructure, with particular attention to cross-border infrastructure.

2. Projects of common interest for which an environmental impact assessment must be carried out in compliance with Directive 2011/92/EU shall be subject to climate proofing. The climate proofing shall be undertaken taking into account the latest available best practice and guidance to ensure that transport infrastructures are resilient to the adverse impacts of climate change, through a climate vulnerability and risk assessment, including through relevant adaptation measures, and through integration of the costs of greenhouse gas emissions in the cost-benefit analysis. Without prejudice to the provisions laid down in other EU acts, such requirement does not apply to projects for which the procurement process of the environmental impact assessment has been initiated before entry into force of this Regulation[58].

[Article 47

1. Member States shall make all possible efforts to ensure that the trans-European transport network is protected against potential risks to security or public order arising from participations of or contributions of any kind by a natural person of a third country or an undertaking of a third country in a project of common interest.

2. Without prejudice to Article 6(1) of Regulation (EU) 2019/452, whenever a Member State considers that the participation of or contribution of any kind by a natural

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58 Recital 14 should be amened as follows:

Infrastructure projects under the TEN-T Regulation should be resilient to the potential adverse impacts of climate change through a climate vulnerability and risk assessment, including through relevant adaptation measures. Projects for which an environmental impact assessment must be carried out should be subject to climate proofing and integrate the costs of greenhouse gas emissions and the positive effects of climate mitigation measures in the cost-benefit analysis. The climate proofing should be undertaken based on the latest available best practice and guidance. This contributes to the integration of climate change-related risks as well as climate change vulnerability and adaptation assessments into investment and planning decisions under the Union budget. Without prejudice to the provisions laid down in other EU acts, in particular implementing acts concerning the conditions of allocation of Union financial support to projects of common interests under Regulation (EU) 2021/1153, the requirement to carry out a climate proofing should apply only to projects for which the procurement process of the environmental impact assessment has not yet been initiated at the date entry into force of this Regulation.

person of a third country or an undertaking of a third country is likely to affect infrastructure on the trans-European transport network on grounds of security or public order, the Member State shall adopt appropriate measures to mitigate such risk and inform the European Commission.[59]

~~1. Member States shall assess the potential risks to security or public order arising from participations of or contributions of any kind by a natural person of a third country or an undertaking of a third country in a project of common interest and ensure that the infrastructure of the trans-European transport network is protected against such risks.~~

~~2. Member States shall take the following elements into consideration when assessing such risks:~~

~~(a) the ownership structure of the undertaking of a third country concerned and where applicable of the undertaking in which the participation or contribution is planned, including the ultimate beneficial owner and participation in the capital;~~

~~(b) the approximate value of the participation of or contribution by a natural person of a third country or an undertaking of a third country in the project of common interest;~~

~~(c) the products, services and business operations of the natural person of a third country or the undertaking of a third country concerned, and where applicable of the undertaking in which the participation or contribution is planned, that affect the trans-European network;~~

~~(d) the Member States in which the natural person of a third country or the undertaking of a third country concerned and where applicable the undertaking in which the participation or contribution is planned conduct relevant business operations affecting the trans-European transport network;~~

~~(e) the funding of the contribution or participation and its source;~~

~~3. In determining whether the participation or contribution of a natural person of a third country or an undertaking of a third country is likely to affect infrastructure on grounds of~~

[59] **This provision is under consideration by the Council Legal Service.**

~~security or public order, the Member State may also consider its potential effects on, inter alia on:~~

~~(a) supply of inputs essential for the building, operation and maintenance of the infrastructure;~~

~~(b) access to sensitive information, including personal data, or the ability to control such information in conjunction with the building, operation and maintenance of the infrastructure.~~

~~In determining whether the participation or contribution of a natural person of a third country or an undertaking of a third country is likely to affect security or public order, the Member State may also take into account, in particular:~~

~~(a) whether the undertaking of the third country concerned is directly or indirectly controlled by the government, including state bodies or armed forces, of a third country, including through ownership structure or significant funding;~~

~~(b) whether the natural person of a third country or the undertaking of a third country concerned have already been involved in activities affecting security or public order in a Member State; or~~

~~(c) whether there is a serious risk that the natural person of a third country or the undertaking of a third country concerned engage in illegal or criminal activities.~~

~~4. Whenever the Member State considers that the participation of or contribution of any kind by a natural person of a third country or an undertaking of a third country is likely to affect infrastructure on the trans-European transport network on grounds of security or public order, the Member State shall adopt appropriate measures to mitigate such risk and inform the European Commission.~~

~~5. Paragraphs 1 to 4 shall not apply to foreign direct investments notified to the Commission and other Member States pursuant to Article 6(1) of Regulation (EU) 2019/452.~~

Article 48

Maintenance and project life cycle

1. Without prejudice to the responsibility of the Member States regarding the planning of the maintenance of infrastructure and their competence regarding the management and the financing of the maintenance of infrastructure, and to the budgetary principle of annuality, where applicable, Member States shall make all possible efforts to ensure:

   (a) the infrastructure of the trans-European transport network is maintained in a way that it provides, during its lifetime, a high level of service and safety adapted to the traffic flow, and improving its resilience, and that preventive maintenance needs and estimated costs over the life-time of the trans-European transport infrastructure are taken into account in the planning phase of construction or upgrading;

   (b) long term maintenance planning for road and where relevant, for inland waterway infrastructure[60];

   (c) deleted.

   (d) consistency between the maintenance and renewal needs in the case of railway infrastructure related to the development of the trans-European network for transport and the indicative rail infrastructure development strategy referred to in Article 8(1) of Directive 2012/34/EU and the contractual agreement referred to in Article 30 of Directive 2012/34/EU.

