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## **INFORMATION NOTE**

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From: General Secretariat of the Council  
To: Permanent Representatives Committee/Council

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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 - Outcome of the European Parliament's first reading (Strasbourg, 22 to 25 April 2024)

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### **I. INTRODUCTION**

In accordance with the provisions of Article 294 of the TFEU and the Joint declaration on practical arrangements for the codecision procedure<sup>1</sup>, a number of informal contacts have taken place between the Council, the European Parliament and the Commission with a view to reaching an agreement on this file at first reading.

In this context, the Chair of the Committee on Transport and Tourism (TRAN) Karima DELLI (Greens/EFA, FR) presented on behalf of TRAN a compromise amendment (amendment number 549) to the abovementioned proposal for a Regulation for which the co-rapporteurs, Barbara THALER (EPP, AT) and Dominique RIQUET (RE, FR) had prepared a draft report. This amendment had been agreed during the informal contacts referred to above. No other amendments were tabled.

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<sup>1</sup> OJ C 145, 30.6.2007, p. 5.

## II. VOTE

When it voted on 24 April 2024, the plenary adopted the compromise amendment (amendment number 549) to the abovementioned proposal for a Regulation. The Commission's proposal as thus amended constitutes the Parliament's first-reading position which is contained in its legislative resolution as set out in the Annex hereto<sup>2</sup>.

The Parliament's position reflects what had been previously agreed between the institutions. The Council should therefore be in a position to approve the Parliament's position.

The act would then be adopted in the wording which corresponds to the Parliament's position.

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<sup>2</sup> The version of the Parliament's position in the legislative resolution has been marked up to indicate the changes made by the amendments to the Commission's proposal. Additions to the Commission's text are highlighted in *bold and italics*. The symbol "■" indicates deleted text.

## **P9\_TA(2024)0317**

### **Trans-European transport network**

**European Parliament legislative resolution of 24 April 2024 on the 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 (COM(2021)0812 – C9-0472/2021 – 2021/0420(COD))**

**(Ordinary legislative procedure: first reading)**

*The European Parliament,*

- having regard to the Commission proposal to Parliament and the Council (COM(2021)0812) and the amended proposal (COM(2022)0384),
  - having regard to Article 294(2) and Article 172 of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C9-0472/2021),
  - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
  - having regard to the reasoned opinion submitted, within the framework of Protocol No 2 on the application of the principles of subsidiarity and proportionality, by the French Senate, asserting that the draft legislative act does not comply with the principle of subsidiarity,
  - having regard to the opinion of the European Economic and Social Committee of 25 October 2021<sup>1</sup>,
  - having regard to the opinion of the Committee of the Regions of 11 October 2022<sup>2</sup>,
  - having regard to the provisional agreement approved by the committee responsible under Rule 74(4) of its Rules of Procedure and the undertaking given by the Council representative by letter of 9 February 2024 to approve Parliament's position, in accordance with Article 294(4) of the Treaty on the Functioning of the European Union,
  - having regard to Rule 59 of its Rules of Procedure,
  - having regard to the report of the Committee on Transport and Tourism (A9-0147/2023),
1. Adopts its position at first reading hereinafter set out;
  2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;

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<sup>1</sup> OJ C 290, 29.7.2022, p. 120.

<sup>2</sup> OJ C 498, 30.12.2022, p. 68.

3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

**Position of the European Parliament adopted at first reading on 24 April 2024 with a view to the adoption of Regulation (EU) 2024/... of the European Parliament and of the Council on Union guidelines for the development of the trans-European transport network, amending Regulations (EU) 2021/1153 and (EU) No 913/2010 and repealing Regulation (EU) No 1315/2013**

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 172 thereof,

Having regard to the proposal from the European Commission,

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

Having regard to the opinion of the European Economic and Social Committee<sup>1</sup>,

Having regard to the opinion of the Committee of the Regions<sup>2</sup>,

Acting in accordance with the ordinary legislative procedure<sup>3</sup>,

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<sup>1</sup> OJ C 290, 29.7.2022, p. 120.

<sup>2</sup> OJ C 498, 30.12.2022, p. 68.

<sup>3</sup> Position of the European Parliament of 24 April 2024.

Whereas:

- (1) The Commission Communication of 11 December 2019 entitled ‘The European Green Deal’ sets a climate neutrality objective to be achieved by the Union by 2050, as well as a clear objective to reduce net greenhouse gas emissions by at least 55 % by 2030, compared to 1990 levels. Those objectives are set as a target in Regulation (EU) 2021/1119 of the European Parliament and of the Council<sup>4</sup>.
- (2) Transport emissions represent around 25 % of the Union’s total greenhouse gas emissions, and these emissions have increased over recent years. The European Green Deal therefore calls for a 90 % reduction in greenhouse gas emissions from transport in order for the Union to become a climate-neutral economy by 2050, while working towards the zero-pollution ambition, as expressed in Commission Communication of 12 May 2021 entitled “Pathway to a Healthy Planet for All EU Action Plan: 'Towards Zero Pollution for Air, Water and Soil’”.

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<sup>4</sup> Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 (OJ L 243, 9.7.2021, p. 1).

- (3) The Commission Communication of 9 December 2020 entitled “Sustainable and Smart Mobility Strategy – putting European transport on track for the future” (“Commission Communication on Sustainable and Smart Mobility Strategy”) sets out milestones to show the European transport system’s path towards achieving the objectives of a sustainable, smart and resilient mobility. It envisages that rail freight traffic should increase its market share by 50 % by 2030 and double by 2050; while transport by inland waterways and short-sea shipping should increase its market share by 25 % by 2030 and by 50 % by 2050 and traffic on high-speed rail should double by 2030 and triple by 2050. Also, at least 30 million zero-emission cars and 80 000 zero-emission trucks should be in operation on Union roads by 2030, and nearly all cars, vans and buses and new heavy-duty vehicles should be zero-emission by 2050. Moreover, scheduled collective travel under 500 km should be carbon-neutral by 2030 within the Union and by 2030, there should be at least 100 climate-neutral cities in Europe.
- (4) The realisation of the trans-European transport network creates the enabling conditions in terms of infrastructure basis allowing to make all transport modes more sustainable, affordable and inclusive, to make sustainable alternatives widely available in a multimodal transport system and to put in place the right incentives to drive the transition, notably by ensuring a fair transition, in line with the objectives presented in the Council Recommendation of 16 June 2022 on ensuring a fair transition towards climate neutrality<sup>5</sup>.

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<sup>5</sup> OJ C 243, 27.6.2022, p. 35.

- (5) The planning, development and operation of the trans-European transport network should enable sustainable forms of transport, provide for improved multimodal and interoperable transport solutions and for an enhanced intermodal integration of the entire logistic chain, thereby contributing to a smooth functioning of the internal market by creating the arteries that are necessary for smooth passenger and freight transport flows across the Union, ***and by establishing seamless transport connections with neighbouring countries***. In addition, the network should aim at strengthening economic, social and territorial cohesion by ensuring accessibility and connectivity for all regions of the Union, including a better connectivity of the outermost regions and other remote, rural, insular, peripheral and mountainous regions as well as sparsely populated areas. The development of the trans-European transport network should also enable seamless, safe and sustainable mobility of goods and persons in all their diversity and should contribute to further economic growth and competitiveness in a global perspective, by establishing interconnections and interoperability between national transport networks in a resource-efficient and sustainable way.



- (6) Growth in traffic has resulted in increased congestion in international transport. In order to ensure the international mobility of passengers and goods, the capacity of the trans-European transport network and the use of that capacity should be optimised and, where necessary, expanded by removing infrastructure bottlenecks and bridging missing infrastructure links within and between Member States and, as appropriate, neighbouring countries, and taking into account the ongoing negotiations with candidate and potential candidate countries.
- (7) The trans-European transport network consists to a large extent of existing infrastructure. In order to fully achieve the objectives of the new trans-European transport network policy, uniform requirements regarding the infrastructure should be established.
- (8) 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 *and resilience*. Projects of common interest should demonstrate a European added value. Such projects should also be economically viable. Projects in sparsely populated areas *or projects that are essential for the dual use of infrastructure*, 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.

- (9) In the implementation of projects of common interest, due consideration should be given to the particular circumstances of the individual project concerned. Where possible, synergies with other policies should be exploited, for instance with *the trans-European energy or telecommunication networks or with the dual-use infrastructure for military purposes, as well as with* tourism aspects by including, within civil engineering structures such as bridges or tunnels, bicycle infrastructure for cycling paths, including the EuroVelo routes, or with security aspects by including new technologies such as sensors in bridges.
- (10) In order to achieve a high-quality, *efficient and resilient* transport infrastructure across all modes, the development of the trans-European transport network should take into account the security and safety of passengers and freight movements, the contribution to climate change and the impact of climate change and of potential natural hazards and human-made disasters on infrastructure and accessibility for all transport users, especially in regions that are particularly affected by the negative impacts of climate change.

**(11) *The trans-European transport network should contribute to the improvement of the quality of services, social conditions for transport workers and accessibility for all users, including persons with disabilities or reduced mobility and other people in situations of vulnerability, as well as to the prevention and mitigation of transport poverty. Particular attention should be given to the gender dimension to ensure equal access to services and infrastructure.***

**(12)** During infrastructure planning, Member States and other project promoters should give due consideration to the risk assessments and adaptation measures that seek to improve resilience, for example to climate change, natural hazards and human-made disasters. By providing further incentives to develop sustainable forms of transport and with the implementation of high-level standards for green transport infrastructure, the realisation of the trans-European transport network will support the “do no significant harm” principle within the meaning of Article 17 of the Taxonomy Regulation (EU) 2020/852 of the European Parliament and of the Council<sup>6</sup>.

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<sup>6</sup> Regulation (EU) 2020/852 of the European Parliament and of the Council of 18 June 2020 on the establishment of a framework to facilitate sustainable investment, and amending Regulation (EU) 2019/2088 (OJ L 198, 22.6.2020, p. 13).

- (13) Given the evolution of the Union infrastructure needs and the decarbonisation goals, the Conclusions of the 2020 July European Council, according to which Union expenditure should be consistent with Paris Agreement objectives and the "do no significant harm" principle, projects of common interest should be assessed in order to ensure that trans-European transport network policy is coherent with transport, environmental and climate policy objectives of the Union. Member States and other project promoters should carry out environmental assessments of plans and projects which should include, for projects for which the procurement process for an environmental impact assessment has not been initiated by the date of entry into force of this Regulation, the “do no significant harm” assessment based on the latest available guidance and best practice.

- (14) Infrastructure projects under this 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 should 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 other Union legal acts, in particular implementing acts concerning the conditions of allocation of Union financial support to projects of common interests under Regulation (EU) 2021/1153 *of the European Parliament and of the Council*<sup>7</sup>, 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 by the date entry into force of this Regulation.
- (15) Member States and other project promoters should carry out environmental assessments of plans and projects in accordance with the relevant legislation in order to avoid or, where avoidance is not possible, to mitigate or compensate for negative impacts on the environment, such as landscape fragmentation, soil sealing and air and water pollution, as well as noise, and to protect biodiversity effectively.

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<sup>7</sup>- *Regulation (EU) 2021/1153 of the European Parliament and of the Council of 7 July 2021 establishing the Connecting Europe Facility and repealing Regulations (EU) No 1316/2013 and (EU) No 283/2014 (OJ L 249, 14.7.2021, p. 38).*

- (16) The interests of regional and local authorities, as well as those of the public concerned by a project of common interest, should be appropriately taken into account in the planning and construction phase of projects.
- (17) The definition of the trans-European transport network should be based on a common and transparent methodology and should represent the highest level of infrastructure planning within the Union. It should be multimodal, that is to say it should include all transport modes and their connections as well as relevant traffic and travel information management systems.
- (18) The trans-European transport network should be gradually developed in three steps with the overall aim to realise a multimodal and interoperable European wide network of high-quality standards, while respecting the overall Union climate neutrality and environmental objectives: the completion of a core network by 2030, of an extended core network by 2040 and of a comprehensive network by 2050, unless otherwise specified in this Regulation.

- (19) Further to the deadlines of 2030 and 2050 that have already been introduced under Regulation (EU) No 1315/2013 of the European Parliament and of the Council<sup>8</sup>, an intermediary deadline of 2040 for the compliance of the network with this Regulation should be added for the extended core network that is part of the European Transport Corridors. The same intermediary deadline should also apply for new standards on the core network that have been introduced in addition to the requirements in Regulation (EU) No 1315/2013 as to allow for the necessary investments in due time. ■
- (20) *Transport infrastructure functions as a network, therefore the non-conformity or non-operability of a small segment can hamper the efficiency and competitiveness of the system as a whole and prevent advantage being taken of the full network benefits.*

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<sup>8</sup> Regulation (EU) No 1315/2013 of the European Parliament and of the Council of 11 December 2013 on Union guidelines for the development of the trans-European transport network and repealing Decision No 661/2010/EU (OJ L 348, 20.12.2013, p. 1).

- (21) The trans-European transport network should be a Europe-wide transport network ensuring the accessibility and connectivity of all regions in the Union, including the outermost regions and other remote, rural, insular, peripheral and mountainous regions, as well as sparsely populated areas, and strengthening social, economic and territorial cohesion between them. The requirements for the infrastructure of the trans-European transport network should be set in order to promote the development of a high-quality network throughout the Union.
- (22) The trans-European transport network should be sufficiently equipped with alternative fuels infrastructure **■**, in line with the deadlines set in Regulation (EU) **2023/1804** of the European Parliament and of the Council<sup>9</sup>, ***in order to ensure that it effectively supports the transition to zero and low emission mobility.***
- (23) In addition to the core network, an extended core network should be defined on the basis of priority sections of the comprehensive network which are part of the European Transport Corridors.

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<sup>9</sup> ***Regulation (EU) 2023/1804 of the European Parliament and of the Council of 13 September 2023 on the deployment of alternative fuels infrastructure, and repealing Directive 2014/94/EU (OJ L 234, 22.9.2023, p. 1).***



- (24) The core network has been identified on the basis of an objective planning methodology. That methodology has identified the most important urban nodes, ports and airports, as well as border crossing points. Wherever possible, those nodes are to be connected by rail or road, or both, to the trans-European transport network as long as they are economically viable and feasible. The methodology has ensured the interconnection of all Member States and the integration of the main islands into the core network.
- (25) The core network with a deadline of 2030 and the extended core network with a deadline of 2040, unless otherwise specified in this Regulation, should constitute the foundation of the sustainable multimodal transport network, representing the strategically most important nodes and links of the trans-European transport network, according to traffic needs. They should stimulate the development of the entire comprehensive network and enable Union action to concentrate on those components of the trans-European transport network with the highest European added value, in particular cross-border sections, missing links, multimodal connecting points and major bottlenecks.

- (26) Certain existing standards of the core network should be extended to the extended core network and comprehensive network in order to reap full network benefits, to increase interoperability between network types and to enable more activity by more sustainable forms of transport, including through higher digitalisation and other technological solutions.
- (27) Exemptions from the infrastructure requirements applicable to the core network, extended core network and comprehensive network should be possible only in duly justified cases and subject to certain conditions. This should include cases where investment cannot be justified, or where there are specific geographic or significant physical constraints, for example in outermost regions and other remote, insular, peripheral and mountainous regions or in sparsely populated areas, or in densely populated areas, ***or where there are significant*** negative impacts on environment or biodiversity. ***When assessing Member States' requests for exemptions, the Commission should take into due consideration possible impacts on the interoperability and continuity of the network and also its impact on connected sections in neighbouring Members States.***

- (28) *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 of 1 435 mm ■ certain standards and requirements of this Regulation, as it would not be justified in economic cost-benefit terms by virtue of the specificities of isolated networks. Such specificities arise from the detachment of isolated networks from other networks with the European standard nominal track gauge of 1 435 mm. Moreover, while Member States should make all possible efforts to allow for the allocation on the entire network of a minimum number of train paths to freight trains with a length of at least 740 metres, they may, when assessing such efforts, take into account the specific characteristics and challenges of isolated networks and the fact that, on those networks, such allocation would not always be justified in socio-economic terms.*
- (29) 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, to be implemented in close cooperation with the European macro regional and sea basin strategies, 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. *In the promotion of projects of common interest, attention should be paid in particular to the promotion of improved access to outermost and other remote, insular and peripheral regions.*

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- (30) The Rail Freight Corridors established on the basis of Regulation (EU) No 913/2010 of the European Parliament and of the Council<sup>10</sup> and the Core Network Corridors defined in Regulation (EU) No 1315/2013 are complementary policy instruments pursuing closely related objectives, in particular to boost sustainable, efficient and safe transport services. Although cooperation has been fruitful on many aspects, in some cases overlapping of activities and needs for a better exchange of information have been identified. Moreover, the Rail Freight Corridors and the Core Network Corridors are not entirely geographically aligned, limiting the possibility for coordination, for example on issues such as the deployment of the infrastructure requirements of the trans-European transport network or the improvement of the quality of railway services. There is therefore an important untapped potential for streamlining, increased effectiveness and synergies.
- (31) As stated in the Commission Communication on 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. █ 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.

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<sup>10</sup> Regulation (EU) No 913/2010 of the European Parliament and of the Council of 22 September 2010 concerning a European rail network for competitive freight (OJ L 276, 20.10.2010, p. 22).