Article 49

Accessibility for all users

Trans-European transport infrastructure shall allow seamless mobility and accessibility for all users, in particular:

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[60] Recital 64 to be amended as follows:
"While maintenance is and will remain the main responsibility of the Member States and without prejudice to the competence of Member States regarding in particular the financing and management of the maintenance, it is important that the trans-European transport network – once built – is properly maintained to ensure a high quality of services, following a life cycle approach when planning and procuring infrastructure projects. In particular, Member States should make all possible efforts to ensure that long term maintenance planning for road and where relevant, for inland waterway infrastructure is put in place."

- people in situations of vulnerability including persons with disabilities or reduced mobility; and

- people living in outermost regions and other remote, rural, insular, peripheral and mountainous regions as well as sparsely populated areas.

CHAPTER V

IMPLEMENTATION OF THE INSTRUMENTS OF EUROPEAN TRANSPORT CORRIDORS AND HORIZONTAL PRIORITIES

Article 50

The instrument of European Transport Corridors and horizontal priorities

1. European Transport Corridors are an instrument to facilitate the coordinated implementation of the parts of the core and extended core of the trans-European transport network and are intended, in particular, to improve cross-border links, to complete missing links and to remove bottlenecks within the Union.

2. In order to lead to resource-efficient multimodal transport and to contribute to cohesion through improved territorial cooperation, the European Transport Corridors shall be focused on:

   (a) modal integration with a particular view to strengthen the most environmentally friendly transport modes, notably rail, inland waterways and short-sea shipping;

   (b) interoperability;

   (c) a coordinated development of infrastructure, in particular in cross-border sections, notably in view of developing an interoperable rail freight system as well as a performant long-distance rail passenger network, including at high speed**,** across the Union;

   (d) supporting the coordinated and integrated development and deployment of innovative solutions for the digitalisation and interoperability of transport.

(e) promoting the deployment of alternative fuels infrastructure.

3. European Transport Corridors shall enable Member States to achieve a coordinated and synchronised approach with regard to investment in infrastructure.

4. The ERTMS and the European Maritime Space are the two horizontal priorities for the implementation of the trans-European transport network. The instruments set up in accordance with this Chapter shall facilitate the timely deployment of ERTMS and the integration of maritime transport infrastructure and services into the trans-European transport network.

Article 51

Coordination of European Transport Corridors and horizontal priorities

1. In order to facilitate the coordinated implementation of the European Transport Corridors, of ERTMS and of the European Maritime Space, the Commission shall, in agreement with the Member States concerned, and after consulting the European Parliament and the Council, designate one European Coordinator for each Corridor and for each horizontal priority.

2. The European Coordinator shall be chosen, in particular, on the basis of his/her knowledge of matters relating to transport and/or to the financing and/or the socio-economic and environmental evaluation of major projects, as well as his/her experience with Union policy making. The European Coordinator shall be selected for a mandate of maximum of four years, renewable. The remit of the European Coordinator shall relate to the implementation of a single corridor or horizontal priority.

3. The Commission decision designating the European Coordinator shall specify how the tasks referred to in paragraphs 5, 6 and 7 are to be performed.

4. The European Coordinator shall act in the name and on behalf of the Commission, which shall provide the necessary secretarial assistance.

5. The European Coordinators shall:

(a) support the coordinated implementation of the European Transport Corridor or horizontal priority concerned;

(b) draw up a work plan together with the Member States concerned and monitor its implementation in accordance with Article 53;

(c) consult with the Corridor Forum or the consultative forum for the horizontal priorities respectively in relation to that work plan and its implementation and regularly inform the Forum on the implementation of the work plan;

(d) report to the Member States, to the Commission and, as appropriate, to all other entities directly involved in the development of the European Transport Corridor or horizontal priority on any difficulties encountered and, in particular when the development of a corridor or horizontal priority is being impeded, with a view to helping to find appropriate solutions;

(e) submit an annual status report to the European Parliament, the Council, the Commission and the Member States concerned on the progress achieved in implementing the European Transport Corridors and horizontal priorities. This annual status report shall focus on the progress made on key priorities and investments, describe the nature of problems encountered in their implementation and may suggest potential solutions.

6. Without prejudice to the competences of the rail freight governance under Regulation (EU) 913/2010 and to the competence of the Member States with respect to management and financing of infrastructure, the European Coordinators of the European Transport Corridors shall:

(a) cooperate closely with the rail freight governance and the Member States concerned to help identify priorities and investment needs for rail freight on the rail freight lines of the European Transport Corridors;

(b) monitor the performance of rail freight services, in close cooperation with the rail freight governance and, if appropriate, identify potential barriers, such as technical and operational ones[, and make recommendations in this regard].

7. The European Coordinators of the European Transport Corridors shall:

(a) cooperate closely with the Member States concerned in order to help identify priorities and investment needs for the rail passenger lines of the European Transport Corridors;

(b) in close cooperation with infrastructure managers, monitor the performance of rail passenger services.

8. Pursuant Article 14(4) of Regulation (EU) No 2021/1153, the Commission shall request the consultative opinion of the European Coordinator when examining applications for Union funding under the Connecting Europe Facility (CEF) for European Transport Corridors or horizontal priorities in the remit of the European Coordinator's mandate, in order to ensure the consistency and advancement of each corridor or horizontal priority. The European Coordinator shall verify whether projects proposed by the Member States for CEF co-funding are consistent with the priorities of the work plan.

9. If the European Coordinator is unable to carry out his or her mandate satisfactorily and in accordance with the requirements laid down in this Article, the Commission may at any time after consulting the Member States concerned terminate that mandate and designate a new European Coordinator in accordance with the procedure set out in paragraph 1.

Article 52

Governance of European Transport Corridors and horizontal priorities

1. For each European Transport Corridor and horizontal priority, the respective European Coordinator shall be assisted in the performance of his/her tasks concerning the work plan and its implementation by a secretariat and by a consultative forum, respectively the "Corridor Forum" and the "consultative Forum for the horizontal priority".

2. The "Corridor Forum" shall be formally established and chaired by the European Coordinator. The Member States concerned shall agree on the membership of the Corridor Forum for their part of the European Transport Corridor and ensure representation of the rail freight governance.