**(32) *New operational priorities for the European Transport Corridors should apply to ensure a high quality of services. In particular, the rail freight governance should make all possible efforts to ensure that the dwelling time of freight trains crossing a border between two Member States does not exceed 25 minutes on average and that most trains crossing at least one border of a European Transport Corridor arrive at their destination or at the external Union border at their scheduled time or with a delay of less than 30 minutes. The time-limit for dwelling time should not apply where a change of track gauge takes place. It should not apply either at borders between two Member States where the controls in application of Regulation (EU) 2016/399<sup>1</sup>, which imposes in particular to carry out checks on train passengers and on railway staff on passenger and goods trains crossing external borders, have not yet been lifted and where the checks carried on trains in application of that Regulation do not allow for this time-limit to be complied with. Those changes of track gauge and checks on trains may lead to congestion and longer waiting time at the border. Delays occurred in and attributable to third countries that are crossed by freight trains should also not be taken into account.***



- (33) *Originally, under Regulation (EU) No 913/2010, 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.*
- (34) *Regulation (EU) No 913/2010 aims mainly at the organisation and the management of international rail corridors for competitive rail freight. Given its insularity, Ireland is not connected to other Member States by rail. Moreover, under that Regulation, 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. Ireland made use of that possibility. Accordingly, no rail freight corridor was established on the territory of Ireland. In those circumstances, given the limited added value for Irish authorities and its infrastructure managers of participating in the governance of the freight corridors under Regulation (EU) No 913/2010, Ireland should be able to decide that the representatives of its authorities and infrastructure managers responsible for the railway infrastructure on its territory do not participate in the executive board or in the management board, or both, of the freight corridors on its territory.*

- (35) European Transport Corridors should cover the most important long-distance transport flows and consist of key European transport multimodal axis, based on parts of the trans-European transport network, cross borders, be multimodal and open to the inclusion of all transport modes covered in this Regulation, ***and may also include neighbouring countries.***
- (36) In order to establish the trans-European transport network in a coordinated and timely manner, thereby making it possible to maximise network effects, Member States concerned should ensure that appropriate measures are taken to finalise the projects of common interest of the core network, the extended core network and the comprehensive network by the set deadlines 2030, 2040 and 2050 respectively, unless otherwise specified in this Regulation. To this end, Member States should ensure that there is coherence of the national transport and investment plans with the priorities set out in this Regulation. Member States should also take into account, inter alia, the priorities set out in the work plans of the European Coordinators ***and in the implementing acts adopted in accordance with this Regulation.*** However, the scope, methodology or timeframe of national plans and programs remain solely within the competence of Member States.

- (37) It is necessary to identify projects of common interest which will contribute to the achievement of the trans-European transport network and which contribute to the achievement of the objectives and correspond to the priorities established in this Regulation. Their implementation should depend on their degree of maturity, on their compliance with Union and national legal procedures and on the availability of financial resources, without prejudging the financial commitment of a Member State or of the Union.
- (38) Projects of common interest to develop the trans-European transport network in line with the requirements set out in this Regulation have European added value, as they contribute to a high-quality, *resilient*, interoperable and multimodal European network, increasing sustainability, cohesion, efficiency or user benefits. The European added value is higher if it leads, in addition to the potential value for the respective Member State alone, to significant improvements of transport connections or transport flows between Member States or between a Member State and a third country. Such cross-border projects should be the subject of priority intervention by the Union in order to ensure that they are implemented.



- (39) ***With a view to meeting the requirements of this Regulation***, Member States and other project promoters should ensure that assessments of projects of common interest are carried out efficiently, avoiding unnecessary delays, ***and, where applicable in accordance with Directive (EU) 2021/1187 of the European Parliament and of the Council<sup>12</sup> make all possible efforts to ensure that those projects are implemented in a timely and efficient manner.***
- (40) ***When carrying out socio-economic cost-benefit analysis, Member States should follow a recognised and harmonised approach in order to enable a transparent and comparative evaluation of projects of common interest. The analysis of climate-related and environmental costs and benefits should be based on the environmental impact assessment carried out pursuant to Directive 2011/92/EU of the European Parliament and of the Council<sup>13</sup>.***

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<sup>12</sup> Directive (EU) 2021/1187 of the European Parliament and of the Council of 7 July 2021 on streamlining measures for advancing the realisation of the trans-European transport network (TEN-T) (OJ L 258, 20.7.2021, p. 1).

<sup>13</sup> 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).

- (41) 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. The Union should, where appropriate, promote projects of common interest with those countries, ensuring that the objectives and interoperability requirements of the trans-European transport network are complied with. Such projects should also be aligned with the goal of achieving climate neutrality in the Union by 2050 and ensure that there is level playing field in transport, in particular by preventing carbon leakage.
- (42) *The resilience of the European transport network has been challenged and put to test by the devastating impact of Russia's war of aggression against Ukraine. That aggression has redefined the geopolitical landscape, bringing to the surface the vulnerability of the Union to unforeseen disruptive events beyond the Union's borders. Its major impacts on global markets, such as global food security, has highlighted the fact that the Union's internal market and its transport network cannot be viewed in isolation when it comes to shaping Union policy. More than ever, better connections with the Union neighbouring partner countries are needed.*

**(43) Given that new geopolitical context, the Commission Communication of 12 May 2022 entitled “An action plan for EU-Ukraine Solidarity Lanes to facilitate Ukraine's agricultural export and bilateral trade with the EU” identifies several major transport infrastructure challenges that the Union and its neighbouring countries need to resolve in order to support Ukraine’s economy and recovery, to enable agricultural and other goods to reach the Union and world markets, and ensure that connectivity with the Union is greatly enhanced for both exports and imports. To offer increased connectivity with the Union, that Communication proposed to assess the extension of the European Transport Corridors into Ukraine and the Republic of Moldova.**

**(44) *Because of Russia’s war of aggression against Ukraine, and the position adopted by Belarus in that conflict, cooperation between the Union and Russia and Belarus in the field of the trans-European transport network policy is neither appropriate or in the interest of the Union. Hence, the trans-European transport network in those two third countries should be discontinued. As a consequence, improved cross-border connections to Russia and Belarus are no longer of high priority on the territory of the Member States. Connections currently exist between Finland, Estonia, Latvia, Lithuania and Poland with those two third countries. To reflect the lesser priority in building and upgrading those connections, the last-miles of all cross-border connections with Russia and Belarus currently included in the core network should be downgraded in the maps included in this Regulation from the core to the comprehensive network for which only a later deadline of implementation of 2050 is provided for. However, in the event of a democratic transition in Belarus, building and upgrading the country’s cross border connections with the Union in line with the comprehensive economic plan for a democratic Belarus would be a high priority, including through re-inclusion of the country back in the Regulation.***

**(45) *The new geopolitical context arising from Russia's war of aggression against Ukraine showed how important seamless transport connections are within the Union's territory and with neighbouring countries. A railway track gauge different from that of the European 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 of the core network or extended core network should therefore be built in European standard nominal track gauge of 1 435 mm. In addition, Member States with a network with a track gauge different from that of the European standard nominal track gauge of 1435 mm should assess the migration of existing lines of the European Transport Corridors to the European standard nominal track gauge of 1 435 mm. This obligation should not apply to island and outermost regions, as, due to their geographical situation, their network is fully detached from any land-side connection on the Union territory.***

(46) 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 *allowing rail services for passengers and freight at minimum speeds. The Union should also, in the promotion of projects of common interest, pay due attention to the implementation of double-track infrastructure for railway infrastructure suffering from capacity bottlenecks.* Competitive passenger rail *at high speed* 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 lines designed for a 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. Speed design requirements *for passenger and freight lines* 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. Exemptions should be granted by the Commission at the request of a Member State to enable further flexibility beyond the specific percentage values laid down in this Regulation, if needed and justified. When upgrading the infrastructure, Member States are encouraged to examine possibilities of design for higher speed as provided in Annex I to Directive (EU) 2016/797 of the European Parliament and of the Council. *Complementary to high-speed trains, night trains represent a sustainable way of long-distance travelling across the Union.*

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<sup>14</sup> 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).

- (47) A more sustainable, resilient and reliable rail freight network across Europe should be established to contribute to the competitiveness of *multimodal and* combined transport. The infrastructure for combined railway transport and of terminals should be upgraded to ensure that intermodal transport is primarily done by rail, inland waterways or short-sea shipping and that any initial or final, or both, legs carried out by road are as short as possible.

**(48) *Intermodal transport accounts for around half of rail freight ton-kilometres in Europe, with its share growing. In order to achieve goals stipulated in the Commission Communication 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. With 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 m high loaded at a height of at least 27 cm above the top of the rail track while a minimum height of 33 cm should be encouraged. 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 to ensure that its implementation is done in a cost-effective manner. In this respect, Member States should ensure that the requirement is implemented in a way that at least one domestic direct line, one direct rail freight line connection with neighbouring Member State or Member States, 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. When assessing exemptions requests from the requirement related to carriage of the semi-trailers under this Regulation, the Commission should particularly take into consideration the result of the socio-economic cost-benefit analysis, as well as the potential disruption of the services caused by the necessary work needed to meet this standard. Moreover, when assessing requests for the exemptions from the requirements applicable to the railway infrastructure of the extended core network, the Commission should particularly take into consideration any major investment undertaken by the Member State concerned on a parallel line in close proximity to the ones to be newly constructed.*

- (49) *Given the fact that the deployment of the European Rail Traffic Management System (ERTMS) in Europe is accelerating, and several Member States have already adopted plans to deploy ERTMS on their entire national rail networks in an anticipated manner, there is a need to take account of this paradigm shift and set a more ambitious ERTMS deployment approach for the comprehensive network.*
- (50) Member States should ensure that the 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, a priority in terms of timing should be given to the lines which can contribute to the safe and efficient cross-border international rail transport. As deployment of a radio-based ERTMS further contributes to the elimination of national rules affecting operation, Member States should ensure that **radio-based ERTMS is deployed from 2030 on new lines, or from 2040 in the event of the upgrading of the signalling system on existing lines, and that** the entire trans-European transport network *is* equipped with radio-based ERTMS by 2050.

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- (51) 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 should, *except in certain cases, ensure the decommissioning of class B systems by 2040 on the core network, by 2045 on the extended core network and by 2050 on the comprehensive network provided that an appropriate level of safety is guaranteed, while ensuring a timely information of all concerned parties about such decommissioning and the deployment of ERTMS.*

- (52) Inland waterways in Europe are characterised by a heterogeneous hydro-morphology which hampers a coherent performance for all waterway stretches. Inland waterways, especially free flowing stretches, may be heavily impacted by climate and weather conditions. In order to ensure reliable international traffic, while respecting the hydro-morphology and applicable environmental legislation, trans-European transport network requirements should take into account the specific hydro-morphology of each waterway (for example free-flowing or regulated rivers), as well as the objectives of environmental and biodiversity policies. For this purpose, reference water levels should be established for each European Transport Corridor, waterway or section of waterway, ***while taking into account the impact of climate change***. In the process of specifying reference water levels, the Commission should closely cooperate with Member States ***and the European Coordinators*** concerned and with the river navigation commissions concerned set up by international agreements in order to ensure a coherent approach regarding the requirements for inland waterway infrastructure with a view to promoting that mode of transport.

- (53) *When building or upgrading inland waterway infrastructure, particular attention should be given to avoiding potential barriers to the connectivity of free-flowing rivers.*
- (54) Being the entry and exit points for the land infrastructure of the trans-European transport network, maritime ports play an important **geostrategic** role as cross-border multimodal nodes which serve not only as transport hubs, but can also be gateways for trade, industrial clusters, **military mobility** and energy hubs. As highlighted in the Commission Communication of 18 May 2022 entitled “RePowerEU Plan”, 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 could also play a role in transporting of carbon dioxide through pipelines or other modes of transport.

- (55) 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 new overarching 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.

- (56) Road transport in the Union accounts for three-quarters of the total inland freight transport (based on tonne-kilometres performed) and for around 90 % of the total inland passenger transport (based on the total number of passenger-kilometres). Given the importance of road transport and the commitment to improve road safety in line with the milestone of the Commission Communication on the Sustainable and Smart Mobility Strategy, there is a need to enhance the road infrastructure from the safety point of view. ***In particular, Member States should ensure the safety of road transport infrastructure, and that this is monitored and, when necessary, improved in accordance with Directive 2008/96/EC of the European Parliament and of the Council<sup>15</sup>. In that respect, that Directive empowers the Commission to adopt implementing acts to establish common specifications aiming at ensuring the operational use of road markings and road signs after a group of experts has assessed the opportunity of establishing such specifications.***
- (57) ***In order to guarantee access to adequate resting facilities, in particular for professional drivers, rest areas should be developed on the entire trans-European transport network and safe and secure parking areas along the core network and extended core network.***

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<sup>15</sup> ***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).***

- (58) *In order to provide alternatives to short haul flights, Member States should, except where specific geographic or significant physical constraints prevent such connections, ensure the connection of airports of the trans-European transport network of a traffic volume of more than 12 million passengers to the trans-European railway network, including the high-speed railway network where possible, allowing long-distance services, or, for airports with a total annual passenger traffic volume of more than 4 million and less than 12 million passengers located in or in the vicinity of an urban node of the trans-European railway network, the connection of such airport to that node by railway, metro, light rail tramways, cable car or, exceptionally, other zero emission public transport solutions. Such connections should be encouraged for airports with a total annual passenger traffic volume of less than 4 million passengers.*
- (59) *In order to foster innovation in the field of air transport, spaceports should be included in the list of air transport infrastructure components. However, that inclusion should be without prejudice to the competence of the Union in the area of space under Article 4(3) of the Treaty on the Functioning of the European Union (TFEU) and Article 189 TFEU which excludes any harmonisation of the laws and regulations of the Member States. Moreover, the inclusion of spaceports in the list of air transport infrastructure components under this Regulation should not lead to the application of existing or future Union legislation relating to air transport infrastructure to spaceports, unless expressly provided by such legislation.*



- (60) *When developing the trans-European transport network, the Commission and Member States should pay particular attention to measures ensuring efficient border crossings for freight transport taking into account waiting times and interruptions at the border caused for instance by processing and controls of vehicles and on board of trains at Union borders or due to administrative, operational, safety, technical or interoperability reasons.*
- (61) The trans-European transport network should ensure efficient multimodality in order to allow better and more sustainable modal choices to be made for passengers and freight and in order to enable large volumes to be consolidated for transfers over long distances. Multimodal terminals should play a key role to meet that objective.
- (62) *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. To this end, they could refer to existing studies and plans. The action plan prepared by Member States should promote the development of multimodal freight terminals. However the action plan should not lead to an obligation for the private sector to invest in terminals and should not be subject to Strategic Environmental Assessment.*

- (63) 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 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 their sustainable urban mobility plans (SUMP).
- (64) As an effective single framework for tackling urban mobility challenges, a SUMP, which is a long-term, all-encompassing integrated freight and passenger mobility plan for the entire functional urban area, should be adopted for each urban node. It could include objectives, targets and indicators underpinning the current and future performance of the urban transport system. ***Member States should ensure the collection of urban mobility data per urban node in the fields of sustainability, safety and accessibility with a view to underpinning the current and future performance of the trans-European transport network. In order to monitor accessibility to all users, disaggregating data based on age, gender and disability, where possible and in accordance with national law, should be encouraged.***

- (65) Member States should promote the uptake of SUMPs with a view to improving coordination among regions, cities and towns. To that end, Member States ***should establish a national SUMP programme with the aim of supporting*** local authorities to develop high-quality SUMPs and reinforce monitoring and evaluation of the SUMP implementation through **■** appropriate measures, guidance, capacity building, assistance and possibly financial support. ***Member States should also designate a national SUMP contact point providing assistance for the preparation and implementation of SUMP in accordance with the guidelines set out in this Regulation.***
- (66) ***The promotion of active modes, particularly in urban nodes, contributes to the Union's climate goals, improves public health, reduces congestion, offers last mile solution for passengers and provides economic benefits. When planning or upgrading transport infrastructure, due account should be taken of active mode infrastructures, including walking and cycling infrastructures.***
- (67) The Mission on Climate-neutral and Smart Cities, set up under the Horizon Europe framework programme established by Regulation (EU) 2021/695 of the European Parliament and of the Council<sup>16</sup> (“Horizon Europe”), aims to have 100 climate neutral cities in the Union by 2030. The cities involved in the Mission will act as experimentation and innovation hubs for others to follow by 2050.

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<sup>16</sup> Regulation (EU) 2021/695 of the European Parliament and of the Council of 28 April 2021 establishing Horizon Europe – the Framework Programme for Research and Innovation, laying down its rules for participation and dissemination, and repealing Regulations (EU) No 1290/2013 and (EU) No 1291/2013 (OJ L 170, 12.5.2021, p. 1).

- (68) Multimodal digital mobility services help to enhance the integration of the different transport modes by combining several transport offers into one. Their further development should contribute to nudge behaviours towards the most sustainable modes, public transport and active modes such as walking and cycling, ***and unlock the full benefits of “Mobility as a Service” solutions.***
- (69) Information and Communication Technology (ICT) systems for transport are necessary in order to provide the basis for optimising traffic and transport operations and traffic safety and improving related services. Information flows in the transport and mobility network should be facilitated, including through the deployment of the Union Mobility Data Space. Information *to* passengers ***and freight operators***, including information on ***multimodal*** ticketing and reservation systems, should be available ***and improved, towards the development of European digital and interoperable information systems.***
- (70) ***The use of ICT systems allowing for smart enforcement based on the exchange of real-time data between economic operators and enforcement authorities necessary to check compliance with applicable regulatory requirements, including while vehicles are in motion, should be encouraged.***

- (71) Intelligent transport systems and services as well as new emerging technologies should serve as a catalyst for the deployment of intelligent transport systems and services on all roads of the trans-European transport network.
- (72) Adequate planning of the trans-European transport network is required. This also entails the implementation of specific requirements throughout the network in terms of infrastructure, ICT systems, equipment and services, including the requirements for the alternative fuel infrastructure rollout as defined in Regulation (EU) **2023/1804**. It is therefore necessary to ensure adequate and concerted deployment of such requirements across Europe for each transport mode and for their interconnection across the trans-European transport network and beyond, in order to obtain the benefits of the network effect and to make efficient long-range trans-European transport operations possible. In order to ensure the deployment of alternative fuels across the entire road network of the trans-European transport network in line with the targets set in Regulation (EU) **2023/1804**, references to ‘core network’ in *that* Regulation **■** should be construed as references to ‘core network’ as defined in this Regulation. References to ‘comprehensive network’ in Regulation (EU) **2023/1804** should be construed as references to ‘extended core network’ and ‘comprehensive network’ as defined in this Regulation.

- (73) The trans-European transport network should provide the basis for the large-scale deployment of new technologies and innovation, which can ***allow real-time data and information exchange, and which can*** help enhance the overall efficiency of the European transport sector and capacity to enable secure passenger flows using efficient means, make public or greener transport means more attractive for passengers, and reduce its carbon footprint. This will contribute towards the objectives of the European Green Deal and at the same time contribute to the objective of increasing energy security for the Union. In order to achieve those objectives, the availability of alternative fuels and related infrastructure should be improved throughout the trans-European transport network.
- (74) ***In order for the trans-European transport network to keep up with innovative technological developments and deployments, the Member States and the Commission should encourage projects of common interests which aim to promote and deploy sustainable emerging technologies that enhance and ease the transport and mobility of passengers and freight. These could cover, but should not be limited to automated train operations, autonomous vehicles, advanced air mobility solutions, including passenger and freight drones, also operating on the urban last mile, and new railway technologies such as hyperloop.***

- (75) A sufficient number of fast recharging **and refuelling** points for light and heavy-duty vehicles accessible to the public should be deployed across the trans-European transport network. This aim should ensure full cross-border connectivity **■**. Distance-based targets for the trans-European transport network as defined in Regulation (EU) **2023/1804** are to ensure a minimum of sufficient coverage of electric recharging **and hydrogen refuelling** points along the Union's main road networks.
- (76) Publicly accessible recharging **and refuelling** infrastructure along the trans-European transport network as defined in Regulation (EU) **2023/1804** should be complemented with requirements on the deployment of **the corresponding** recharging infrastructure, **and, where appropriate, hydrogen refuelling infrastructure, in or in the vicinity of** multimodal **freight terminals**, to provide charging **and hydrogen refuelling** opportunities for long haul trucks when they are being loaded or unloaded. **Member States should also ensure the deployment of recharging infrastructure and examine the development of hydrogen refuelling stations in multimodal passenger hubs to allow for charging and hydrogen refuelling opportunities** when the driver is taking a rest or for buses **■**. In order to ensure free circulation, where the terminals or passenger hubs receive Union or public support, the access for purposes of charging **and hydrogen refuelling**, should be on **a fair, affordable**, transparent and non-discriminatory basis, so as to avoid market lock in for specific enterprises or possible distortions of competition.

- (77) Insufficient safety, security and reliability of the infrastructure, caused by natural hazards, including climate related events and other exceptional occurrences such as pandemics, human-made disasters such as accidents, or disruptions caused by intentional acts such as terrorism and cyber-attacks, is a major problem for the efficiency and functioning of the trans-European transport network. For instance, accidents caused by several natural disasters due to extreme weather events have interrupted the transport flows significantly in the past years. The resilience of the transport network to climate change, natural hazards, human-made disasters and other disruptions should hence be improved, drawing on the risk assessment and resilience enhancing measures taken by critical entities for the transport sector pursuant to Directive (EU) 2022/2557<sup>17</sup>.
- (78) *The Commission, in close cooperation with the Member States concerned, should carry out an assessment of the resilience and vulnerability of the core network to the consequences of climate change.*

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<sup>17</sup> Directive (EU) 2022/2557 of the European Parliament and of the Council of 14 December 2022 on the resilience of critical entities and repealing Council Directive 2008/114/EC (OJ L 333, 27.12.2022, p. 164).



- (79) Taking stock of the experience with regard to the crisis management during the COVID-19 pandemic and in order to avoid traffic disruptions and contingencies in future, Member States should take into account the security and resilience of the transport infrastructure to climate change, natural hazards, human-made disasters and other disruptions affecting the functioning of the Union transport system, when planning infrastructure. To achieve that aim, ***existing bottlenecks should be removed, and*** the European Transport Corridors should also include important diversionary lines which can be used in the event of congestion or other problems on the principal routes. In addition, due to their multimodal nature, one mode can substitute the other in the event of emergencies.

(80) *Transport infrastructure is the backbone of the economy and society as a whole. Some transport infrastructure is critical to ensure the good functioning of vital societal functions, and is therefore a pillar of the strategic autonomy of the Union. Investments, interests and presence of third country undertakings in European strategic – and sometimes even military – infrastructure, such as ports, airports and container terminals, are increasing. In this context, the participation of undertakings of a third country, can accelerate the realisation of the trans-European transport network. However, under specific circumstances, the participation of or contribution by **such** undertakings to projects of common interest might compromise security or public order in the Union. Such increasing foreign presence in European strategic infrastructure might undermine the resilience of the Union. Therefore, it is crucial to prevent third country presence that is likely to affect security or public order in the Union.* Without prejudice and in addition to the cooperation mechanism pursuant to Regulation (EU) 2019/452 *of the European Parliament and of the Council*<sup>18</sup>, greater awareness of such participation or contribution is necessary to allow intervention of public authorities if it appears that *the participation or the contribution of third-country undertaking in a project of common interest* are likely to affect security or public order in the Union and the participation or contribution does not fall under the scope of Regulation (EU) 2019/452.

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<sup>18</sup> Regulation (EU) 2019/452 of the European Parliament and of the Council of 19 March 2019 establishing a framework for the screening of foreign direct investments into the Union (OJ L 79 I, 21.3.2019, p. 1).

- (81) While maintenance is and will remain the main responsibility of the Member States and without prejudice to the *responsibility* of Member States regarding in particular the *planning*, 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.
- (82) In order to implement parts of the trans-European transport network of highest strategic importance within the given timescale, a corridor approach should be used as an instrument to coordinate different projects on a transnational basis and to synchronise the development of the corridor, thereby maximising network benefits.

- (83) European Transport Corridors should help to develop the infrastructure of the trans-European transport network in such a way as to address bottlenecks, enhance cross-border connections and improve efficiency and sustainability. They should contribute to cohesion through improved territorial cooperation *including with neighbouring countries*. They should also address wider transport policy objectives and facilitate interoperability, modal integration and multimodal operations. The corridor approach should be transparent and clear and the management of such corridors should not create additional administrative burdens or costs. *The Commission should be able to recommend the establishment of single entities for the coordination, construction or management of cross-border infrastructure projects of common interest, with a view to facilitating the implementation of large-scale and complex cross-border infrastructure projects and recommend, when relevant, cooperation between cross-border regions to target challenges in mobility.*
- (84) In order to facilitate the coordinated implementation of the European Transport Corridors and of the two horizontal priorities, namely ERTMS and European Maritime Space, European Coordinators should be designated by the Commission in agreement with the Member States concerned *and after consulting the European Parliament and the Council and, where appropriate, the neighbouring countries concerned*. They should facilitate measures to design the right governance structure and ensure coherent priority setting of infrastructure and investment planning along the European Transport Corridors and of the two horizontal priorities.

- (85) The European and national frameworks for transport infrastructure planning and implementation as well as work plans established by the European Coordinators should contribute to the timely schedule and planning of investments necessary for the achievement of the objectives of this Regulation.
- (86) The work plans of the European Coordinators should be used to promote cooperation between all relevant stakeholders, *including where appropriate relevant stakeholders from neighbouring countries. They should* strengthen complementarity with actions by Member States and infrastructure managers and in particular to set indicative milestones ■ .
- (87) *The European Coordinator of a European Transport Corridor or of a horizontal priority that extends to specific neighbouring countries should be entitled to cooperate with and involve these countries in the relevant corridor activities.*
- (88) The technical basis of the maps specifying the trans-European transport network is provided by the interactive geographical and technical information system for the trans-European transport network (TENtec).

- (89) Taking into account the Communication of the Commission on the Action Plan on Military Mobility of March 2018 ■ the Commission assessed the need to adapt the trans-European transport network to reflect the military use of the infrastructure. Based on the ■ document entitled “*Military Requirements for Military Mobility within and beyond the EU*” approved by the Council on 26 June 2023 and 23 October 2023<sup>19</sup>, additional roads and railways have been included in the trans-European network to enhance the synergies between civilian and military transport networks.
- (90) *Russia’s war of aggression against Ukraine and the new geopolitical context it has created, and as highlighted by the EU Strategic Compass for Security and Defence adopted by the Council on 21 March 2022 – For a European Union that protects its citizens, values and interests and contributes to international peace and security – the Union needs to strengthen dual-use transport infrastructure across the trans-European transport network in order to promote rapid and seamless movement of military personnel, material and equipment for operational deployments and exercises.*

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<sup>19</sup> Document ST10440/23.

(91) In order to maximise consistency between the guidelines and the programming of the relevant financial instruments available at Union level, trans-European transport network funding should comply with this Regulation and be based, in particular, on Regulation (EU) 2021/1153. In addition, network funding should also build on funding and financing instruments provided under other Union law, including InvestEU established by Regulation (EU) 2021/523 of the European Parliament and of the Council<sup>20</sup>, the Recovery and Resilience Facility established by Regulation (EU) 2021/241 of the European Parliament and of the Council<sup>21</sup>, Cohesion Policy as set out in Article 174 TFEU, Horizon Europe, ***Innovation Fund established by Directive 2003/87/EC of the European Parliament and of the Council<sup>22</sup>***, and other financing instruments established by the European Investment Bank. To enable the financing of projects of common interest, references to ‘multimodal logistics platforms’, ‘motorways of the sea’ and ‘telematic applications’ in Regulation (EU) 2021/1153 should be respectively construed as references to ‘multimodal freight terminals’, ‘European Maritime Space’ and ‘ICT systems for transport’ as defined in this Regulation. For the same purpose, references to ‘core network’ in Regulation (EU) 2021/1153 should be construed as including ‘extended core network’ as specified in this Regulation.

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<sup>20</sup> Regulation (EU) 2021/523 of the European Parliament and of the Council of 24 March 2021 establishing the InvestEU Programme and amending Regulation (EU) 2015/1017 (OJ L 107, 26.3.2021, p. 30).

<sup>21</sup> Regulation (EU) 2021/241 of the European Parliament and of the Council of 12 February 2021 establishing the Recovery and Resilience Facility (OJ L 57, 18.2.2021, p. 17).

<sup>22</sup> Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC (OJ L 275, 25.10.2003, p. 32).

- (92) The achievement of the objectives of the trans-European transport network, in particular with regard to the decarbonisation and digitalisation of the transport system in the Union, requires a robust regulatory framework. Ambitious reforms should be implemented by Member States to address the challenges of sustainable transport as identified in the European Semester. The Recovery and Resilience Facility supports both reforms and investments to make transport more sustainable, reduce emissions, improve safety and efficiency. Relevant measures to that effect are included in approved Recovery and Resilience Plans.
- (93) In order to update the maps and the list of ports, airports, terminals and urban nodes included in Annexes I and II to this Regulation, to take into account possible changes resulting in particular from the actual usage of certain elements of transport infrastructure analysed against pre-established quantitative thresholds and to amend the alignments of the European Transport Corridors in Annex III to this Regulation, the power to adopt delegated acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of amendments to Annexes I, II and III to this Regulation. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making<sup>23</sup>. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

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<sup>23</sup> OJ L 123, 12.5.2016, p. 1.



- (94) *In order to provide legal certainty and to enable long-term strategic planning, it is essential to keep the trans-European transport network as stable as possible and limit potential updates to the network to objective and transparent criteria as set out in this Regulation.*
- (95) Some parts of the network are managed by actors other than Member States. However, Member States are responsible for ensuring that the rules governing the network are correctly applied within their territory.
- (96) In order to ensure a smooth and effective implementation of the obligations laid down in this Regulation, the Commission supports Member States through the Technical Support Instrument established by Regulation (EU) 2021/240 of the European Parliament and of the Council<sup>24</sup> providing tailor-made technical expertise to design and implement reforms, including those promoting the development of the trans-European transport network.

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<sup>24</sup> Regulation (EU) 2021/240 of the European Parliament and of the Council of 10 February 2021 establishing a Technical Support Instrument (OJ L 57, 18.2.2021, p. 1).

- (97) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission as regards the granting of exemptions from certain requirements of this Regulation as well as for the adoption of implementing acts which specify reference water levels, which establish a methodology for the urban mobility data to be collected by Member States, for the adoption of implementing acts for the implementation of *European Transport Corridors, for the implementation of cross-border sections* and for the two horizontal priorities. *Where provided by this Regulation, those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council<sup>25</sup>.*
- (98) *The provisions relating to railways, and in particular any requirement to connect airports and ports to railways as well as the provisions related to multimodal freight terminals should not apply to Cyprus, Malta, islands and outermost regions for as long as no railway system is established within their territory. The provisions related to safe and secure parking should not apply to those Member States, to islands and outermost regions either as such parking spaces are not essential in the absence of transit road freight traffic on their territory.*

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<sup>25</sup> *Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).*

- (99) Since the objectives of this Regulation, in particular the coordinated establishment and development of the trans-European transport network, cannot be sufficiently achieved by the Member States but can rather, by reason of the need for coordination of those objectives, be better achieved at Union level, the Union may adopt measures in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union (TEU). In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.
- (100) It is necessary to amend Regulation (EU) 2021/1153 in order to adapt its provisions with the view to integrating the Core Network Corridors into European Transport Corridors. The definition and the alignment of the European Transport Corridors should be defined in this Regulation and should replace the Core Network Corridors as defined in Regulation (EU) 2021/1153.
- (101) It is necessary to amend Regulation (EU) No 913/2010 in order to adapt its provisions with the view to integrating the Rail Freight Corridors into European Transport Corridors.
- (102) Regulation (EU) No 1315/2013 should be repealed,

HAVE ADOPTED THIS REGULATION:

*CHAPTER I*  
GENERAL PRINCIPLES

Article 1

Subject matter

1. This Regulation establishes guidelines for the development of a trans-European transport network consisting of a comprehensive network and of a core network and extended core network, with the core network and extended core network to be established on the basis of the comprehensive network.
2. This Regulation identifies European Transport Corridors of highest strategic importance on the basis of priority sections of the trans-European transport network and 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 set out 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, and measures to promote the efficient management and use of such infrastructure and to permit 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, 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:

- (1) 'project of common interest' means any project carried out pursuant to this Regulation;
- (2) '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 Trade and Cooperation Agreement ;
- (3) 'NUTS region' means a region as established by **Regulation** (EC) No 1059/2003 of the European Parliament and of the Council<sup>27</sup> and classified in Annex I of that Regulation;
- (4) 'cross-border section' means the section which ensures the continuity of a project of common interest on both sides of a border, situated between the closest urban nodes to the border of two Member States or between a Member State and a neighbouring country;

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<sup>26</sup> OJ L 149, 30.4.2021, p. 10.

<sup>27</sup> Regulation (EC) No 1059/2003 of the European Parliament and of the Council of 26 May 2003 on the establishment of a common classification of territorial units for statistics (NUTS) (OJ L 154, 21.6.2003, p. 1).


- (5) 'bottleneck' means a physical, technical, functional, operational or administrative barrier which leads to a system break, *including systematic congestion or standstill*, affecting the continuity of traffic for long-distance or cross-border flows;
- (6) 'urban node' means an urban area where elements of the transport infrastructure of the trans-European transport network *for passengers and freight*, such as ports, including passenger terminals, airports, railway stations, bus terminals and *multimodal* 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 *infrastructure for* active modes;
- (7) 'isolated network' means a rail network of a Member State, or part thereof, with a track gauge different from that of the European standard nominal track gauge of 1 435 mm ■ ;
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- (8) 'multimodal transport' means the carriage of passengers or freight, or both, using two or more modes of transport;

- (9) 'multimodal digital mobility service' means 'multimodal digital mobility service' as defined in Article 4, point (24), of Directive 2010/40/EU of the European Parliament and of the Council <sup>28</sup>;
- (10) 'interoperability' means the ability, including in the light of all the regulatory, technical, **administrative** and operational conditions, of the infrastructure, including digital infrastructure in a transport mode or segment **and between different transport modes**, to allow safe and uninterrupted traffic and information flows which achieve the required levels of performance for that infrastructure mode or segment;
- (11) '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 **are ensured, such as park-and-ride stations,** and which acts as an interface **within and** between urban nodes and **between urban nodes and** longer-distance transport networks;

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<sup>28</sup> 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).



- (12) 'multimodal freight terminal' means a structure equipped for transshipment 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 and in airports, as well as rail road terminals  ;
- (13) 'sustainable urban mobility plan' or 'SUMP' means a document for strategic mobility planning, aiming at improving, *in a sustainable way*, accessibility to and mobility within the functional urban area, *including commuting zones in that urban area or in its vicinity*), for people, businesses and goods in view in particular of a better quality of life;
- (14) 'active mode' means the transport of people or goods, through non-motorised means, based on human physical activity, *including vehicles with electric auxiliary propulsion as referred to in Article 2(2), point (h), of Regulation (EU) No 168/2013*;



- (15) 'ICT systems for transport' means information and communications technology systems and applications using information, communication, navigation or positioning or localisation technologies, *including space based technologies*, which make it possible 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 services to citizens, shippers and operators that add value, 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 (16) to (22) and may also include on-board devices with corresponding infrastructure or digital components;
- (16) 'Intelligent Transport Systems' or 'ITS' means 'Intelligent Transport Systems' as defined in Article 4, point (1), of Directive 2010/40/EU;
- (17) 'Vessel Traffic Monitoring and Information System' or 'VTMIS' means the '*vessel traffic monitoring and information* system' established by Directive 2002/59/EC of the European Parliament and of the Council<sup>30</sup>;

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<sup>30</sup> 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).

- (18) 'River Information Services' or 'RIS' means “river information services (RIS)” as defined in Article 3, point (a), of Directive 2005/44/EC of the Parliament and of the Council<sup>31</sup>;
- (19) 'European Maritime Single Window environment' or 'EMSWe' means 'European Maritime Single Window environment', as defined in **Article 2, point (1), of Regulation (EU) 2019/1239** of the European Parliament and of the Council<sup>32</sup>;
- (20) ‘Air Traffic Management/Air Navigation Service System’ or 'ATM/ANS System' means an ‘ATM/ANS system’ as defined in Article 3, point (7), of Regulation (EU) 2018/1139 of the European Parliament and of the Council<sup>33</sup>;
- (21) 'European Rail Traffic Management System' or 'ERTMS' means ‘European Rail Traffic Management System (**ERTMS**)’, as defined in **point 2.2 of Annex I to Commission Implementing Regulation (EU) 2023/1695<sup>34</sup>, and in the context of implementation deadlines it refers to the Class A train protection system and any Class A radio system, referred to in that Regulation;**

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<sup>31</sup> 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).

<sup>32</sup> Regulation (EU) 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).

<sup>33</sup> 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, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91 (OJ L 212, 22.8.2018, p. 1).

<sup>34</sup> Commission Implementing Regulation (EU) 2023/1695 of 10 August 2023 on the technical specification for interoperability relating to the control-command and signalling subsystems of the rail system in the European Union and repealing Regulation (EU) 2016/919 (OJ L 222, 8.9.2023, p. 380).