3. With the agreement of the Member States concerned, the European Coordinator may set up and chair corridor working groups which focus on:

   (a) interoperability and deployment of new technologies and infrastructure;

   (b) the coordinated development and implementation of infrastructure projects in cross-border sections;

   (c) cross-border passenger rail services;

   (d) operational bottlenecks;

   (e) urban nodes;

   (f) cooperation with third countries;

   (g) other topics deemed necessary.

   When relevant, the European Coordinator shall cooperate and coordinate with the rail freight governance on the activities of the working groups to avoid any duplication of work.

4. The consultative Forum for the horizontal priority shall be established and chaired by the European Coordinator. The Member States concerned and, where appropriate and in agreement with Member States, representatives of the relevant sectors shall be able to participate. Member States shall designate a representative to attend the consultative Forum for ERTMS. The European Coordinator may also set up ad-hoc working groups.

5. The Member States concerned shall cooperate with the European Coordinator, participate in the Corridor Forum and the consultative forum for the horizontal priority and give the European Coordinator the information required in order to perform the tasks laid down in this Article, including information on the development of corridors in the relevant national plans and programmes contributing to the development of the Trans-European Transport network.

6. The European Coordinator may consult regional and local authorities, infrastructure managers, transport operators, in particular those which are members of the rail freight governance, the supply industry, transport users and relevant stakeholders in relation to the work plan and its implementation. In addition, the European Coordinator responsible for ERTMS shall closely cooperate with the European Union Agency for Railways and Europe's Rail Joint Undertaking and the European Coordinator for the European Maritime Space with the European Maritime Safety Agency.

Article 53

Work plan of the European Coordinator

1. Each European Coordinator of the European Transport Corridors and the two horizontal priorities shall draw up, at the latest two years after the entry into force of this Regulation and thereafter every four years, a work plan that provides a detailed analysis of the state of implementation of the corridor or horizontal priority under his/her competence and its compliance with the requirements of this Regulation as well as the priorities for its future development.

2. The work plan shall be prepared in close cooperation with the Member States concerned and in consultation of the Corridor Forum and rail freight governance, or consultative forum of the horizontal priority. The work plan of the European Transport Corridors shall be approved by the Member States concerned. The Commission shall submit the work plan to the European Parliament and the Council for information.

When drafting the work plan, the European Coordinator shall take into account the implementation plan as referred to in Article 9 of Regulation (EU) 913/2010.

3. The work plan for the European Transport Corridor shall provide a detailed analysis of the state of implementation of the corridor concerned, which includes in particular:

(a) a description of the characteristics of the corridor, in particular the cross-border sections;

(b) an analysis of the state of compliance of the corridor with the transport infrastructure requirements of this Regulation and its related progress achieved;

(c) an identification of the missing links and bottlenecks hampering the development of the corridor;

(d) an analysis of the investments required, including the different financing and funding sources committed and/or envisaged for the implementation of the projects needed for the development and completion of the corridor, in particular the cross-border sections;

(e) a description of possible solutions to address the investment needs and bottlenecks, in particular for the passenger and freight lines and links of the corridor;

(f) a plan, that may contain intermediate non-binding milestones, for the removal of physical, technical, digital, operational and administrative barriers between and within transport modes and for the enhancement of efficient multimodal transport with particular attention to cross-border sections and national missing links.

For the analysis of the investments and the preparation of the plan, the European Coordinator shall:

- cooperate with the executive board and the management board of the corridor referred to in Article 11 of Regulation (EU) No 913/2010 for the aspects related to rail freight;

- take into account the corridor relevant elements of the analysis, the action plans-elaborated by the Member States pursuant to Article 35(4) and the list referred to in Article 18, point (b), of Regulation (EU) No 913/2010 for the aspects related to the multimodal freight terminals.

- take into account the results of the monitoring performed in accordance with article 51, paragraph 7, point (b) for the aspect related to passenger services.

(g) the results of the performance monitoring of rail freight traffic undertaken by the rail freight governance in accordance with Article 19(2) of Regulation (EU) No 913/2010 and the list of corridor objectives, targets and measures defined in accordance to Article 9(1) of Regulation (EU) No 913/2010, as means to reach the operational requirements of Article 18 of this Regulation;

(h) an identification of measures in urban nodes, in cooperation with athe Member States concerned and relevant local authorities, which can contribute to the effective functioning of the freight and passenger transport on the corridor and the achievement of the objectives of the trans-European transport network, while being consistent with relevant SUMPs.

(i) an identification, established with the Member States concerned, of priorities for the development of the corridor;

(j) an analysis of the possible impacts of climate change on the infrastructure and, where appropriate, proposed measures to enhance resilience to climate change;

(k) measures to be taken in order to mitigate greenhouse gas emissions, noise and, as appropriate, other negative externalities.

4. The European Coordinator shall support to Member States in implementing the work plan, in particular as regards:

(a) at the request of the Member States concerned, the priority setting in national planning, by helping to identify implementation problems and bottlenecks, including operational issues, on each corridor or for each horizontal priority;

(b) at the request of the Member States concerned, the project and investment planning, the related costs and implementation timeline estimated to implement the European Transport Corridors or horizontal priority;

(c) the work in the supervisory body or a similar steering body of a single entity, where relevant, for the coordination, construction and/or management of cross-border infrastructure projects, in accordance with the provisions set out in Article 8(5).

Article 54

Implementing acts

1. [Building on the analysis of the first work plan of the European Coordinators adopted after the entry into force of this Regulation, the Commission shall, subject to the approval of the Member States concerned in accordance with Article 172 TFEU, adopt an implementing act for each European Transport Corridor. The implementing act shall ensure a coherent priority setting of infrastructure and investment planning by setting indicative milestones for the implementation of major missing links, bottlenecks and cross-border sections. It shall be elaborated in close collaboration with the Member States concerned and updated every four years or upon the request of Member States].