- (22) 'radio-based ERTMS' means *the European Train Control System (ETCS) application level 2 that does not require lineside signals and uses a Class A radio system for the safety and non-safety related data exchange between track and train* pursuant to Commission Implementing Regulation (EU) **2023/1695**;
- (23) 'class B systems' means "class B systems" as defined in point 3 of Annex II to Commission Implementing Regulation (EU) **2023/1695**;
- (24) 'maritime port' means a 'maritime port' as defined in Article 2, point (16), of Regulation (EU) 2017/352 of the European Parliament and of the Council<sup>35</sup>;
- (25) '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;

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<sup>35</sup> Regulation (EU) 2017/352 of the European Parliament and of the Council of 15 February 2017 establishing a framework for the provision of port services and common rules on the financial transparency of ports (OJ L 057, 3.3.2017, p. 1).

- (26) 'electronic freight transport information' or 'eFTI' means the electronic information system established under Regulation (EU) 2020/1056 of the European Parliament and of the Council<sup>36</sup>;
- (27) 'single European sky' or 'SES' means the systems established under Regulation (EC) No 549/2004<sup>37</sup> (EC) No 550/2004<sup>38</sup>, (EC) No 551/2004<sup>39</sup>, and (EU) 2018/1139 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;
- (28) 'vertiport' means an area used for the take-off and landing of vertical take-off and landing (VTOL) aircraft;
- (29) 'aircraft contact stand' means a stand in a designated area of the airport apron equipped with a passenger boarding bridge;

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<sup>36</sup> Regulation (EU) 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).

<sup>37</sup> 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 (the framework Regulation) (OJ L 96, 31.3.2004, p. 1).

<sup>38</sup> 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 (the service provision Regulation) (OJ L 96, 31.3.2004, p. 10).

<sup>39</sup> Regulation (EC) 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 (the airspace Regulation) (OJ L 96, 31.3.2004, p. 20).

- (30) *'aircraft remote stand' means a stand in a designated area of the airport apron not equipped with a passenger boarding bridge;*
- (31) '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;
- (32) 'spaceport' means an installation for testing and launching space crafts;
- (33) 'Europe's Rail Project' means a project of the Europe's Rail Joint Undertaking established by Council Regulation (EU) 2021/2085<sup>40</sup>, or its predecessor Shift2Rail Joint Undertaking;
- (34) 'European ATM Master Plan' means the plan endorsed by Council Decision 2009/320/EC<sup>41</sup>, and as subsequently amended;

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<sup>40</sup> Council Regulation (EU) 2021/2085 of 19 November 2021 establishing the Joint Undertakings under Horizon Europe and repealing Regulations (EC) No 219/2007, (EU) No 557/2014, (EU) No 558/2014, (EU) No 559/2014, (EU) No 560/2014, (EU) No 561/2014 and (EU) No 642/2014 (OJ L 427, 30.11.2021, p. 17).

<sup>41</sup> 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).

- (35) 'rail freight governance' means the governance bodies referred to in Article 8 of Regulation (EU) No 913/2010;
- (36) 'maintenance' means works intended to maintain the condition and capability of existing infrastructure *in a way that it provides a level of service suited to the traffic flow and a high level of safety* during its lifetime;
- (37) '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 social, economic, health, climate-related and environmental benefits and costs; the analysis of climate-related and environmental costs and benefits is based on the environmental impact assessment carried out pursuant to Directive 2011/92/EU;
- (38) 'alternative fuels' means 'alternative fuels', as defined in Article 2, point (4), of Regulation (EU) 2023/1804;

- (39) 'safe and secure parking area' means a parking area accessible to drivers engaged in the carriage of goods or passengers, meeting the requirements listed in Article 8a(1) of Regulation (EC) No 561/2006 of the European Parliament and of the Council<sup>42</sup> and which has been certified in accordance with Union standards and procedures, referred to in Article 8a(2) of that Regulation;
- (40) 'weigh in motion system' means an automatic system set up on the road infrastructure with the objective of identifying 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<sup>43</sup>;
- (41) 'project authorising decision' means a decision or a set of decisions, including of an administrative nature, taken simultaneously or successively, by an authority or authorities of a Member State, not including administrative and judicial appeal authorities, under a national legal system and administrative law that determines whether or not a project promoter is entitled to implement a project on the geographical area concerned on the core network, extended core network or comprehensive network, without prejudice to any decision taken in the context of an administrative or judicial appeal procedure.

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<sup>42</sup> Regulation (EC) No 561/2006 of the European Parliament and of the Council of 15 March 2006 on the harmonisation of certain social legislation relating to road transport and amending Council Regulations (EEC) No 3821/85 and (EC) No 2135/98 and repealing Council Regulation (EEC) No 3820/85 (OJ L 102, 11.4.2006, p. 1).

<sup>43</sup> 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).



## 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 a single multimodal Union wide transport 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 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<sub>2</sub> reduction targets;

- (ii) enabling greater use of more sustainable modes of transport, *in particular* by further developing *an interoperable* long-distance rail passenger network, *including* at high speed, and *an* interoperable rail freight network, a reliable inland waterway and short-sea shipping network *for passengers and freight across the Union*;
  - (iii) increased environmental protection;
  - (iv) reduction of *negative externalities*, including those related to the environment, *climate*, health, congestion and accidents, *for instance by means of eco-incentives schemes; or*
  - (v) greater energy security;
- (b) cohesion through:
- (i) accessibility and connectivity of all regions of the Union, *paying particular attention to* outermost regions and other remote, insular, peripheral and mountainous regions, as well as sparsely populated areas;

- (ii) reduction of infrastructure quality gaps, ***and the promotion of interoperability between digital systems of all transport modes, with adequate network capacity*** between *regions* and Member States;
  - (iii) for both passenger and freight traffic, efficient coordination and interconnection between transport infrastructure for long-distance traffic and regional and local traffic ***in order to facilitate*** transport services, ***including*** in urban nodes; or
  - (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 transport infrastructures and at connecting points between ***them***, within Member States' territories and between them, ***in particular at cross-border sections, and connecting, where appropriate, to the trans-European transport network in third countries;***

- (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, *for example in the rail sector*;
- (vii) cost-efficient application of *interoperable*, innovative technological and operational concepts *and digital systems*; or
- (viii) greater coordination of infrastructure works between Member States for cross-border projects;*

- (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 other remote, *rural, insular, peripheral and mountainous regions, as well as sparsely populated areas*;
  - (ii) ensuring safe, secure and high-quality standards, including quality of services for *all* users, for both passenger and freight transport;
  - (iii) *supporting* the quality, efficiency and sustainability of transport services, which are to be accessible and affordable;
  - (iv) supporting a mobility that is fit for the changing climate and resilient to natural hazards and human-made disasters, and *facilitates* the 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 the event of network disturbances;
- (vii) supporting active modes of mobility by enhancing accessibility and quality of related infrastructure, thereby improving safety and health for active users of infrastructure and fostering the environmental benefits of those modes;*
- (viii) supporting seamless mobility in the Union; or*
- (ix) ensuring adequate maintenance intended to provide, for the existing infrastructure, a level of service suited to the traffic flow, and high level of safety during the lifetime of the infrastructure.*

#### Article 5

Resource-efficient and **resilient** 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, ***thereby contributing to the deployment of decarbonisation technologies;***
- (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, ***fostering multimodality and the shift towards more sustainable mobility patterns, including the development of sustainable, attractive and efficient multimodal transport services;***

- (f) the taking into account ***and the optimisation*** of possible synergies with other networks, in particular the trans-European energy or telecommunication networks ***including, where relevant, the whole electric grid in order to ensure consistency between the recharging infrastructure planning and the respective grid planning, as well as the taking into account of possible synergies with the dual-use of infrastructure identified in the “Military Requirements for Military Mobility within and beyond the EU” approved by the Council on 26 June 2023 and 23 October 2023 and in any subsequent document revising those requirements approved thereafter, as well as with cycling infrastructure, including long-distance cycle routes;***
- (g) the development of green, sustainable and climate resilient infrastructure, ***taking into account active modes, and the promotion of new technologies that aim to decarbonise the construction of transport infrastructure, including through the use of resource-efficient and climate-proof materials,*** designed to ***reduce as much as possible*** the negative impact on the health of citizens living around the network, the environment, ***including from air and noise pollution,*** and degradation of ecosystems; and



- (h) the adequate consideration of the resilience of the transport network and its infrastructure ***and services, especially at cross-border sections***, with regard to a changing climate ***and geopolitical context***, as well as natural hazards and human-made disasters, and as **■** disruptions, ***intentional or not, with a view to addressing those challenges and*** with a view to ***enabling adequate response and timely recovery from*** those ***disruptions, as well as with a view to facilitating supply chains.***

**■**

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 in accordance with the requirement set out in Article 58(1), point (g).***

3. The environmental assessment of plans and projects shall be carried out in accordance with Council Directive 92/43/EEC<sup>44</sup>, Directives 2000/60/EC<sup>45</sup>, 2001/42/EC<sup>46</sup>, 2002/49/EC<sup>47</sup>, 2009/147/EC<sup>48</sup> of the European Parliament and of the Council and Directive 2011/92/EU. For those projects of common interest for which the *procurement process for an* environmental assessment has not yet been *initiated* by ... [date of entry into force of this Regulation], **■** their 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(5)***, the trans-European transport network shall, unless otherwise specified in this Regulation, be gradually developed in three steps:
- (a) the completion of a core network by 31 December 2030;

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<sup>44</sup> 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).

<sup>45</sup> 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).

<sup>46</sup> 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).

<sup>47</sup> 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).

<sup>48</sup> 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, p. 7).

- (b) the completion of an extended core network by 31 December 2040; and,
- (c) the completion of a comprehensive network by 31 December 2050.

The development of the trans-European transport network shall be achieved, in particular, by implementing a structure for that network with a coherent and transparent methodological approach, comprising a, core network, an extended core network and a comprehensive 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 network and extended core network shall consist of those parts of the trans-European transport network which are to be developed as a matter of priority *and completed in accordance with the deadlines set out in paragraph 1*, 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 network 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 upgrading of the existing transport infrastructure or through measures promoting the resource-efficient use of the network.
2. Projects of common interest shall:
  - (a) *demonstrate European added value by contributing* to objectives falling within at least two of the four categories set out in Article 4(2); *and*

- (b) be economically viable on the basis of a socio-economic cost-benefit analysis *or, in the case of sparsely populated areas or projects that are essential for the dual use of infrastructure, have a positive contribution to the development of the network on the basis of a socio-economic cost-benefit analysis.*



3. A project of common interest encompasses its entire cycle, including feasibility studies, permission procedures, construction, operation, *maintenance* and evaluation.
4. Member States shall take all necessary measures to ensure that projects of common interest are carried out in compliance with relevant Union and national law, and in particular with Union law on the environment, climate protection, safety, security, competition, state aid, public procurement, public health and accessibility, as well as with Union legal acts and national legislation on non-discrimination.
5. *The implementation of projects of common interest depends on their degree of maturity, 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.*

6. The Commission may *recommend* that Member States **█** establish single *entities* for the *coordination*, construction *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 such single entity.
7. *Member States shall make all possible efforts to ensure that projects of common interest are implemented in a timely and efficient manner.*
8. *The socio-economic cost-benefit analysis shall be applied by Member States, following a recognised and harmonised approach in order to enable a transparent and comparative evaluation of these projects.*

#### Article 9

##### Cooperation with third countries

1. The Union may cooperate with third countries in order to connect the trans-European transport network with their infrastructure networks through projects of common interest, 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*;
- (b) ensure the connection between the trans-European transport network and the transport networks of third countries at border crossing points, *including on the territory of a third country which is part of the European Transport Corridor*, in order to guarantee seamless traffic flows, border checks, border surveillance and other border control procedures;
- (c) *ensure on the territory of third countries the connection between the trans-European transport network and the transport networks of those third countries, in particular with a view to facilitating, where relevant and appropriate, railway transport with third countries*;
- (d) complete the transport infrastructure in third countries which serve as links between parts of the trans-European transport network in the Union;
- (e) promote the interoperability of the trans-European transport network and networks of third countries;

- (f) facilitate maritime transport and promote short-sea shipping routes with third countries *provided they do not contribute to carbon leakage*;
- (g) facilitate inland waterway transport with third countries;
- (h) 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;
- (i) connect and implement ICT systems for transport in those third countries; *and*
- (j) *promote decarbonisation of transport, in particular through deployment of alternative fuels infrastructure in third countries with a view to establishing a continuous network linked with the trans-European transport network.*

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

3. *Nothing in this Article implies a right to any kind of financial contribution of the Union to projects in third countries under other Union 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 those specified in the maps set out 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 in Chapters III and IV; and
  - (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 *trans-European transport* 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’ within the meaning of this Regulation.

References to ‘core network’ in Regulation (EU) **2023/1804** shall be construed as references to ‘core network’ within the meaning of this Regulation.

References to ‘comprehensive network’ in Regulation (EU) **2023/1804** shall be construed as references to ‘extended core network’ and ‘comprehensive network’ within the meaning of 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 which are to be developed, in order to comply with this Regulation by the dates specified in Article 6(1), unless otherwise specified in this Regulation.

#### Article 11

##### General provisions for the European Transport Corridors

1. The **nine** European Transport Corridors specified in the maps set out in Annex III are, **namely:**
  - (a) **Atlantic;**
  - (b) **Baltic Sea – Black Sea – Aegean Sea;**
  - (c) **Baltic Sea – Adriatic Sea;**
  - (d) **Mediterranean;**
  - (e) **North Sea – Rhine – Mediterranean;**
  - (f) **North Sea – Baltic;**

**(g) Rhine – Danube;**

**(h) Scandinavian – Mediterranean;**

**(i) Western Balkans – Eastern Mediterranean.**

2. Member States shall take the appropriate measures for the European Transport Corridors which are to be developed in order to comply with 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 otherwise specified ***in this Regulation.***
  
3. Subject to ***the approval of the Member State concerned in accordance with Article 172, second paragraph,*** TFEU, the Commission is empowered to adopt delegated acts in accordance with Article 62 of this Regulation to amend ***within the limits of Article 7*** of this Regulation 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 network, the extended core network and the comprehensive network

1. In the development of the core network, the extended core network and the comprehensive network, general priority shall be given to measures that are necessary for:
  - (a) increasing *the share and, where relevant, the capacity of more sustainable transport for* freight and passengers, *in particular with a view to reducing emissions and pollution and increasing the social and economic benefits derived from transport;*
  - (b) ensuring enhanced accessibility and connectivity for all regions of the Union while taking into consideration territorial and social cohesion, *and including* 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 **■** cross-border sections;

- (e) deploying the necessary infrastructure which ensures a seamless circulation of zero and low emission vehicles, ***and of vessels and aircrafts using fuels which contribute to transport emission reduction and increased energy security;***
- (f) promoting the efficient, ***seamless*** 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, ***preventing and mitigating transport poverty;***
- (i) ***improving digitalisation, enabling digital enforcement in accordance with Union law and*** developing ***automation, in particular through the implementation and deployment*** of ICT systems for transport; ***or***

(j) *adapting, where necessary and taking into account the constitutional requirements of certain Member States, the infrastructure to a dual use in order to address both civilian and defence needs, paying particular attention to the itineraries needed for short-notice and large-scale movements of military forces.*

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, *and, where relevant, densely-populated sensitive areas*, to the negative effects of transiting rail and road transport;

■

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

(c) *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;*

- (d) *ensuring non-discriminatory access to all market participants on the trans-European transport network infrastructure; or*
- (e) *ensuring efficient border crossing for freight transport taking into account waiting times.*

### 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, *seamless* 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, *as well as safe and secure parking areas*;
- (e) the development of **■** 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, *and of vessels and aircraft using fuels which contribute to transport emission reduction and increased energy security*;
- (h) *the deployment of ICT systems for transport on all modes on the network, where relevant, in order to ensure an efficient use of the infrastructure and enabling digital information exchange; or*
- (i) *the improvement of connections between the trans-European transport network and the infrastructure networks of neighbouring countries, where relevant.*



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; and
    - (vii) infrastructure mitigating impact on environment;
  - (b) stations along the railway lines specified in maps set out 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 railway lines specified in maps set out 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<sup>49</sup>, 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, as well as automatic gauge-changing facilities for rail;
- (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 referred to in point 2(c) of Annex II to Directive 2012/34/EU;***
- (e) trackside control-command signalling;
- (f) trackside energy infrastructure;
- (g) infrastructure related to alternative fuels facilities;***
- (h) associated equipment; and
- (i) ICT systems for transport.

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<sup>49</sup> 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).

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 complies with:
  - (a) Directive (EU) 2016/797 and the implementing acts adopted thereunder in order to achieve the interoperability of the comprehensive network; and
  - (b) 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.

■

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) enables, without special permission, an axle load of at least 22,5 tonnes; and
  - (c) enables, without special permission, the operation of freight trains with a train length of at least 740 m (including the locomotive or locomotives). 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 **if requested by a railway undertaking**.