2. Without prejudice to Article 8(4a), and subject to the approval of the Member States concerned in accordance with Article 172 TFEU, the Commission may adopt implementing acts for the implementation of cross-border sections of the European Transport Corridors, or for the implementation of the horizontal priorities.

3. The implementing acts referred to in paragraphs [1 and] 2 shall be adopted in accordance with the examination procedure referred to in Article 59(3). The Commission shall amend the implementing acts in accordance with the same procedure to take into account the progress made, delays encountered or updated national programmes.

4. Until full implementation of the measures provided for in the implementing act and unless provided otherwise in the implementing act, the Member States concerned shall communicate every two years to the Commission a report on the progress achieved, indicating in particular the financial commitments made in the national budget plan. The report may refer to the information gathered in accordance with Article 55.

CHAPTER VI

COMMON PROVISIONS

Article 55

Reporting and monitoring

1. Member States shall inform the Commission on a regular, comprehensive and transparent basis about the progress made in completing the trans-European transport network through the implementation of projects of common interest and the investments made for that purpose.

1a. This information shall include yearly technical data related to the transport infrastructure requirements laid down in Chapter III of this Regulation unless such information has already been gathered at the level of the trans-European transport network for the purposes of other Union applications or databases.

1b. This transmission shall be ensured in an automated way through the interactive geographical and technical information system for the trans-European transport network (TENtec). Until the automated data exchange functionality in TENtec is fully operational, this transmission shall be ensured every two years.

1c. As regards investments related to projects of common interest, Member States shall transmit financial data every two years in the form of yearly-aggregated data per transport mode and per network (core, extended core and comprehensive).

1d. The Commission shall specify by means of implementing acts adopted in accordance with the examination procedure referred to in Article 59(3), the list of technical data to be transmitted pursuant to the first subparagraph.

2. The Commission shall ensure that TENtec is publicly and easily accessible, allowing for an automated data exchange with national systems and other relevant Union applications and data sources. TENtec shall contain project-specific and updated information on the forms and amounts of Union co-funding as well as on the progress of each project.

The Commission shall also ensure that TENtec does not make publicly available any information which is confidential or which could prejudice or unduly influence any process of public procurement in a Member State.

3. The Commission and the Member States shall make all possible efforts to ensure the quality, completeness and consistency of the data in the TENtec information system. They shall cooperate in view of allowing an automated data exchange between national systems and data sources and TENtec.

Article 56

Updating of the network

1. Subject to the approval of the Member State concerned in accordance with the second paragraph of Article 172 TFEU, the Commission is empowered to adopt delegated acts in accordance with Article 60 to amend Annexes I and II, in order to:

(a) take account of changes resulting from the quantitative thresholds laid down in Articles 20(3)(a), 24(4)**(a) and (b)** and 32(2) **and from the quantitative thresholds and qualitative requirements set out in Article 24(4)(ba)**. In that respect, the Commission shall:

(i) include inland ports, maritime ports and airports in the comprehensive network, if it is demonstrated that the latest three-year average of their traffic volume exceeds the relevant threshold;

(ii) exclude maritime ports and airports from the comprehensive network, if it is demonstrated that the average of their traffic volume over the last six years is

below 85% of the relevant threshold or at the request of the Member State concerned;

(b) include urban nodes in the trans-European transport network, if it is demonstrated that they meet the requirements set out in Article 39(2) or exclude urban nodes from the trans-European transport network at the request of the Member State concerned;

(c) include in the trans-European transport network rail road terminals and terminals along inland waterways identified by the Member State according to Article 35(5) or exclude rail road terminals from the trans-European transport network at the request of the Member State concerned;

(d) adjust, on the basis of the information provided by the Member States concerned in accordance with Article 55(1), the maps for road, railway and inland waterway infrastructure in a strictly limited way so as to reflect progress made in completing the network. In adjusting those maps, the Commission shall not admit any adjustment in route alignment beyond that which is allowed by the relevant project authorising decision.

The adaptations referred to in points (a) and (b) of the first subparagraph shall be based on the latest available statistics published by Eurostat or, if those statistics are not available, by the national statistics offices of the Member States.

1a. The delegated act including a urban node in Annex II pursuant to paragraph 1(b) shall:

a) extend the deadlines laid down by Article 40(1)(b) and (c) by 3 years, until 31 December 2030 and 31 December 2033 respectively; for those urban nodes included in Annex II after the deadlines laid down in Article 40(1)(b) or (c) have expired, those deadlines shall be extended by 3 years after the entry into force of that delegated act.

b) extend the applicable deadline for meeting the requirements under Article 40(1)(d) by 5 years, until 31 December 2045; for those urban nodes included in Annex II after the deadline laid down in Article 40(1)(d) has expired, that deadline shall be extended by 5 years after the entry into force of that delegated act.

1b. The delegated act including a rail-road terminal in Annexes I and II pursuant to paragraph 1(c) shall:

a) extend the deadlines laid down by Article 37(1)(c) and Article 37(2) by 3 years, until 31 December 2033; for those rail-road terminals included in Annexes I and II after the deadlines laid down in Article 37(1)(c) and Article 37(2) have expired, those deadlines shall be extended by 3 years after the entry into force of that delegated act.

b) extend the deadline laid down by Article 37(3) by 5 years, until 31 December 2045; for those rail-road terminals included in Annexes I and II after the deadline laid down in Article 37(3) has expired, that deadline shall be extended by 5 years after the entry into force of that delegated act.

2. A project of common interest concerning infrastructure which is newly included through a delegated act adopted pursuant to paragraph 1 in the trans-European transport network shall be eligible for Union financial assistance under the instruments available for the trans-European transport network as from the date of entry into force of that delegated acts.

Projects of common interest concerning infrastructure which have been excluded from the trans-European transport network shall cease to be eligible as from the date of entry into force of the delegated acts adopted pursuant to paragraph 1 of this Article. The cessation of eligibility shall not affect financing or grant decisions taken by the Commission before that date.