**■**

3. ***The requirements set out in paragraph 2, points (b) and (c), 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 the core freight network or extended core freight network;***

- ( constitute a re-routing line of a line that is part of the core freight network or extended core freight network; or*
- ( operate more than ten freight trains per day on average in both directions based on the data for the previous year prior to the notification.*

*By ... [three years from the date of entry into force of this Regulation], Member States shall notify the Commission of the lines concerned. For cross-border sections, such notification shall be made in agreement with the other Member States concerned.*

- 4. 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 referred to in Article 15(3) meets the requirements set out in paragraph 2, points (a), (b) and (c), of this Article unless, with respect to the requirements set out in paragraph 2, point (c), of this Article an exemption from the application of Article 38(3) has been granted by the Commission pursuant to Article 38(4).*

5. *Member States shall ensure that, on the railway infrastructure of the comprehensive network, in the event of the construction of a new line, the requirement set out in paragraph 2, point (a), is complied with by 31 December 2040. Projects for which the environmental impact assessment has been initiated by ... [date of entry into force of this Regulation] shall be excluded from this obligation.*
6. *The requirements set out in paragraphs 2 and 4 shall not apply to* isolated networks.
7. *Without prejudice to paragraph 6, at the request of a Member State, in duly justified cases, the Commission shall adopt implementing acts granting exemptions in respect of requirements referred to in this Article on grounds of specific geographical or significant physical constraints, negative result of socio-economic cost-benefit analysis or significant 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 or Member States in the case of cross-border sections. The neighbouring Member States may provide an opinion to the Member State requesting the exemption. The Member State shall attach the opinions of the 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 the light 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 opinions of the neighbouring Member States concerned.*

*The Commission may ask for additional information from the Member State no later than 30 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 additional information within 30 calendar days from the receipt of that additional information.*

*The Commission shall take a decision on the requested exemption no later than six months following the receipt of the request pursuant to the first subparagraph or, in the event that further information has been provided by the Member States concerned pursuant to the third subparagraph, no later than four months following the latest receipt of such information, whichever is later. 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 (b)**;
  - (b) **enables, without special permission, the operation of freight trains with a train length of at least 740 m (including the locomotive or locomotives). This requirement is met if at least the following conditions are complied with:**
    - (i) **on double track lines, at least one train path per two hours and direction and not less than 24 train paths on daily basis, can be allocated to freight trains with a length of at least 740 m if requested by a railway undertaking;**
    - (ii) **on single track lines, at least one train path per three hours and direction and not less than 12 train paths on daily basis, can be allocated to freight trains with a length of at least 740 m if requested by a railway undertaking;**  
**and**



(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.*

3. *Member States shall ensure that, on the railway infrastructure of the extended core network, in the case of the construction of a new line, the requirement set out in Article 15(2), point (a), is complied with by 31 December 2030. Projects for which the environmental impact assessment has been initiated by ... [date of entry into force of this Regulation] shall be excluded from this obligation.*

4. *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), point (a), on the passenger lines of the extended core network; and*

(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.*

5. *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), points (a) and (b), and in paragraph (2), point (b), of this Article unless, with respect to the requirements set out in paragraph (2), point (b), of this Article, an exemption from the application of Article 38(3) has been granted pursuant to Article 38(4).*

6. 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) **■** :

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

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

**■**

7. *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), meets the requirement set out in paragraph (4), point (b) of this Article.*

8. *Member States shall ensure that, by 31 December 2040, lines for freight transport that are part of the railway infrastructure of the core network or extended core 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 m high, loaded at a height of at least 27 cm above the top of the rail track on the European Transport Corridors on their territories.*

*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:*

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

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

*For cross-border sections, the determination of the lines concerned shall be made in agreement with the neighbouring Member States concerned.*

*At the latest by ... [three years from the date of entry into force of this Regulation], Member States shall notify the Commission of the lines concerned.*

- 9. 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), points (a) and (b), and in paragraph (2), point (b) of this Article, unless, with respect to the requirements set out in paragraph (2), point (b) of this Article, an exemption from the application of Article 38(3) has been granted by the Commission pursuant to Article 38(4).*
- 10. The requirements set out in paragraphs 2 to 9 shall not apply to isolated networks.*

**11. Without prejudice to paragraph 10, at the request of a Member State, in duly justified cases, the Commission shall adopt implementing acts granting exemptions 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 significant 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 or Member States in the case of cross-border sections. The neighbouring Member States may provide an opinion to the Member State requesting the exemption. The Member State shall attach the opinions of the 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 the light 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 opinions of the neighbouring Member States concerned.***

*When assessing requests for exemptions from the requirement related to carriage of the semi-trailers set out in paragraph 8, the Commission shall take particularly into consideration the results of the socio-economic cost-benefit analysis as well as the potential disruption of the services caused by the necessary works needed to meet that requirement.*

*When assessing requests for the exemptions from the requirements laid down in this Article for the extended core network, the Commission shall take particularly into consideration any major investment undertaken by the Member State concerned on a parallel line in close proximity to the ones to be newly constructed.*

*The Commission may ask for additional information from the Member State no later than 30 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 additional information within 30 calendar days from the receipt of that additional information.*

*The Commission shall take a decision on the requested exemption no later than six months following the receipt of the request pursuant to the first subparagraph or, in the event that further information has been provided by the Member States concerned pursuant to the third subparagraph, no later than four months following the latest receipt of such information, whichever is later. 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 17

##### European standard nominal track gauge for rail

1. Member States shall ensure that any new railway **line of the** core network and the extended 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 **by 31 December 2030 for the core network and by 31 December 2040 for the extended core network**. For the purposes of this Article, new railway **line** means any **line** for which construction works have not started by ... [date of entry into force of this Regulation].

2. *By way of derogation from paragraph 1 of this Article, the Member States on the territory of which, on ... [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, shall draw up a plan identifying the new railway line to be built in accordance with the European standard nominal track gauge of 1 435 mm. That plan shall take account of the impact on interoperability with the neighbouring Member State or Member States, by taking account of, notably, the possible migration of existing railway lines to the European standard nominal track gauge of 1 435 mm in accordance with paragraph 3 of this Article. 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. That plan shall be submitted to the Commission by ... [two years from 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***, by ... [two years from 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 or Member States ***in the case of cross-border sections***. ***The assessment shall include a socio-economic cost-benefit analysis on the viability of the possible migration to the European standard nominal track gauge of 1 435 mm and an assessment of the impact on interoperability.***

***Based on the assessment under the first subparagraph, Member States shall draw up a plan for migration to the European standard nominal track gauge of 1 435 mm 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 that migration.***

***First and second subparagraphs shall apply mutatis mutandis to the railway lines for which construction works have started on ... [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 of this Article*** 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 54.
  
5. ***At the request of a Member State, in duly justified cases, the Commission shall adopt implementing acts granting a temporary exemption from the requirements referred to in paragraph 1 for new railway lines of the core network and extended core 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. The requests for exemption shall be coordinated with the neighbouring Member State or Member States in the case of cross-border sections. The neighbouring Member States may provide an opinion to the Member State requesting the exemption. The Member State shall attach the opinions of the 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 the light 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 opinions of the neighbouring Member States concerned.*

*The Commission may ask for additional information from the Member State no later than 30 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 additional information within 30 calendar days from the receipt of that additional information.*

*The Commission shall take a decision on the requested exemption no later than six months following the receipt of the request pursuant to the first subparagraph or, in the event that further information has been provided by the Member States concerned pursuant to the third subparagraph, no later than four months following the latest receipt of such information, whichever is later. The decision shall indicate the period for which the exemption is granted.*

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

## Article 18

### The European Rail Traffic Management System

1. Member States shall ensure that:
  - (a) ***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***; and
  - (b) ***ERTMS is deployed on connections referred to in Article 14(1), point (d), of the extended core network by 31 December 2040 and the comprehensive network by 31 December 2050, where such equipment is deemed to be necessary by the Member State concerned in coordination with the relevant stakeholders, in particular the infrastructure manager.***
  
2. Member States shall ensure that ***by 31 December 2030***:
  - (a) the railway infrastructure of the core network, ***except*** connections referred to in Article 14(1), point (d), meets the requirements of paragraph 1 ■ ; and
  - (b) ***ERTMS is deployed on connections referred to in Article 14(1), point (d), of the core network where such equipment is deemed to be necessary by the Member State concerned in coordination with the relevant stakeholders, in particular the infrastructure manager.***

3. *Member States shall ensure that class B systems are decommissioned, no later than by 31 December 2040 on the core network, by 31 December 2045 on the extended core network and by 31 December 2050 on the comprehensive network, provided that an appropriate level of safety is ensured, except for sections in urban nodes also used by suburban passenger trains equipped with dedicated class B train protection systems.*
4. Member States shall ensure that the railway infrastructure of the core network, *the extended core network and the comprehensive network is equipped with radio-based ERTMS by 31 December 2050.*
5. Member States shall ensure that *radio-based ERTMS is deployed on* the railway infrastructure of the core network, *the extended core network and the comprehensive network from 31 December 2030, in the case of the construction of a new line, or from 31 December 2040, in the case of the upgrading of the signalling system.*
6. 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 to be necessary by the Member State concerned in coordination with the infrastructure manager and other relevant stakeholders. In the case of the construction of a new line, such deployment shall be ensured from 31 December 2030.*

7. *The requirements set out in paragraphs 1 to 6 shall not apply to isolated networks.*
8. *Without prejudice to paragraph 7, at the request of a Member State, in duly justified cases, the Commission shall adopt implementing acts granting exemptions in respect of requirements referred to in paragraphs 1 to 6. 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 or Member States in the case of cross-border sections. The neighbouring Member States may provide an opinion to the Member State requesting the exemption. The Member State shall attach the opinions of the neighbouring Member States 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 .*
- The Commission shall assess the request in the light 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 opinions of the neighbouring Member States concerned.*

*The Commission may ask for additional information from the Member State no later than 30 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 additional information within 30 calendar days from the receipt of that additional information.*

*The Commission shall take a decision on the requested exemption no later than six months following the receipt of the request pursuant to the first subparagraph or, in the event that further information has been provided by the Member States concerned pursuant to the third subparagraph, no later than four months following the latest receipt of such information, whichever is later. 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 19

### Operational *priorities*

1. *The Rail Freight governance shall make all possible efforts to ensure by 31 December 2030, that, on the European Transport Corridors, the quality of services provided to railway undertakings and technical and operational requirements for infrastructure use do not prevent the operational performance of rail freight services along the European Transport Corridors from meeting the following target values:*

- (a) for each internal cross-border section, the dwelling time of all freight trains crossing the border *between two Member States* does not exceed 25 minutes on average, *except at the sections where a change of track gauge takes place or where the checks carried out at a border where the controls have not yet been lifted on trains in application of point 1.2 of Annex VI to Regulation (EU) 2016/399 do not allow for this time-limit to be complied with; the 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; and*



(b) at least 75 % of the freight trains crossing at least one border ***along*** a European Transport 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) of the Union; delays occurring in and attributable to third countries that are crossed by freight trains shall not be taken into account.***

2. Member States shall ***make all possible efforts to ensure that, by 31 December 2030 for the lines for freight transport on the core network, by 31 December 2040 for the lines for freight transport on the extended core network, and by 31 December 2050 for the lines for freight transport of the comprehensive network referred to in Article 15(3), the following conditions apply:***

(a) ***on double track lines, at least two train paths per hour and direction can be allocated to freight trains with a length of at least 740 m (including the locomotive or locomotives); and***

(b) ***on single track lines, at least one train path per two hours and direction can be allocated to freight trains with a length of at least 740 m (including the locomotive or locomotives).***

## Article 20

### 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 of 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 infrastructure for train lengths above 740 m and up to 1 500 m and 25,0 tonnes 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, ***connectivity based on 5G and satellite and inertial units for the geopositioning units of ERTMS;***
- (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 ***or battery powered trains*** for sections and rail access routes that are exempted from the electrification requirement;
- (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 m high loaded at a height of 33 cm, without any additional requirement for special permission to operate services;*** and
- (j) ***upgrading to double-track rail in bottlenecks sections suffering from capacity barriers.***

## SECTION 2

### Inland waterways transport infrastructure

#### Article 21

##### Infrastructure components

1. Inland waterways infrastructure shall comprise, in particular:
  - (a) rivers;
  - (b) canals;
  - (c) lakes and lagoons;
  - (d) related infrastructure such as locks, elevators, bridges, reservoirs and associated flood and drought prevention and mitigation measures which may bring positive effects to inland waterway navigation;
  - (e) access waterways and last mile connections to multimodal freight terminals connected by inland waterways, in particular in inland and maritime ports;
  - (f) mooring and rest places;

- (g) inland ports, including basic port infrastructure in the form of internal basins, quay walls, berths, jetties, docks, dykes, backfills, platforms, land reclamation and the infrastructure necessary for transport operations within the port area and outside the port area;
- (h) associated equipment *referred to in paragraph 2*;
- (i) ICT systems for transport, including RIS;
- (j) the connections of the inland ports to the other modes in the trans-European transport network;
- (k) infrastructure related to facilities for alternative fuels **■** ; and
- (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 transshipment volume exceeding 500 000 tonnes, where the total annual freight transshipment volume shall be based on the latest available three-year average, based on the statistics published by Eurostat; and
  - (b) it is located on the inland waterway network of the trans-European transport network.

#### Article 22

##### Transport infrastructure requirements for the comprehensive network

1. Member States shall ensure that inland ports on the comprehensive network, by 31 December 2050:
- (a) are 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; and
  - (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, as well as 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) 2023/1804.

### Article 23

#### Transport infrastructure requirements for the core network

1. Member States shall ensure that the inland ports of the core network comply with Article 22(2) and meet the requirements set out in Article 22(1), points (a) and (b), by 31 December 2030 and in Article 22(1), point (c), by 31 December 2040.
2. Member States shall ensure that the inland waterway network, including connections referred to in Article 21(1), point (e), is maintained to enable efficient, reliable and safe navigation for users by ensuring minimum waterway requirements **■** and *minimum* levels of service *requirements laid down in paragraph 3* of this Article (Good Navigation Status).

*Member States shall prevent the deterioration of the Good Navigation Status, as well as prevent the deterioration of the current status of those parts of the network that already exceed those minimum requirements by ... [date of entry into force of this Regulation].*

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 specified reference water levels, which are exceeded at a defined number of days per year on a statistical average;
  - (b) Member States shall publish on a website accessible to the public the number of days per year as referred to *in* point (a) 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; and
  - (d) rivers, canals, lakes and lagoons are equipped with RIS for all services in accordance with Directive 2005/44/EC of the European Parliament and of the Council <sup>50</sup>, so as to guarantee real-time information to users across borders.

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<sup>50</sup> 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).



*For the purposes of point (a) of this paragraph, 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, second paragraph, TFEU**, the Commission shall adopt implementing acts, **to be elaborated in close cooperation with such Member States, in consultation with the European Coordinators concerned and, if applicable, in consultation with river navigation commissions set up by international agreements, specifying the reference water levels referred to in point (a) of this paragraph per corridor, per waterway or per waterway section. These implementing acts shall be consistent with 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.** Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 61(3) of this Regulation.*

4. At the request of a Member State, in duly justified cases, the Commission *shall* adopt implementing acts granting exemptions from the **■** requirements referred to in *paragraphs 2 and 3 per waterway and where appropriate per waterway section, on the ground of specific geographical or significant physical constraints, **negative result of socio-economic cost-benefit analysis, or significant** negative impacts on environment, biodiversity or cultural heritage. **Any such request shall be substantiated with sufficient justification.** *The request for exemptions shall be coordinated with the neighbouring Member State or Member States where applicable. **The neighbouring Member States may provide an opinion to the Member State requesting the exemption. The Member State shall attach the opinions of the 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 the light of the justification provided under the first subparagraph. The Commission shall take duly into account the opinions of the neighbouring Member States concerned.*

*The Commission may ask for additional information from the Member State no later than 30 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 additional information within 30 calendar days from the receipt of that additional information.*

*The Commission shall take a decision on the requested exemption no later than six months following the receipt of the request pursuant to the first subparagraph or, in the event that further information has been provided by the Member States concerned pursuant to the third subparagraph, no later than four months following the latest receipt of such information, whichever is later. 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.

5. ***In the event of force majeure, Member States shall restore the navigability conditions to their previous status as soon as the situation permits.***
6. 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) ***specific*** parameters for **■** free flowing rivers;
  - (b) ***complementary parameters for navigable width of channel;***  
**■**
  - (c) deployment of alternative energy infrastructure to ensure corridor-wide access to alternative fuels;
  - (d) ***use of*** digital applications of the network and automation processes;
  - (e) resilience of the infrastructure to climate change, natural hazards and human-made disasters or intentional disruptions; or
  - (f) introduction and promotion of new technologies and innovation for ***zero and low carbon*** energy fuels and propulsion systems.
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## Article 24

### 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 with a view to increasing 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 both within and 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, ensuring 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, including means to monitor fairway conditions; and*
- (i) *where appropriate, improving the navigation conditions, along the inland waterways in the construction of new bridges, or in the renovation of non-openable bridges, by paying particular attention to their height clearance in relation to the existing bridges of a specific waterway section.*

## SECTION 3

### Maritime transport infrastructure and the European Maritime Space

#### Article 25

##### Infrastructure components

1. The European Maritime Space 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, ***including the geographical area of outermost regions***, 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 network 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; and

*(c) the promotion of sustainable and resilient short-sea shipping links, 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.*

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 ■ ;
- (h) ICT systems for transport, including EMSWe and VTMISS;
- (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 ■ dredging and protection of the port and port approaches; and
- (k) infrastructure ***facilitating port activities related to renewable energy, including offshore wind farms***.

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 with the reference amount for this total volume being 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 with the reference amount for this total volume being the latest available three-year average, based on the statistics published by Eurostat;
  - (c) ***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 main activities of the port with the reference amount for this total volume being the latest available three-year average, based on the statistics published by Eurostat;***

- (d) it is located on an island and provides the sole point of access to a NUTS 3 region in the comprehensive network *within the meaning of Article 3 of Regulation (EC) No 1059/2003*; or
- (e) 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 26

### 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) **2023/1804**;
  - (b) maritime ports of the comprehensive network are equipped with the necessary infrastructure to improve the environmental performance of ships in ports, *in particular* reception facilities for the delivery of waste from ships in accordance with Directive (EU) 2019/883 of the European Parliament and of the Council<sup>51</sup>;

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<sup>51</sup> Directive (EU) 2019/883 of the European Parliament and of the Council of 17 April 2019 on port reception facilities for the delivery of waste from ships, amending Directive 2010/65/EU and repealing Directive 2000/59/EC (OJ L 151, 7.6.2019, p. 116).