3. Subject to Article 172(2) TFEU, the Commission is empowered to adopt delegated acts in accordance with Article 60 to amend Annex IV in order to include or adapt indicative maps of transport infrastructure networks of neighbouring countries. Such delegated acts shall be based on high-level agreements on transport infrastructure networks between the Union and the neighbouring countries concerned.

Article 57

Engagement with public and private stakeholders

National procedures regarding the involvement and consultation of regional and local authorities and civil society concerned by a project of common interest shall be complied with, where appropriate, in the planning and construction phase of a project. The Commission shall promote the exchange of good practice in this regard, notably as regards the consultation and inclusion of people in situations of vulnerability.

Article 58

Alignment of national plans with Union transport policy

1. Member States shall ensure that national plans and programmes contributing to the development of the trans-European transport network are coherent with Union transport policy, with the priorities and deadlines set out in this Regulation. They shall also take into account, inter alia, the priorities set out in the work plans for the relevant corridors and horizontal priorities for the concerned Member States [and with the implementing acts adopted in accordance with Article 54(1)].

2. Deleted.

3. Member States shall provide the Commission with the relevant draft national plan(s) or programme(s) contributing to the development of the trans-European transport network or an abstract thereof, and any significant modification of those as soon as possible after a consultation of this plan or programme is launched. The Member States shall also provide the Commission with the final national plan(s) or programme(s) once adopted.

Article 59

Committee procedure

1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

2. For the purpose of Article 22(3) and (5) the Commission shall be assisted by the Committee established pursuant to Article 7 of Council Directive 91/672/EEC[61].

3. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply. Where the committee delivers no opinion, the Commission shall not adopt the draft implementing act and the third paragraph of Article 5(4) of Regulation (EU) No 182/2011 shall apply.

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61 Council Directive 91/672/EEC of 16 December 1991 on the reciprocal recognition of national boatmasters' certificates for the carriage of goods and passengers by inland waterway (OJ L 373, 31.12.1991, p. 29).

Article 60

Exercise of delegation

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

2. The power to adopt delegated acts referred to in Article 11(3), 56(1) and (3) shall be conferred on the Commission for a period of five years from […]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

3. The delegation of powers referred to in Article 11(3), 56(1) and (3) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

3a. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.

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

5. A delegated act adopted pursuant to Article 11(3), 56(1) and (3) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of the notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Article 61

Review

1. By 31 December 2033, the Commission, having consulted with Member States as appropriate and with the assistance of the European Coordinators, shall carry out an assessment of the implementation of the core network, evaluating in particular its compliance with the requirements of this Regulation.

   The assessment shall take into account the annual status report and the work plans drawn up by the European Coordinators pursuant to Article 51(5), point (e) and Article 53(1) respectively.

2. By 31 December 2033, the Commission, having consulted with Member States as appropriate and with the assistance of the European Coordinators, shall carry out a review of the implementation of the extended core and the comprehensive network, evaluating:

   (a) compliance with this Regulation;

   (b) progress in the implementation of this Regulation;

   (c) changes in passenger and freight transport flows;

   (d) developments in national transport infrastructure investment;

   (e) the need for amendments to this Regulation.

   The evaluation shall also consider the impact of evolving traffic patterns and relevant developments in infrastructure investment plans.

3. When carrying out that review, the Commission shall evaluate whether the extended core and the comprehensive network as provided for in this Regulation is likely to comply with the provisions of Chapters II, III and IV by the deadlines of 31 December 2040 and 31 December 2050, as applicable, while taking into account the economic and budgetary situation in the Union and in individual Member States. The Commission shall also evaluate, in consultation with the Member States, whether the extended core network and the comprehensive network should be modified to take into account developments in transport flows and national investment planning.

Article 62

Delay in completion of the core network, the extended core network and the comprehensive network

1. In the event of significant delay in starting or completing work on the core network, extended core network and on the comprehensive network [compared to the indicative timeline set in implementing acts in accordance with Article 54], the Commission may ask the Member State or Member States concerned to provide the reasons for the delay. Such reasons shall be provided by the Member State or Member States within three months of the request. On the basis of the reply given, the Commission shall consult the Member State or Member States concerned in order to resolve the problem that has caused the delay.

2. In case the delayed section concerns a European Transport Corridor, the European Coordinator shall be involved in view of supporting Member States in resolving the problem.

3. Without prejudice to the procedure laid down in Article 258 TFEU and to Article 8(4a), the Commission may, after considering the reasons provided by the Member State or Member States concerned pursuant to the first paragraph, in case the significant delay in starting or completing the work on the core network, extended core network or on the comprehensive network is attributable to the Member State or Member States without adequate justification, provide the Member State(s) concerned with non-binding in view of eliminating that delay and/or preventing or reducing further delays.

4. Deleted.

Article 63

Exemptions

The provisions relating to railways, and in particular any requirement to connect airports and ports to railways as well as the provisions related to safe and secure parking and multimodal freight terminals shall not apply to Cyprus, Malta and outermost regions for as long as no railway system is established within their territory.

The provisions related to European standard nominal track gauge for rail in Article 16a shall not apply to islands and outermost regions[62].

Article 64

Amendments to Regulation (EU) 2021/1153

Annex to Regulation (EU) 2021/1153 is amended in accordance with Annex VI to this Regulation.

Article 65

Amendments to Regulation (EU) No 913/2010

Regulation (EU) No 913/2010 is amended as follows:

(1) Article 1 is replaced by the following:

'Article 1

Purpose and scope

1. This Regulation lays down rules for the organisation, governance and management of international rail corridors for competitive rail freight with a view to the development of a European rail network for competitive freight. It sets out rules for the organisation, management and the indicative investment planning of freight corridors.

2. This Regulation shall apply to the governance, management and use of railway infrastructure included in freight corridors, without prejudice to the responsibilities of the Member States regarding planning of and funding of such infrastructure.'

(1a) "In Article 2(1), the reference to 'Article 2 of Directive 2001/14/EC' is replaced by a reference to 'Article 3 of Directive 2012/34/EU'"

[62] recital 42 is amended as followed:

'(42) The new geopolitical context also showed how important seamless transport connections are within the Union's territory and with neighbouring third countries. A different railway track gauge from the European nominal standard nominal track gauge of 1 435 mm severely hampers the interoperability of the railway networks across the Union and even impacts the competitiveness of those isolated railway networks. New railway lines should therefore be only built in European standard nominal track gauge of 1 435 mm. In addition, Member States with a different track gauge network should assess the migration of existing lines of the European Transport Corridors. This obligation should not apply to islands and outermost regions, as, due to their geographical situation, their network is fully detached from any land side connection on the Union territory.'

(2) in Article 2, paragraph 2 is replaced by the following:

'2. In addition to the definitions referred to in paragraph 1:

(a) 'freight corridor' means the freight railway lines, of the European Transport Corridor as defined in Article 11(1) of Regulation [... new TEN-T Regulation]* and of Annex III to that Regulation, including the railway infrastructure and its equipment and relevant rail services in accordance with Directive 2012/34/EU;

(b) 'implementation plan' means the document presenting the means, the strategy and the measures that the parties concerned intend to implement which are necessary and sufficient to organise and manage the freight corridor;

(c) 'terminal' means the installation provided along the freight corridor which has been specially arranged to allow either the loading and/or the unloading of goods onto/from freight trains, and the integration of rail freight services with road, maritime, river and air services, and either the forming or modification of the composition of freight trains; and, where necessary, performing border procedures at borders with European third countries;

(d) 'European Coordinator' means the Coordinator referred to in Article 51 of Regulation [... new TEN-T Regulation].

* Regulation […]'

(3) the Title of Chapter II is replaced by the following:

'ORGANISATION AND GOVERNANCE OF THE FREIGHT CORRIDORS'

(4) Article 3 is replaced by the following:

'Article 3

Organisation and governance of freight corridors

1. deleted.

2. From the date of entry into force of Regulation [... new TEN-T Regulation] or in the event of an amendment of the alignment of a European Transport Corridor pursuant to Article 11(3) of that Regulation, Member States and infrastructure managers responsible for the freight corridor part of that European Transport Corridor shall adjust the governance of the freight corridor within 18 months[63] of the date of the change. In duly justified cases and after the agreement of the Commission, the period may be extended to 24 months. The executive board and the management board of the freight corridor shall

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[63] Recital 30 would be amended as follows:

As stated in the Sustainable and Smart Mobility Strategy, an integration of the Core Network Corridors and of the Rail Freight Corridors into 'European Transport Corridors' is needed to increase synergies between infrastructure planning and the operation of transport. In line with that objective, the Commission is encouraged to adopt a proposal, where appropriate, to revise the rules on rail freight capacity allocation currently embedded in Regulation No 913/2010 in timely manner to ensure smooth functioning of the freight transport on the Corridors. The European Transport Corridors should become the instrument for the development of sustainable and multimodal freight and passenger transport flows in Europe and for the development of interoperable high-quality infrastructure and operational performance. As such, they should also be the tool to realise the vision of creating a highly competitive rail network across the Union.

adopt the measures necessary to adjust organisation and management of the corridor in accordance with Articles 9 to 19 to the new geographical alignment.

3. The executive board of a freight corridor may decide to address administrative, operational and interoperability aspects of international passenger rail services on the corridor. The provisions set out in Articles 11 and 14 shall not apply to these services.'

(5) Articles 4 to 7 are deleted.

(6) Article 8 is amended as follows:

(a) in paragraph 1, the following sentence is added:

'The executive board shall regularly assess the consistency between the general objectives and the objectives defined by the management board in accordance with Article 9(1), point (c).'

(ab) in paragraph 2, the reference to "Article 14(2) of Directive 2001/14/EC" is replaced by a reference to "Article 7(2) of Directive 2012/34/EU".

(ac) the following paragraph 2a is added:

A Member State which made use of Article 5(4) of this Regulation, in its initial version, may decide that, for a period not exceeding 10 years from the [date of entry into force of the revised TEN-T Regulation], the infrastructure manager(s) responsible for the railway infrastructure on its territory do not participate in the management board set up pursuant to paragraph 2 of this Article[64]. The Member State shall notify without delay the Commission and the other Member States participating in the freight corridor concerned of its decision.

In that case, the Member State and the infrastructure concerned shall cooperate with the management board where necessary for the execution of the functions that board.

A Member State making use of the first subparagraph of this paragraph may, at any time during the 10 year-period referred therein, decide that the infrastructure manager(s) responsible for the railway infrastructure on its territory starts participating in the management board set up pursuant to paragraph 2 of this Article. It shall notify without delay the Commission and the other Member States participating in the freight corridor concerned of its decision.

(ad) paragraph 5 is replaced by the following:

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[64] Following recital 30a to be added:

(30a) Under Regulation (EU) No 913/2010 in its initial version, Member States having a rail network with a track gauge different from that of the main rail network within the Union were not obliged to participate in the establishment of freight corridors or the prolongation of existing corridors under that Regulation. Such Member States should be allowed, for a maximum temporary period of 10 years, to decide that the infrastructure manager(s) responsible for the railway infrastructure on their territory do not participate in the management board of the freight corridors on their territory.

5. The management board shall take its decisions, including decisions regarding its legal status, the establishment of its organisational structure, resources and staffing, on the basis of mutual consent of the infrastructure managers concerned participating in that board. The management board may be an independent legal entity. It may take the form of a European economic interest grouping within the meaning of Council Regulation (EEC) No 2137/85 of 25 July 1985 on the European Economic Interest Grouping (EEIG).

(ae) in paragraph 6, the reference to "Article 4(2) of Directive 91/440/EEC" is replaced by a reference to "Article 4(2) of Directive 2012/34/EU".