- (c) VTMISS and SafeSeaNet are implemented in accordance with Directive 2002/59/EC;  
and
- (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 tonnes are*** connected with the rail and road infrastructure and, where possible, inland waterways; ***the reference amount for this total volume being the latest available three-year average, based on the statistics published by Eurostat;***
- (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 23; and
- (d) maritime ports of the comprehensive network connected to inland waterways are equipped with ■ 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. At the request of a Member State, in duly justified cases, the Commission shall adopt implementing **acts** granting exemptions from the minimum requirements referred to in paragraph 2 **on the ground of** specific geographical or significant physical constraints, **negative result of socio-economic cost-benefit analysis, or significant** 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 the light of the justification provided under the first subparagraph.*

*The Commission may ask for additional information from the Member State no later than 30 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 additional information within 30 calendar days from the receipt of that additional information.*

*The Commission shall take a decision on the requested exemption no later than six months following the receipt of the request pursuant to the first subparagraph or, in the event that further information has been provided by the Member States concerned pursuant to the third subparagraph, no later than four months following the latest receipt of such information, whichever is later. 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

### Transport infrastructure requirements for the core network

1. Member States shall ensure that the maritime transport infrastructure of the core network complies with Article 26(1).
2. Member States shall ensure that the maritime transport infrastructure of the core network meets the requirements set out in Article 26(2) by 31 December 2030.
3. At the request of a Member State, in duly justified cases, the Commission shall adopt implementing acts granting exemptions from the minimum requirements referred to in paragraph 2 ***on the ground of*** specific geographical or significant physical constraints, ***negative result of socio-economic cost-benefit analysis, or significant*** 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 the light of the justification provided under the first subparagraph.***

*The Commission may ask for additional information from the Member State no later than 30 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 additional information within 30 calendar days from the receipt of that additional information.*

*The Commission shall take a decision on the requested exemption no later than six months following the receipt of the request pursuant to the first subparagraph or, in the event that further information has been provided by the Member States concerned pursuant to the third subparagraph, no later than four months following the latest receipt of such information, whichever is later. 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 28

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, **■** dredging and navigational aids;
- (b) construction or upgrading basic port infrastructure, such as internal basins, *alternative fuels infrastructure*, quay walls, berths, *platforms*, jetties, docks, dykes, backfills and land reclamation;
- (c) *the improvement of the infrastructure interconnecting the different modes of transport, the equipment and systems referred to in Article 37, points (a), (b) and (d); as well as the modernisation and expansion of the capacity of the rail infrastructure necessary for transport operations in or adjacent to the port area, if needed for connection to the trans-European rail network;*
- (d) improvement of digitalisation and automation processes, in particular with a view to increasing safety, security, *efficiency* and sustainability;

- (e) introduction and promotion of new technologies and innovation, *as well as renewable* and low carbon fuels;
- (f) *improvement of* the resilience of the logistic chains and international maritime trade, including in relation to climate adaptation;
- (g) noise reduction and energy efficiency measures;
- (h) 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 *and* supply chain optimisation in accordance with the applicable requirements under Union law or relevant international agreements, *such as the use of eco-incentives schemes*;

- (i) actions linked to the promotion of wider benefit actions and of short-sea shipping links in the framework of the European Maritime Space, including the promotion of an improved access to outermost and other remote, insular and peripheral regions;*
- (j) promoting zero and low emission ferry transport as a sustainable mode of passenger transport;*
- (k) actions aimed to increase the share of freight, including for short-sea shipping links, that transfers from road and air transport to maritime or inland waterways and rail transport, in order to reduce negative external costs such as emissions and congestion;  
and*
- (l) improving access to outermost regions and other remote, insular and peripheral regions.*

SECTION 4  
Road transport infrastructure

Article 29  
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; and
    - 
    - (vii) infrastructure mitigating impact on environment, *including solutions for fauna preservation or noise mitigation*;

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

2. The roads referred to in paragraph 1, point (a), of this Article *and specified in the maps set out 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 *referred to in paragraph 1, point (b)*, 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 30

##### 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 **■** ;
  - (b) the roads are designed, built or upgraded and maintained with high *quality and safety standards*;

- (c) the roads are designed, built or upgraded and maintained with a **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<sup>52</sup>;
- (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<sup>53</sup> and with Commission Implementing Regulation (EU) 2020/204<sup>54</sup> and Commission Delegated Regulation (EU) 2020/203<sup>55</sup>;
- (f) where applicable, tolls or user charges are levied in accordance with Directive 1999/62/EC of the European Parliament and of the Council<sup>56</sup>;

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<sup>52</sup> 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).

<sup>53</sup> 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).

<sup>54</sup> Commission Implementing Regulation (EU) 2020/204 of 28 November 2019 on detailed obligations of European Electronic Toll Service providers, minimum content of the European Electronic Toll Service domain statement, electronic interfaces, requirements for interoperability constituents and repealing Decision 2009/750/EC (OJ L 43, 17.2.2020, p. 49).

<sup>55</sup> 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).

<sup>56</sup> Directive 1999/62/EC of the European Parliament and of the Council of 17 June 1999 on the charging of vehicles for the use of road infrastructures (OJ L 187, 20.7.1999, p. 42).

- (g) any intelligent transport system on road transport infrastructure complies with Directive *2010/40/EU* and is deployed in a manner consistent with delegated acts adopted *on the basis thereof*; and
- (h) alternative fuels infrastructure is deployed on the road network in *accordance* with Regulation (EU) *2023/1804*.

2. Member States shall ensure that, by 31 December 2050, the *roads referred in Article 29(1), point (a)*, of the comprehensive network meet the following requirements:

- (a) *the road is specially designed, built or upgraded for motor traffic* ;
- (b) rest areas are available at a maximum distance of *100* km from each other, providing *safe and* sufficient parking space, and appropriate facilities, including sanitary facilities, that meet the needs of a diverse workforce; and
- (c) weigh in motion systems are installed *every 300 km on average on the network of a Member State*.



*For the purposes of point (c) of the first subparagraph, when installing weigh in motion systems Member States may focus on road sections with high intensity of freight traffic. Weigh in motion systems shall allow the identification of vehicles and vehicle combinations that are likely to have exceeded the maximum authorised weights set out in Directive 96/53/EC.*

3. Member States shall ensure **■** the deployment or use of the means to detect safety-related events or conditions, and the 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 (EU) No 886/2013<sup>57</sup>:
- (a) *for the existing infrastructure of the comprehensive network by 31 December 2030; and*
  - (b) *for the new infrastructure of the comprehensive network by 31 December 2050 or, in the event that the road section is completed before, by its date of completion.*

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<sup>57</sup> 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).

4. At the request of a Member State, in duly justified cases, the Commission shall adopt implementing acts granting exemptions from the requirement set out in paragraph 2 ***with respect to roads*** where the traffic density does not exceed 10 000 vehicles per day in both directions, or ***on grounds of*** specific geographical or significant physical constraints, ***negative result of socio-economic cost-benefit analysis or significant*** negative impacts on environment or biodiversity. Any such request shall be substantiated with sufficient justification, ***considering also that the infrastructures concerned are subject to road safety impact assessments, audits and inspections and, where necessary, to remedial actions in accordance with Directive 2008/96/EC. The request for exemptions shall be coordinated with the neighbouring Member State or Member States 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 the light of the justification provided under the first subparagraph. The Commission shall take duly into account the opinions of the neighbouring Member States concerned.*

*The Commission may ask for additional information from the Member State no later than 30 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 additional information within 30 calendar days from the receipt of that additional information.*

*The Commission shall take a decision on the requested exemption no later than six months following the receipt of the request pursuant to the first subparagraph or, in the event that further information has been provided by the Member States concerned pursuant to the third subparagraph, no later than four months following the latest receipt of such information, whichever is later. 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

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 30(1).
2. ***Member States shall ensure that the roads, as referred in Article 29(1), point (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:***
  - (a) *the roads are specially designed, built or upgraded for motor traffic;*
  - (b) *the roads 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*
  - (c) *the roads do not cross at grade with any road, railway or tramway track, bicycle path or footpath.*

3. Member States shall ensure that the road infrastructure of the core network and extended core *by 31 December 2040 complies with the following:*
- (a) rest areas are available along roads of the core network and extended core network at a maximum distance of 60 km from each other, providing sufficient safe parking space and appropriate facilities, including sanitary facilities, that meet the needs of a diverse workforce; and*
  - (b) meets the requirements set out in Article 30(2), point (c).*
4. Member States shall, *by 31 December 2040*, ensure the development *of safe and secure parking areas along the roads of the core network and extended core network, or within 3 km driving distance from the nearest exit of the road of the trans-European network, with an average maximum distance of 150 km between two such areas, providing sufficient parking space for commercial vehicles and complying with the requirements set out in Article 8a(1) of Regulation (EC) No 561/2006. Member States may focus on road sections with high intensity of freight traffic.*

5. *Member States shall ensure that the road infrastructure meets the requirements set out in Article 30(3):*

*(a) 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; and*

*(b) 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, or, in the event that the road section is completed before, by its date of completion.*

6. At the request of a Member State, in duly justified cases, the Commission shall adopt implementing acts granting exemptions from the **requirements** set out in paragraphs 2, 3 **and 4 with respect to roads** where the traffic density does not exceed 10 000 vehicles per day in both directions or **on grounds of** specific geographical or significant physical constraints, **negative result of socio-economic cost-benefit analysis** or **significant** negative impacts on **the** environment or **on** biodiversity. **Any such request shall be substantiated with sufficient justification considering also that the infrastructures concerned are subject to road safety impact assessments, audits and inspections and, where necessary, to remedial actions in accordance with Directive 2008/96/EC. The request for exemptions shall be coordinated with the neighbouring Member State or Member States in the case of cross-border sections. Neighbouring Member States may provide an opinion to the Member State requesting the exemption. The Member State shall attach the opinions of the 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 the light of the justification provided under the first subparagraph. The Commission shall take duly into account the opinions of the neighbouring Member States concerned.*

*The Commission may ask for additional information from the Member State no later than 30 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 additional information within 30 calendar days from the receipt of that additional information.*

*The Commission shall take a decision on the requested exemption no later than six months following the receipt of the request pursuant to the first subparagraph or, in the event that further information has been provided by the Member States concerned pursuant to the third subparagraph, no later than four months following the latest receipt of such information, whichever is later. 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 32

### 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 **■** communication infrastructure;
- (d) when building or upgrading road infrastructure, ensuring the continuity and accessibility of pedestrian and cycling paths in order to promote the active modes of transport ***and improving, where relevant, the infrastructure for active mobility***; and
- (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 on the comprehensive network.***

## SECTION 5

### Air transport infrastructure

#### Article 33

##### Infrastructure components

1. Air transport infrastructure shall comprise, in particular:
  - (a) air space, routes and airways;
  - (b) airports, including the infrastructure and equipment necessary for ground and transport operations within the airport area, and vertiports;
  - (c) the connections of the airports to the other modes in the trans-European transport network;
  - (d) ATM/ANS Systems and associated equipment, including space-based equipment;
  - (e) infrastructure related to alternative fuels, and electricity supply to stationary aircraft **■** ;
  - (f) infrastructure for the on-site production of alternative fuels and improving energy efficiency and reducing climate, environmental and noise emissions of airports or of associated airport operations such as ground-handling services, aircraft operations and passenger ground transport;

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

(h) *spaceports*.

2. ***In order to be part of the comprehensive network***, an airport shall ***meet*** 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 34

### Transport infrastructure requirements for the core network and comprehensive network

1. Member States shall ensure that:
  - (a) the airports of the *trans-European transport network with a total annual passenger traffic volume of more than 12 million passengers* are connected *to the trans-European railway network, including the high-speed railway network where possible, allowing long distance services by 31 December 2040, except where specific geographic or significant physical constraints prevent such connections;*
  - (b) *the airports of the trans-European transport network with a total annual passenger traffic volume of more than four million and less than 12 million passengers are connected to the trans-European railway network or, where the airport is located in or in the vicinity of an urban node of the trans-European railway network, to that urban node, by railway, metro, light rail, tramways, cable car or, exceptionally, other zero emission public transport solutions, by 31 December 2050, except where specific geographic or significant physical constraints prevent such connections;*

- (c) any airport *of the trans-European transport network* offers at least one terminal which is open to all operators and users in a non-discriminatory way and which shall apply transparent and non-discriminatory charges;
- (d) common basic standards for safeguarding civil aviation against acts of unlawful interference, as adopted by the Union in accordance with Regulation (EC) No 300/2008 of the European Parliament and of the Council<sup>58</sup>, 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 Regulations (EC) No 549/2004, (EC) No 550/2004, (EC) No 551/2004 and (EU) 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) **2023/1804**; and

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<sup>58</sup> 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 network 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.***

*The total annual passenger volume referred to in points (a), (b) and (g), of the first subparagraph shall be based on the latest available three-year average on ... [date of entry into force of this Regulation], based on the statistics published by Eurostat.*

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

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

*The Commission may ask for additional information from the Member State no later than 30 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 additional information within 30 calendar days from the receipt of that additional information.*

*The Commission shall take a decision on the requested exemption no later than six months following the receipt of the request pursuant to the first subparagraph or, in the event that further information has been provided by the Member States concerned pursuant to the third subparagraph, no later than four months following the latest receipt of such information, whichever is later. 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 35

### 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) improving digitalisation and automation processes, in particular with a view to increasing 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 ***and other alternative fuel infrastructure complying with Regulation (EU) 2023/1804, as well as fuels complying with Regulation (EU) 2023/2405 of the European Parliament and of the Council***<sup>59</sup>;
- (f) ***connection of the airports of the comprehensive network and core network with a total annual passenger traffic volume of less than 4 million passengers to the network and, where applicable, to corresponding urban nodes, as set out in Annex II, by railway, metro, light rail, tramways, cable car or, exceptionally, other zero emission public transport solutions; and***
- (g) ***infrastructure providing pre-conditioned air supply to stationary aircraft at remote stands, and at contact stands in the airports of the trans-European transport network with a total annual passenger traffic volume of less than 4 million passengers.***

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<sup>59</sup> ***Regulation (EU) 2023/2405 of the European Parliament and of the Council of 18 October 2023 on ensuring a level playing field for sustainable air transport (ReFuelEU Aviation) (OJ L, 2023/2405, 31.10.2023, ELI: <http://data.europa.eu/eli/reg/2023/2405/oj>).***

## SECTION 6

### Infrastructure for multimodal freight terminals

#### Article 36

##### 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;
  - (c) *located in the airports of the trans-European transport network, 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. By ... [date *three* years from the entry into force of this Regulation], Member States shall conduct a market and prospective analysis on multimodal freight terminals on their territory. This analysis shall at least:
  - (a) examine the current and the future traffic flows of freight, *per transport mode*;
  - (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 transshipment capacity in existing terminals; and
  - (c) analyse how to ensure adequate distribution of multimodal freight terminals with adequate transshipment 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, logistics operators, *as well as other relevant stakeholders* 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. *Where the analysis referred to in paragraph 3 identifies the need for new multimodal freight terminals or additional transshipment 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.*

*The action plan shall be notified to the Commission no later than 12 months after finalising the analysis referred to in paragraph 3.*

*On the basis of that 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 transshipment 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 of this Article.

## Article 37

### 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 transshipment 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, transshipment 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 transshipment; and
- (e) infrastructure for alternative fuels.

## Article 38

### 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 specified in the maps set out in Annex I and listed in Annex II, meet the following requirements:***
  - (a) ***they*** are connected to ***at least two*** modes of transport which are available in the area ***■*** ;
  - (b) ***they*** are, ***by 31 December 2030***, 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 (52), of Regulation (EU) 2023/1804 dedicated to serve heavy-duty vehicles, and, where appropriate, one refuelling station, as defined in Article 2, point (59), of that Regulation, used for hydrogen and dedicated to serve heavy-duty vehicles;*** and

- (c) **they** are equipped with digital tools to **facilitate** by 31 December 2030:
- (i) efficient terminal operations **which may include**, photogates, terminal operation system, driver digital check-in/check-out, cameras or other sensors on transshipment equipment as well as raiiside camera systems; and
  - (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 paragraph 1 ■ which are connected to the rail network and **which** carry out vertical transshipment, **have enough transshipment capacity and are able to handle the following types of craneable intermodal loading units: container, swap body or semi-trailer.**



3. Member States shall ***make all possible efforts to*** ensure in a fair and non-discriminatory manner that multimodal freight terminals referred to in paragraph (1), which are connected to the ***core rail network or extended core*** rail network, ***shall be*** able to accommodate ***740 m long trains without manipulation or, if this is not economically viable, that adequate measures are taken to improve the operational efficiency of accommodating 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. At the request of a Member State, in duly justified cases, the Commission shall adopt implementing acts granting exemptions from the requirements referred to in ***this Article on the ground of specific geographical or significant physical constraints***, in particular when the terminal is located in spatially restricted area, ***negative result of socio-economic cost-benefit analysis, or significant 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 the light of the justification provided under the first subparagraph.***

*The Commission may ask for additional information from the Member State no later than 30 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 additional information within 30 calendar days from the receipt of that additional information.*

*The Commission shall take a decision on the requested exemption no later than six months following the receipt of the request pursuant to the first subparagraph or, in the event that further information has been provided by the Member States concerned pursuant to the third subparagraph, no later than four months following the latest receipt of such information, whichever is later. 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 39

### 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 of 1 435 mm; and*
- (h) *promoting multimodal transport infrastructure that facilitates an effective modal shift towards sustainable transport modes.*

## SECTION 7

### Urban nodes

#### Article 40

##### 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 **■** ; and
  - (b) access points to the trans-European transport network, ***which are open to all operators and users in a non-discriminatory way, notably ports, airports as well as railway stations, bus terminals and multimodal freight terminals ■*** .  
**■**
2. The ***cities at the centre of each*** urban node 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 41

### 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 with** Regulation (EU) 2023/1804;
  - (b) by 31 December 2027:
    - (i) **the** adoption **and monitoring** of a **sustainable urban mobility plan (SUMP) 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 **and where appropriate, to assess the user's accessibility to transport; and**
    - (ii) **the** collection and submission to the Commission of urban mobility **data per urban node in the fields of sustainability, safety and accessibility according to the indicators and methodology referred to in paragraph 2;**

- (c) by 31 December 2030, ***the development of multimodal passenger hubs to facilitate first and last mile connections, including the facilitation of access to public transport infrastructure and active mobility, and*** which are equipped with at least one recharging station as defined in Article 2, point (52), of Regulation (EU) 2023/1804 dedicated to serve ***buses and coaches; Member States shall also examine the development in such hubs of a refuelling station, as defined in Article 2, point (59), of that Regulation, used for hydrogen dedicated to serve buses and coaches;*** and
- (d) by 31 December 2040, the development, ***subject to a socio-economic cost-benefit analysis,*** of at least one multimodal freight terminal, ***if such a terminal does not already exist,*** allowing for sufficient transshipment capacity within or in the vicinity of the urban node.