(b) paragraph 7 is replaced by the following:

'7. The management board shall set up an advisory group made up of managers and owners of the terminals of the freight corridor including, where necessary, sea and inland waterway ports. This advisory group may issue an opinion on any proposal by the management board which has direct consequences for investment and the management of terminals. It may also issue own-initiative opinions. The management board shall take any of these opinions into account. In the event of disagreement between the management board and the advisory group, the latter may refer the matter to the executive board. The executive board shall inform European Coordinator concerned and shall act as an intermediary and issue and an opinion on the matter in due time. The European Coordinator concerned may also issue an opinion on the matter in due time. The final decision however shall be taken by the management board.'

(c) in paragraph 8, the following sentence is added:

'In the event of disagreement between the management board and the advisory group, the latter may refer the matter to the executive board. The executive board shall inform the European Coordinator and the regulatory bodies referred to in Article 55 of Directive 2012/34, concerned by the freight corridor. The executive board shall act as an intermediary and issue an opinion on the matter in due time. The European Coordinator concerned may also issue an opinion on the matter in due time. The final decision shall be taken by the management board.'

(d) the following paragraph 10 is added:

'10. The executive board and the management board shall cooperate with the European Coordinator concerned by the freight corridor to support the development of rail freight traffic along the corridor.'

(7) Article 9 is replaced by the following:

'Article 9

Measures for developing the freight corridor

1. The management board shall draw up and publish an implementation plan at the latest six months before making the freight corridor operational. The management board shall consult the advisory groups referred to in Article 8(7) and 8(8) on the draft implementation plan. The management board shall submit the implementation plan for approval to the executive board.

This plan shall include:

(a) a description of the characteristics of the freight corridor, including bottlenecks, and the programme of measures necessary to improve its organisation and management;
(b) the essential elements of the study referred to in paragraph 3;

(c) the objectives for the freight corridors, in particular in terms of performance of the freight corridor expressed as the quality of the service and the capacity of the freight corridor in accordance with the provisions of Article 19 of this Regulation, and, where relevant, quantitative or qualitative targets relating to these objectives. The objectives and the targets shall take into account the requirements set out in Article 12a of this Regulation;

(d) the measures to implement the provisions of Articles 12 to 19 and the measures to improve the performance of the freight corridor, based on the results of the assessment referred to in Article 19(3), with a view to achieve the objectives and targets referred to in point (c).

(e) the views and assessment of the advisory groups referred to in Article 8(7) and 8(8) with respect to corridor development.

(f) a summary of the cooperation and the results of the consultation referred to in Article 11, including the opinions of the advisory groups referred to in Articles 8(7) and 8(8) and a summary of the responses of other stakeholders.

When drawing up the implementation plan, the management board shall take into account the objectives and measures contained in the work plan of the European Coordinator, referred to in Article 53 of Regulation [... new TEN-T Regulation]. The implementation plan shall include a reference to the elements of the work plan which are relevant for rail freight traffic along the corridor.

The management board shall regularly review and adjust the targets referred to in point (c) and the measures referred to in point (d), based on the assessment referred to in Article 19(3) following the consultation of the advisory groups referred to in Article 8(7) and 8(8) and the European Coordinator.

2. The management board shall periodically, at least every four years, review the implementation plan taking into account progress made in its implementation, the rail freight market on the freight corridor and performance measured in accordance with the objectives referred to in point (c) of paragraph 1.

3. The management board shall carry out and periodically update a transport market study relating to the observed and expected changes in the traffic on the freight corridor, covering the different types of traffic, both regarding the transport of freight and the transport of passengers. This study shall also review, where necessary, the socio-economic costs and benefits stemming from the development of the freight corridor.

4. The implementation plan shall take into account the development of terminals, including the market and prospective analysis on multimodal freight terminals as well as the action plans of the Member States of the freight corridor, referred to in Article 35(3) and (4) of Regulation [... new TEN-T Regulation].

5. The management board shall, as appropriate, take measures to cooperate with regional and/or local administrations in respect of the implementation plan.'

(8) Article 11 is replaced by the following:

'Article 11

Investment planning

1. The executive board and the management board of a freight corridor shall cooperate with the European Coordinator concerned by the freight corridor in relation to the infrastructure

and investments needs resulting from the rail freight traffic to support the drawing up of the work plan referred to in Article 53 of Regulation (EU) [... new TEN-T Regulation].

2. The management board shall consult the advisory groups referred to in Articles 8(7) and 8(8) on infrastructure development and investment needs. The consultation shall be based on an adequate, up-to-date documentation of the infrastructure planning at corridor and national level. Opinions by the advisory groups on investment shall be substantiated with sufficient justification. The executive board shall ensure adequate coordination between these consultation activities and the coordination mechanisms at national level as defined in Article 7e of Directive 2012/34/EU.

3. The cooperation and the consultation shall address in particular:
   (a) capacity needs of rail freight transport relevant for infrastructure and investment planning, in particular as regards freight trains with a length of no less than 740 m, taking into account the need for capacity pursuant to Article 14(2) and any infrastructure declared congested pursuant to Article 47 of Directive 2012/34/EU;
   (b) TEN-T infrastructure requirements relevant for rail freight transport as defined in Chapters II and III of Regulation (EU) [... new TEN-T Regulation];
   (c) need for targeted investments to remove local bottlenecks, improvements to nodes and rail access routes or technical equipment enhancing operational performance.'

(8a) A new Article 12a is added:

'Article 12a

Operational requirements for the Rail Freight Corridors

1. ~~Member States~~**The management board** shall make all the possible efforts to ensure that, by 31 December 2030, the quality of services provided ~~by infrastructure managers~~ to railway undertakings and technical and operational requirements for infrastructure use do not prevent the operational performance of rail freight services along the freight corridors from meeting the following target values:

   (a) for each internal Union cross-border section, except the ones where a change of track gauge takes place, the dwelling time of all freight trains crossing the border does not exceed 30 minutes on average. Dwelling time of a train on a cross-border section means the total additional transit time that can be attributed to the existence of the border crossing, irrespective of procedures or considerations of infrastructural, operational, technical and administrative nature. Dwelling time does not include the time that cannot be attributed to the border crossing, such as operational procedures carried out in facilities located in the proximity of the border crossing but not intrinsically related to it;

   (b) at least 75% of the freight trains crossing at least one border of a freight corridor arrive at their destination, or at the external Union border if their destination is outside the Union, at their scheduled time or with a delay of less than 30 minutes by reasons that are attributable to the infrastructure manager(s).