## **I**

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

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

*No later than by ... [one year from the date of entry into force of this Regulation], the Commission shall adopt an implementing act:*

- (a) defining, in a limited number, the indicators to be used for data collection provided for under paragraph 1, point (b), of this Article;*
- (b) establishing a methodology for the collection and submission of data pursuant to paragraph 1 of this Article; and*
- (c) specifying individual deadlines for submitting such data.*

*Those deadlines shall be set from three to five years.*

*The implementing act shall be prepared in close cooperation with Member States and their regional and local authorities and when doing so, the availability and accessibility of data at local level, as well as existing urban mobility plans, shall be taken into consideration.*

*That implementing act shall be adopted in accordance with the examination procedure referred to in Article 61(3).*

3. *The Commission shall also establish, no later than ... [one year from the date of 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, point (b), and allowing the Member States to ensure that the SUMPs and the indicators have been submitted.*
4. *By ... [one year from the date of entry into force of this Regulation], the Member States shall, without prejudice to Article 8(5), designate a national SUMP contact point and shall establish a national SUMP programme with the aim of supporting the urban nodes to adopt and to implement the SUMPs referred to in paragraph 1, point (b), point (i) of this Article.*



## Article 42

### 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 40(1), point (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, ***which may include:***
  - (i) ***for passengers, the ability to access information, book, pay their journeys and retrieve their tickets through multimodal digital mobility services in order to allow for optimised itineraries for vehicles with a view to improving the management of traffic flows, road safety and reducing congestion and air pollution; and***
  - (ii) ***for freight, urban logistic facilities to enhance the consolidation of deliveries in urban areas, such as micro-hubs and cycle logistic hubs, in particular those connected with railway and waterborne transport infrastructure;***

- (c) *sustainable, seamless and safe interconnection of passenger transport infrastructure between rail, road, and, as appropriate, inland waterway, air, and maritime, including the integration of infrastructure for active modes, especially when building or upgrading transport infrastructure;*
- (d) *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;*
- (e) mitigation of the exposure of urban areas to negative effects of transiting rail and road transport ■ ;
- (f) promotion of efficient and low-noise zero emission transport and mobility, including greening urban fleets *for passengers and freight;*
- (g) *where appropriate, increase of the modal share of public transport and of active modes through measures to orientate primarily the mobility of passengers in favour of these modes, including safe and secure infrastructure for active modes;*

- (h) promotion of efficient low-noise and low-carbon urban freight delivery;*
- (i) where appropriate, increase of accessibility and connectivity between urban and rural areas and access to smart, sustainable and affordable transport; and*
- (j) the adoption of concrete measures fostering the wider deployment of ICT tools and intelligent transport systems, with open access to all operators, to allow optimised itineraries for vehicles with a view to improving the management of traffic flows, reducing congestion, air pollution and improving road safety, as well as real-time information on availability of alternative fuels infrastructure.*

CHAPTER IV  
PROVISIONS FOR SMART AND RESILIENT TRANSPORT

Article 43

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: ITS;
  - (d) for maritime transport: for vessel traffic management VT-MIS services and for information exchange the EMSWe;
  - (e) for air transport: ATM/ANS systems, in particular those resulting from the SESAR project; and
  - (f) for multimodal transport: eFTI **■**.

3. *Member States may also promote other ICT systems for transport, where relevant, in a coordinated and harmonised way on the trans-European transport network. These may include digitalisation improvements for railways, the promotion of the Union Mobility Data Space and frameworks facilitating business to business data exchange, where established by the Union, for supply chain transparency and optimisation and appropriate ICT infrastructure allowing for smart enforcement based on the exchange of real-time data between economic operators and enforcement authorities necessary to check compliance with applicable regulatory requirements, including while vehicles are in motion.*

#### Article 44

##### Sustainable freight transport services

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 **greenhouse gas** emissions and other negative **socio-economic and environmental** impacts, *such as air and noise pollution*, 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*.

#### Article 45

##### New technologies and innovation

In order for the trans-European transport network to keep up with innovative technological developments and deployments, the *Member States and the Commission* shall, *in a coordinated way, promote projects of common interests which aim* in particular to:

- (a) support and promote the decarbonisation of transport through transition to zero and low emission vehicles, *trains*, vessels and *aircraft powered by alternative fuels* and other innovative and sustainable transport and network technologies **■** ;

- (b) *promote sustainable emerging technologies to enhance and ease the transport and mobility of passengers and freight;*
- (c) *enhance* the decarbonisation of all transport modes by stimulating energy efficiency, introduce zero *and low emission* solutions *powered by alternative fuels*, and provide corresponding infrastructure, *where possible through synergies with the trans-European energy network;*
- (d) 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, *with special focus on the rail sector;*
- (e) improve the safety and sustainability of the movement of persons and of the transport of goods;
- (f) improve the operation, management, accessibility, interoperability, multimodality and efficiency of the network, including through the development of multimodal digital mobility services ■ such as *the development of "Mobility as a Service" solutions;*

(g) 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*;

■

(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; and

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



For the purposes of point (b) of the first subparagraph, corresponding transport infrastructure may:

- (i) include grid access, *pipelines* and other facilities necessary for the energy supply;
- (ii) take account of the infrastructure-vehicle interface, *including smart and bi-directional recharging*;
- (iii) *include* ICT systems for transport;
- (iv) *act* as energy hub *servicing* different transport modes, *in order to connect local production of clean energy with zero-emission mobility applications*; and
- (v) *contribute to the deployment of other technologies accelerating the decarbonisation of the economy*.



## Article 46

### Resilience of infrastructure

1. When *projects of common interest are planned and implemented, Member States shall make all appropriate efforts to improve* the security and resilience of the infrastructure to climate change, natural hazards, *hybrid threats*, human-made disasters, *accidents, and operational interruptions*, as well as intentional disruptions affecting the functioning of the Union transport system. *In particular, 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 *environmental conditions and the* future projected climate conditions;
  - (d) civil protection needs to react to disruptions, *including those for the transport of dangerous goods*; and
  - (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 other Union legal acts,*** such requirement does not apply to projects for which the ***procurement process of the*** environmental impact assessment has been ***initiated*** by ... [date of entry into force of this Regulation].
  
3. ***By ... [two years from the date of entry into force of the Regulation], the Commission, in close cooperation with the Member States concerned, shall carry out an assessment of the resilience and vulnerability of the core network to the consequences of climate change on the basis of which it may elaborate and make publicly available best practices on possible adaptation measures to ensure the resilience of the network.***

Article 47

Risks to security or public order

1. Member States shall ***make all possible efforts to ensure that the infrastructure of the trans-European transport network is protected against risks to security or public order, by assessing the potential risks to security or public order arising from participations of or contributions by an undertaking of a third country in a project of common interest.***
  
2. ***In determining whether the participation or the contribution of an undertaking of a third country in a project of common interest is likely to affect infrastructure on grounds of security or public order, Member States may consider its potential effects on, inter alia:***
  - (a) ***the supply of inputs essential for the building, operation and maintenance of the infrastructure; and***
  
  - (b) ***the 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.***

█  
*Member States may also take into account, in particular, the factors listed in Article 4(2) of Regulation (EU) 2019/452.*

3. *Without prejudice to Regulation (EU) 2019/452, to each Member State having sole responsibility for its national security, as provided for in Article 4(2) TEU, and to the right of each Member State to protect its essential security interests in accordance with Article 346 TFEU, whenever a Member State considers that the participation or contribution of an undertaking of a third country in a project of common interest is likely to affect infrastructure on the trans-European transport network on grounds of security or public order, that Member State shall inform the Commission of any appropriate measures adopted to mitigate such risk.*
4. *This Article shall not apply to the participation █ or contribution in a project of common interest of a natural person, including a natural person performing, within an undertaking of a third country, for a certain period of time services for and under the direction of another person in return for which that natural person receives remuneration.*

*Article 48*

*Military mobility*

- 1. When constructing or upgrading infrastructure on those parts of the trans-European transport network that overlap with the military transport network identified in the “Military Requirements for Military Mobility within and beyond the EU” approved by the Council on 26 June 2023 and 23 October 2023 and in any subsequent document revising those requirements approved thereafter, Member States shall consider the need, relevance and feasibility of going beyond the requirements set out in Chapter III of this Regulation, for the purpose of accommodating the weight, size or scale of military transport of troops and material.*
- 2. By ... [one year from the date of entry into force of this Regulation] and taking into account the constitutional requirements of Member States, the Commission shall carry out a study to identify possibilities for short-notice large-scale movements across the Union, including military mobility. In the course of that study, the Commission shall consult the Member States.*

## Article 49

### Maintenance and project life cycle

***Without prejudice to the responsibility of the Member States regarding the planning, financing and management 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 that preventive maintenance needs, improvements to its resilience and estimated costs over the life-time of the 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 ■ ; and
- (c) ***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 50  
Accessibility for all users

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

- (a) people in situations of **transport poverty or** vulnerability including persons with disabilities or reduced mobility; **and**
- (b) **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 51

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 network 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 **and, where appropriate, to improve connections with the trans-European transport network of neighbouring countries.**



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 strengthening the most environmentally friendly transport modes, notably rail, inland waterways and short-sea shipping;
  - (b) interoperability *and continuity of the network*;
  - (c) a coordinated development of infrastructure *for all transport modes*, in particular in cross-border sections, notably with a view to developing an interoperable rail freight system as well as a performant long-distance rail passenger network, including at high speed, across the Union, *as well as with a view to ensuring an efficient and sustainable integration of inland waterway and maritime infrastructure with other modes of transport*;
  - (d) supporting the coordinated and integrated development and deployment of innovative solutions for the digitalisation *and interoperability of* transport; and
  - (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 52

##### 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 *and, where appropriate, the neighbouring countries which are part of the European Transport Corridors*, 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 or her knowledge of matters relating to transport, to the financing or the socio-economic and environmental evaluation of major projects, as well as his or her experience with Union policy making. The European Coordinator shall be selected for a mandate of a maximum of four years, which shall be 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, *where relevant, in consultation with neighbouring countries which are part of the European Transport Corridors*, monitor its implementation in accordance with Article 54;

- (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 *neighbouring countries that are part of the European Transport Corridors to the European Parliament and to the Commission* and, as appropriate, to ■ 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; and
- (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; ■ that annual status report shall focus on the progress made on key priorities and investments, describe the nature of problems encountered in their implementation, *and suggests* potential solutions.

6. ***Without prejudice to the competences of the rail freight governance under Regulation (EU) No 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 ***cooperate closely with the Member States concerned and the rail freight governance in order to:***
- (a) **■** help identify ***priorities and*** investment needs for rail freight on the rail freight lines of the European Transport Corridors ***taking into account the benefits provided to the trans-European transport network and the overall completion dates as set out in this Regulation;*** and
  - (b) monitor **■** the performance of rail freight services, ***and identify potential barriers, such as technical, administrative and operational ones, with a particular focus on the cross-border dimension, and make recommendations in this regard, where relevant.***
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; and

(b) monitor *the performance of rail passenger services, and identify potential barriers, such as technical, administrative and operational ones, with a particular focus on the cross-border dimension, and make recommendations in this regard, where relevant.*

8. *The European Coordinators of the European Transport Corridors shall cooperate closely with the Member States concerned in order to facilitate, where relevant, contacts and coordination between maritime and inland waterways representatives with a view to increasing their synergies.*

9. Pursuant *to* Article 14(4) of Regulation (EU) 2021/1153, the Commission shall *consult* 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, *while taking into account the network connectivity*. The European Coordinator shall verify whether projects proposed by the Member States, *or by neighbouring countries, where applicable*, for CEF co-funding are consistent with the priorities of the work plan referred to in paragraph 5 point (b) of this Article.

10. 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. *The Commission shall inform the European Parliament and the Council of its decision* and designate a new European Coordinator in accordance with the procedure set out in paragraph 1.

### Article 53

#### 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 or her tasks concerning the work plan and its implementation by a secretariat and by a consultative forum, the “Corridor Forum” and the “consultative Forum for the horizontal priority”, respectively.
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, ensure that rail freight governance *is represented, and facilitate the representation of other relevant infrastructure managers, such as maritime and inland port authorities and governance.*

3. ***The Commission shall consult the neighbouring countries which are part of the European Transport Corridors on the membership of the Corridor Forum for their parts of the European Transport Corridor.***
  
4. 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; and
  - (g) other ***topics deemed*** to be necessary.

Where 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.



5. 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 the Member States concerned***, representatives of the ***neighbouring countries concerned and of the*** relevant sectors shall be able to participate in the consultative Forum for the horizontal priority. ***Each Member State*** shall designate ***one responsible national representative involved in the coordination of ERTMS deployment in that Member State*** to attend the consultative Forum for ERTMS. The European Coordinator may also set up ad-hoc working groups.
  
6. 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.***

7. The European Coordinator may consult regional and local authorities, infrastructure managers, transport operators, and 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. ***Likewise, as regards the implementation of projects of common interest that fall within the scope of Directive (EU) 2021/1187, the designated authorities, as defined in Article 2, point (6), of that Directive, may also be consulted.*** In addition, the European Coordinator responsible for ERTMS shall closely cooperate with the European Union Agency for Railways established by Regulation (EU) 2016/796 of the European Parliament and of the Council<sup>60</sup> and Europe's Rail Joint Undertaking, and the European Coordinator for the European Maritime Space shall closely cooperate with the European Maritime Safety Agency established by Regulation (EC) No 1406/2002 of the European Parliament and of the Council<sup>61</sup>.

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<sup>60</sup> Regulation (EU) 2016/796 of the European Parliament and of the Council of 11 May 2016 on the European Union Agency for Railways and repealing Regulation (EC) No 881/2004 (OJ L 138, 26.5.2016, p. 1).

<sup>61</sup> Regulation (EC) No 1406/2002 of the European Parliament and of the Council of 27 June 2002 establishing a European Maritime Safety Agency (OJ L 208, 5.8.2002, p. 1).

## Article 54

### 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 by ... [two years from the date of entry into force of this Regulation] and every four years thereafter, a work plan that provides a detailed analysis of the state of implementation of the corridor or horizontal priority under his or 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 where relevant the neighbouring countries which are part of the European Transport Corridor***, and in consultation ***with*** the Corridor Forum and rail freight governance, or consultative Forum of the horizontal priority. The work plan of a European Transport Corridor shall be approved by the Member States concerned. ***Neighbouring countries which are part of a European Corridor shall be consulted.*** The Commission shall submit the work plan for information to the European Parliament and the Council.

When drafting the work plan, the European Coordinator shall take into account the implementation plan referred to in Article 9 of Regulation (EU) No 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, *including potential delays*;
  - (c) an identification of the missing links and bottlenecks hampering the development of the corridor, *with particular attention to the cross-border sections*;
  - (d) an analysis of the investments required, including the different financing and funding sources committed or envisaged, or both, 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, **with the objective of meeting the deadlines set out in this Regulation;**
- (f) a plan, **that may contain** intermediate **indicative milestones**, for the removal of physical, technical, digital, operational and administrative barriers between and within transport modes and for the enhancement of efficient **and accessible** multimodal transport with particular attention to **rail and its** cross-border sections and national missing links.

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

- (i) **take into account national plans and programmes referred to in Article 60(1) of this Regulation;**
- (ii) cooperate with the executive board and the management board of the corridor **in line with** Article 11 of Regulation (EU) No 913/2010 **for the aspects related to rail freight;**

- (iii) take into account the corridor relevant elements of the analysis, the action plans elaborated by the Member States pursuant to Article 36(4) of this Regulation 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;***
  - (iv) take into account the results of the monitoring performed in accordance with article 52 (7), point (b), for the aspect related to passenger services; and
  - (v) ***take into account the recommendations of the European Court of Auditors and the works of the designated authorities as set out in Directive (EU) 2021/1187;***
- (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 with Article 9(1) of Regulation (EU) No 913/2010, as means to reach the operational priorities of Article 19 of this Regulation;

- (h) an identification of measures in urban nodes, *in cooperation with the Member States concerned*, relevant *local authorities and the national SUMP contact points*, 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 SUMP*s;
- (i) an identification, *in cooperation 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; and
- (k) measures to be taken in order to mitigate greenhouse gas emissions, noise and, as appropriate, other negative *externalities*.

4. The European Coordinator shall *offer* support *to the* Member States *and, where appropriate and relevant, neighbouring countries* in implementing the work plan, in particular as regards:
- (a) 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) the project and investment planning, the related costs and implementation timeline estimated to implement the European Transport Corridors or horizontal priority; *and*
  - (c) *the work in the supervisory body or a similar steering body* of a single entity, *where relevant, for the coordination*, construction *or* management of cross-border infrastructure projects, *in accordance with Article 8(6)*.



## Article 55

### Implementing acts

1. ***Without prejudice to Article 8(5) of this Regulation, the Commission shall, subject to the approval by the Member States concerned in accordance with Article 172, second paragraph, TFEU, adopt implementing acts for the implementation of each European Transport Corridor covering its mains cross-border sections, as well as a limited number of other specific projects on national sections which are key for the functioning of the Corridor in order to implement missing links or to remove major bottlenecks. The selection of projects to be included in the implementing acts shall build on the analysis as agreed with Member States in the first work plan of the European Coordinators drawn up in accordance with Article 54 of this Regulation. The aim of the implementing acts shall be to ensure a coherent priority setting for infrastructure and investment planning by establishing indicative milestones and the expected timeline for the implementation of the identified projects. The implementing acts shall be drawn up in close collaboration with the Member States concerned and updated every four years or upon the request of those Member States.***

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 61(3).

2. ***Without prejudice to Article 8(5) of this Regulation, and subject to the approval by the Member States concerned in accordance with Article 172, second paragraph, TFEU,*** the Commission may adopt implementing acts for the implementation of **■** cross-border sections **■** or ***for the implementation*** of the horizontal priorities. **■** The implementing acts shall be drawn up in close collaboration with the Member States concerned and updated every four years or upon the request of ***those*** Member States.61(3).

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 61(3).