2. Deleted.

(8b) Article 13 is amended as follows:

(a) in paragraph 3, the reference to "Directive 2001/14/EC" is replaced by a reference to "Directive 2012/34/EU"

(b) in paragraph 4:

- the reference to "Article 14(2) of Directive 2001/14/EC" is replaced by a reference to "Article 7(2) of Directive 2012/34/EU";

- the reference to "Article 13 and Chapter III of that Directive" is replaced by a reference to "Article 38 and Chapter IV, Section 3, of that Directive".

(8c Article 14 is amended as follows:

(a) in paragraph 1, the reference to "Article 14(1) of Directive 2001/14/EC" is replaced by a reference to "Article 39 of Directive 2012/34/EU"

(b) in paragraph 3:

- the reference to "Article 15 of Directive 2001/14/EC" is replaced by a reference to "Article 40 of Directive 2012/34/EU";

- the reference to "Annex III of Directive 2001/14/EC" is replaced by a reference to "Annex VII of Directive 2012/34/EU".

(c) in paragraph 5, the reference to "Article 23 of Directive 2001/14/EC" is replaced by a reference to "Article 48 of Directive 2012/34/EU"

(d) in paragraph 8, the reference to "Article 19(1) of Directive 2001/14/EC" is replaced by a reference to "Article 44(1) of Directive 2012/34/EU"

(e) in paragraph 10, the reference to "Article 14(2) of Directive 2001/14/EC" is replaced by a reference to "Article 7(2) of Directive 2012/34/EU";

(8c) In Article 15:

- the reference to "Article 16(1) of Directive 2001/14/EC" is replaced by a reference to "Article 41(1) of Directive 2012/34/EU";

- the reference to "Article 10(5) of Directive 91/440/EEC" is replaced by a reference to "Article 28 Directive 2012/34/EU

(8d) In Article 17(2), the reference to "Article 3 of Directive 2001/14/EC" is replaced by a reference to "Article 27 of Directive 2012/34/EU"

(8e) In Article 18, point a), the reference to "Article 3 of Directive 2001/14/EC" is replaced by a reference to "Article 27 of Directive 2012/34/EU"

(9) Article 19 is replaced by the following:

'Article 19

Quality of service on the freight corridor

1. The management board of the freight corridor shall promote compatibility between the performance schemes along the freight corridor, as referred to in Article 35 of Directive 2012/34/EU.
2. The management board shall monitor the performance of services provided by the infrastructure managers to applicants in fulfilment of their essential functions, as far as in the scope of Articles 12 to 18, and of rail freight services on the freight corridor. Performance monitoring shall be carried out in qualitative and quantitative terms, where appropriate based on performance indicators relating to the objectives and targets of the

freight corridor defined in accordance with point (c) of Article 9(1). The management board shall consult the advisory groups referred to in Article 8(7) and 8(8) and the European Coordinator on relevant performance indicators.

3. The management board shall assess the results of the performance monitoring with respect to the objectives and targets defined in accordance with point (c) of Article 9(1) and to the operational requirements referred to in Article 12a.

4. The management board shall prepare and publish an annual report presenting the results of the activities carried out pursuant to this Article. It shall present the views and assessment of performance by the advisory groups referred to in Article 8(7) and 8(8) in a dedicated section of the report. The management board shall submit the annual report for approval to the executive board.'

(9a) Article 20 is amended as follows:
(a) In paragraph 1:

- the reference to "Article 30 of Directive 2001/14/EC" is replaced by a reference to "Article 55 of Directive 2012/34/EU";

- the second sentence is replaced by the following: "In particular, they shall ensure non-discriminatory access to the corridor and shall be responsible for the appeal provided for under 56(1) of that Directive."

(b) In paragraph 6, the reference to "Article 15(1) of Directive 2001/14/EC" is replaced by a reference to "Article 40(1) and (2) of Directive 2012/34/EU.

(9**b**~~a~~) Article 21 is deleted.

(10) Articles 22 and 23 are replaced by the following:

'Article 22

Monitoring implementation

Every four years from the time of the establishment of a freight corridor, the executive board referred to in Article 8(1) shall present to the Commission the results of the implementation plan for that corridor. The Commission shall analyse those results and notify the Committee referred to in Article 62 of Directive 2012/34 of its analysis.'

Article 23

Report

The Commission shall periodically examine the application of this Regulation. It shall submit a report to the European Parliament and the Council, at the latest two years after entry into force of this Regulation and every four years thereafter.'

(11) the Annex to this Regulation is deleted.

Article 66

Repeal

Regulation (EU) No 1315/2013 is repealed with effect from [date of entry into force of this Regulation].

References to the repealed Regulation (EU) No 1315/2013 shall be construed as references to this Regulation and shall be read in accordance with the correlation table in Annex VII.

Article 67

Entry into force

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

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

Done at Strasbourg,

For the European Parliament	*For the Council*
The President	*The President*

ANNEX V

SUSTAINABLE URBAN MOBILITY PLANNING GUIDELINES FOR URBAN NODES

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

1) *Goals and objectives*: A Sustainable Urban Mobility Plan (SUMP) should 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 should 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 should include a – or be linked to an existing – long term strategy for the future development of transport infrastructure and multi-modal services. It should also include a delivery plan for the short-term implementation of the strategy. It should 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 should promote multimodal transport through the integration of the different modes and measures aimed at facilitating seamless and sustainable mobility. It should 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 should 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 should 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 should 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 should also be involved.

6) *Monitoring and performance indicators*: A SUMP should include objectives, targets and indicators underpinning the current and future performance of the urban transport system. Its implementation should be monitored using performance indicators.