3. The Commission shall adopt implementing acts to amend the implementing acts referred to in paragraphs 1 and 2 to take into account the progress made, delays encountered or updated national programmes. Those implementing acts shall be adopted in accordance with the examination procedure **■** referred to in Article 61(3).
4. Until full implementation of the implementing ***acts*** referred to in this Article ***and unless provided otherwise in those implementing acts,*** 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 57.***

*Article 56*

*Cooperation with neighbouring countries involved in the European Transport Corridors and the horizontal priorities*

- 1. The European Coordinator of a European Transport Corridor or of a horizontal priority that extends to specific neighbouring countries shall be entitled to cooperate with these countries and involve them in the relevant corridor activities, such as the Corridor Forum or working groups as established in accordance with Article 53(2) and (4) or in the consultative forum of the horizontal priority, where applicable.*
- 2. The European Coordinator may also cooperate with international organisations, when carrying out activities related to the European Transport Corridors or horizontal priority which extend to neighbouring countries that are members of those international organisations.*
- 3. The Union may conclude high-level agreements with the neighbouring countries concerned in order to achieve a coordinated and synchronised approach regarding the implementation of the European Transport Corridors and horizontal priorities.*

CHAPTER VI  
COMMON PROVISIONS

Article 57

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 about the investments made for that purpose.
2. This information shall include ***yearly*** technical **■** data ***related to the transport infrastructure requirements laid down in Chapter III 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.***
3. ***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.***

4. *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 network, extended core network and comprehensive network).*
5. *The Commission shall adopt implementing acts laying down the list of technical data to be transmitted pursuant to paragraph 2 of this Article. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 61(3).*
6. 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.
7. *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 with a view to allowing** an automated data exchange **between national systems and data sources and** TENtec.*

## Article 58

### Updating of the network

1. Subject *to the approval of the Member State concerned in accordance with* Article 172, *second paragraph*, TFEU, the Commission *is* empowered to adopt delegated acts in accordance with Article 62 of this Regulation to amend its Annexes I and II, *in order to*:
  - (a) *take account of changes resulting from the quantitative thresholds laid down in Article 21(3), point (a), Article 25(4), points (a) and (b), and Article 33(2) and from the quantitative thresholds and qualitative requirements set out in Article 25(4), point (c); 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; and
    - (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 *except for maritime ports included in the comprehensive network for which the conditions set out in Article 25(4), point (d) or (e), are met, or at the request of the Member State concerned*;

- (b) include inland ports, maritime ports and airports in the comprehensive or core network, at the request of the Member State concerned, where this infrastructure has acquired further European added value due to its geostrategic importance for the Union and where it is demonstrated that the requirements of the relevant section in Chapter III are complied with or, alternatively, where it is reasonably justified that the relevant deadlines for the compliance of these requirements will be accomplished;*
- (c) include urban nodes in the trans-European transport network, if it is demonstrated that they meet the requirements set out in Article 40(2);*
- (d) exclude urban nodes from the trans-European transport network if it is demonstrated that they no longer meet the requirements set out in Article 40(2), at the request of the Member State concerned;*
- (e) exclude urban nodes that meet the requirements set out in Article 40(2) from the trans-European transport network at the request of the Member State concerned, in exceptional and duly justified cases, with the agreement of the relevant authorities of the urban node concerned;*

- (f) include *in the trans-European transport network rail road terminals and terminals along inland waterways* identified by the Member State in accordance with Article 36(5), *exclude rail road terminals from the trans-European transport network at the request of the Member State concerned or exclude multimodal freight terminal referred to in Article 36(1), points (a), (b) and (c) at the request of the Member States concerned*; or
- (g) adjust, *on the basis of the information provided by the Member State concerned in accordance with Article 57(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; when adjusting those maps, the Commission shall not make any adjustment in route alignment beyond that which is allowed by the relevant project authorising decision.

The adaptations referred to in point (a) 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, *while excluding years impacted by unforeseen events causing significant declines in traffic flows.*



*When excluding urban nodes from the trans-European transport network, as referred to in point (d) of the first subparagraph, at the request of the Member State, the request shall be accompanied by the opinion of the relevant authorities of the urban node concerned.*

*The adjustment referred to in point (g) of the first subparagraph may include the adaptation of the status of new constructions which are marked as dotted lines on the maps of the Annexes including, subject to the consent of the neighbouring Member State or Member States, their cross-border connections. The adjustment may also include the upgrade of cross-border sections, subject to the consent of both Member States involved.*

**2.** *A delegated act including an urban node in Annex II, pursuant to paragraph 1, point (c), of this Article, shall:*

*(a) extend the deadlines laid down in Article 41(1), points (b) and (c), by three years, until 31 December 2030 and 31 December 2033 respectively; and, for those urban nodes included in Annex II after the deadlines laid down in Article 41(1), point (b) or (c), have expired, extend those deadlines by three years after the entry into force of that delegated act; and*

*(b) extend the applicable deadline for meeting the requirements under Article 41(1), point (d), by five years, until 31 December 2045; and, for those urban nodes included in Annex II after the deadline laid down in Article 41(1), point (d), has expired, extend that deadline by five years after the entry into force of that delegated act.*

**3. *A delegated act including a rail road terminal in Annexes I and II, pursuant to paragraph 1, point (f), of this Article shall:***

*(a) extend the deadlines laid down by Article 38(1), point (c), and Article 38(2) by three years, until 31 December 2033; and, for those rail road terminals included in Annexes I and II after the deadlines laid down in Article 38(1), point (c), and Article 38(2) have expired, extend those deadlines by three years after the entry into force of that delegated act; and*

*(b) extend the deadline laid down by Article 38(3) by five years, until 31 December 2045; and, for those rail road terminals included in Annexes I and II after the deadline laid down in Article 38(3) has expired, extend that deadline by five years after the entry into force of that delegated act.*

4. 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 from the date of entry into force of that delegated act.

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

5. Subject to Article 172, *second paragraph*, TFEU, the Commission *is* empowered to adopt delegated acts in accordance with Article 62 of this Regulation to amend its 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 59

### 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. ***For projects of common interest that fall within the scope of Directive (EU) 2021/1187, its requirements must be respected.*** 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 60

### 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 ***and*** 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 Member States concerned ***and where applicable the*** implementing acts ***referred to in Article 55(1) and (2).***

**■**

2. Member States shall ***provide*** the Commission ***with*** the ***relevant*** draft national plans or programmes ***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 public consultation of this plan or programme is launched.***

The Commission may issue an opinion on the coherence of the draft national plans and programmes with the priorities set out in this Regulation and with the priorities set out in the work plans of the corresponding ***European Transport*** Corridors and of the horizontal priorities and in the implementing acts adopted in accordance with Article 55(1) ***and (2).*** ***The opinion shall not affect the validity of the national plans and programmes and shall not prevent their adoption and application.***

***Member States shall also provide the Commission with the final national plans or programmes once adopted.***

Article 61  
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 23(3), *second subparagraph, of this Regulation* the Commission shall be assisted by the Committee established pursuant to Article 7 of Council Directive 91/672/EEC<sup>62</sup>.
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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<sup>62</sup> 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 62  
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) and Article 58(1) and (5) shall be conferred on the Commission for a period of five years from ... [the date of the entry into force of this Regulation]. 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 Articles 11(3) and Article 58(1) and (5) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. ***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.***
5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
6. A delegated act adopted pursuant to Article 11(3) and Article 58(1) and (5) 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 63

### 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 52(5), point (e), and Article 54(1) respectively, *as well as the national plans and programmes referred to in Article 60(1)*.

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 network and the comprehensive network, evaluating:
  - (a) compliance with this Regulation;

- (b) progress in the implementation of this Regulation, *including any potential delays*;
- (c) changes in passenger and freight transport flows;
- (d) developments in national transport infrastructure investment; and
- (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 network and the comprehensive network as provided for in this Regulation is likely to comply with 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 64

### 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 the comprehensive network ***compared to the initial expected timeline set out in*** implementing acts ***referred to in*** Article 55 **■**, 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. Where the delayed section concerns a European Transport Corridor, the European Coordinator shall be involved with a view to ***supporting Member States in*** resolving the problem.

3. ***Without prejudice to the procedure laid down in Article 258 TFEU and to Article 8(5) of this Regulation***, the Commission may, after considering the reasons provided by the Member State or Member States concerned pursuant to the first paragraph of this Article, ***in the event of a 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 States concerned ***with recommendations with a view to eliminating that delay and preventing or reducing further delays.***

Article 65

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 ■ multimodal freight terminals shall not apply to Cyprus, Malta, ***islands*** and outermost regions for as long as no railway system is established within their territory. ***The provisions relating to safe and secure parking shall not apply to Cyprus, Malta, islands and outermost regions.***

***The provisions related to European standard nominal track gauge of 1 435 mm for rail in Article 17 shall not apply to Ireland, islands and outermost regions.***

Article 66  
Amendments to Regulation (EU) 2021/1153

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

Article 67  
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 developing 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.’;***

(2) *Article 2 is replaced by the following:*

*‘Article 2*

*Definitions*

1. *For the purposes of this Regulation, the definitions laid down in Article 3 of Directive 2012/34/EU of the European Parliament and of the Council of 21 November 2012 establishing a single European railway area\* shall apply.*

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 specified in Article 11(1) of Regulation (EU) 2024/...<sup>+</sup> of the European Parliament and the Council of ... on Union guidelines for the development of the trans-European transport network <sup>\*\*</sup> and in 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;

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<sup>+</sup> OJ: Please insert the number and date of this Regulation contained in document PE-CONS .../... (2021/0420(COD)).

- (c) ‘terminal’ means the installation provided along the freight corridor which has been specially arranged to allow either the loading or the unloading of goods onto or 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 52 of Regulation (EU) .../...<sup>++</sup>.

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\* *OJ L 343, 14.12.2012, p. 32.*

\*\* OJ L ...’;

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

‘ORGANISATION AND **GOVERNANCE** OF THE FREIGHT CORRIDORS’;

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<sup>++</sup> OJ: Please insert the number of this Regulation contained in document PE-CONS .../... (2021/0420(COD)).

(4) Article 3 is replaced by the following:

‘Article 3

Organisation and ***governance*** of freight corridors

■

1. Member States and infrastructure managers responsible for the freight corridor which is part of that European Transport Corridor shall adjust the ***governance*** of the freight corridor from ... [date of entry into force of this amending Regulation] or in the event of an amendment of the alignment of a European Transport Corridor pursuant to Article 11(3) of Regulation 2024/...<sup>++</sup>, within ***18*** months of the date of that amendment. ***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 adopt the measures necessary to adjust organisation and management of the freight corridor in accordance with Articles 9 to 19 of this Regulation to the new geographical alignment.***
2. ***The executive board of a freight corridor may decide to address administrative, operational and interoperability aspects of international passenger rail services on the corridor. 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) paragraphs 1 and 2 are replaced by the following:
- ‘1. For each freight corridor, Member States concerned shall establish an executive board responsible for defining the general objectives of the freight corridor, supervising and taking the measures as expressly provided for in paragraph 7 of this Article, and in Articles 9 and 11, Article 14(1) and Article 22. The executive board shall be composed of representatives of the authorities of the Member States concerned. 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).
2. *For each freight corridor, the infrastructure managers concerned and, where relevant, the allocation bodies as referred to in Article 7(2) of Directive 2012/34/EU, shall establish a management board responsible for taking the measures as expressly provided for in paragraphs 5, 7, 8 and 9 of this Article, and in Articles 9 to 12, Article 13(1), Article 14(2), (6) and (9), Article 16(1), Article 17(1) and Articles 18 and 19 of this Regulation. The management board shall be composed of the representatives of the infrastructure managers.*’;

*(b) the following paragraphs are inserted:*

*‘2a. A Member State which made use of Article 5(4) before ... [date of entry into force of this amending Regulation] may decide that, for a period not exceeding 10 years from ... [date of entry into force of this amending Regulation], an infrastructure manager responsible for the railway infrastructure on its territory shall not participate in the management board set up pursuant to paragraph 2 of this Article. The Member State concerned 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 manager concerned shall cooperate with the management board where necessary for the execution of the functions of that board.*

*A Member State making use of the first subparagraph of this paragraph may, at any time thereafter during the 10 year-period referred therein, decide that an infrastructure manager responsible for the railway infrastructure on its territory shall participate 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.*

***2b. Ireland may decide that the representatives of its authorities and an infrastructure manager responsible for the railway infrastructure on its territory shall not participate in the executive board, in the management board set up pursuant to paragraphs 1 and 2, or in both. Ireland shall notify without delay the Commission and the other Member States participating in the freight corridor concerned of its decision.***

***In that case, the authorities and the infrastructure manager or managers concerned shall cooperate with the executive board and the management board where necessary for the execution of the functions of those boards.***

***Ireland may, at any time thereafter, decide that the representatives of its authorities and the infrastructure manager or managers responsible for the railway infrastructure on its territory shall participate in the executive board, the management board set up pursuant to paragraphs 1 and 2, or in both. It shall notify without delay the Commission and the other Member States participating in the freight corridor concerned of its decision.’;***

(c) *paragraphs 4 to 8 are replaced by the following:*

- ‘4. The executive board shall take its decisions on the basis of mutual consent of the representatives of the authorities of the Member States concerned participating in the executive board.*
- 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 the management 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)\*.*
- 6. The responsibilities of the executive and management boards shall be without prejudice to the independence of infrastructure managers as provided for in Article 4(2) of Directive 2012/34/EU.*

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*** the European Coordinator concerned ***and*** 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 however shall be taken by the management board.

8. The management board shall set up a further advisory group made up of railway undertakings interested in the use of the freight corridor. This advisory group may issue an opinion on any proposal by the management board which has consequences for these undertakings. 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* the European Coordinator *and the regulatory bodies referred to in Article 55 of Directive 2012/34/EU*, 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.

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\* OJ L 199, 31.7.1985, p. 1.’;

(d) the following paragraph 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 Articles 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 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 priorities set out in Article 19 of Regulation (EU) .../...<sup>+</sup>;
- (d) the measures to implement 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 achieving the objectives and targets referred to in point (c) of this paragraph;
- (e) the views and assessment of the advisory groups referred to in Articles 8(7) and (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) and a summary of the responses of other stakeholders.

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<sup>+</sup> OJ: Please insert the number of this Regulation contained in document PE-CONS .../... (2021/0420(COD)).



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 54 of Regulation *(EU) .../...*<sup>+</sup>. 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) of this paragraph and the measures referred to in point (d) of this paragraph, based on the assessment referred to in Article 19(3) following the consultation of the advisory groups referred to in Articles 8(7) and (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.

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<sup>+</sup> OJ: Please insert the number of this Regulation contained in document PE-CONS .../... (2021/0420(COD)).

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 36(3) and (4) of Regulation *(EU) .../...<sup>+</sup>*.
5. The management board shall, as appropriate, take measures to cooperate with regional or local administrations, or both, in respect of the implementation plan.’;

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<sup>+</sup> OJ: Please insert the number of this Regulation contained in document PE-CONS .../... (2021/0420(COD)).

(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 54 of Regulation (EU) .../...<sup>+</sup>.
2. The management board shall consult the advisory groups referred to in Articles 8(7) and (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) of this Regulation and any infrastructure declared congested pursuant to Article 47 of Directive 2012/34/EU;
  - (b) Trans-European transport network infrastructure requirements relevant for rail freight transport as defined in Chapters II and III of Regulation (EU) .../...<sup>+</sup> ;
  - (c) need for targeted investments to remove local bottlenecks, improvements to nodes and *rail access routes* or technical equipment enhancing operational performance.’;

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<sup>+</sup> OJ: Please insert the number of this Regulation contained in document PE-CONS .../... (2021/0420(COD)).

(9) *In Article 13 paragraphs 3 and 4 are replaced by the following:*

- ‘3. The one-stop shop shall take a decision with regard to applications for pre-arranged train paths specified in Article 14(3) and for the reserve capacity specified in Article 14(5). It shall allocate the capacity in line with rules regarding capacity allocation as set out in Directive 2012/34/EU. It shall inform the competent infrastructure managers of these applications and the decision taken without delay.*
4. For any request of infrastructure capacity which cannot be met pursuant to paragraph 3, the one-stop shop shall forward the application for infrastructure capacity without any delay to the competent infrastructure managers and, where relevant, the allocation bodies as referred to in *Article 7(2) of Directive 2012/34/EU*, who shall take a decision on that application in accordance with *Article 38 and Chapter IV, Section 3*, of that Directive and communicate this decision to the one-stop shop for further processing.’;

**(10) Article 14 is amended as follows:**

**(a) paragraph 1 is replaced by the following:**

**‘1. The executive board shall define the framework for the allocation of the infrastructure capacity on the freight corridor in accordance with Article 39 of Directive 2012/34/EU.’;**

**(b) paragraph 3 is replaced by the following:**

**‘3. On the basis of the evaluation specified in paragraph 2 of this Article, infrastructure managers of the freight corridor shall jointly define and organise international pre-arranged train paths for freight trains following the procedure referred to in Article 10 of Directive 2012/34/EU recognising the need for capacity of other types of transport, including passenger transport. They shall facilitate journey times, frequencies, times of departure and destination and routings suitable for freight transport services with a view to increasing the transport of goods by freight trains running on the freight corridor. These pre-arranged train paths shall be published not later than 3 months before the final date for receipt of requests for capacity referred to in Annex VII to Directive 2012/34/EU. The infrastructure managers of several freight corridors may, if necessary, coordinate international prearranged train paths offering capacity on the freight corridors concerned.’;**

(c) *paragraph 5 is replaced by the following:*

*‘5. Infrastructure managers shall, if justified by market need and the evaluation as referred to in paragraph 2 of this Article, jointly define the reserve capacity for international freight trains running on the freight corridors recognising the need for capacity of other types of transport, including passenger transport and keep this reserve available within their final working timetables to allow for a quick and appropriate response to ad hoc requests for capacity as referred to in Article 48 of Directive 2012/34/EU. This capacity shall be reserved until the time limit before its scheduled time as decided by the management board. This time limit shall not exceed 60 days.’;*

*(d) paragraph 8 is replaced by the following:*

*‘8. Save in the case of force majeure, including urgent and unforeseeable safety-critical work, a train path allocated to a freight operation pursuant to this Article may not be cancelled less than two months before its scheduled time in the working timetable if the applicant concerned does not give its approval for such cancellation. In such a case the infrastructure manager concerned shall make an effort to propose to the applicant a train path of an equivalent quality and reliability which the applicant has the right to accept or refuse. This provision shall be without prejudice to any rights the applicant may have under an agreement as referred to in Article 44(1) of Directive 2012/34/EU. In any case, the applicant may refer the matter to the regulatory body referred to in Article 20 of this Regulation.’;*

*(e) paragraph 10 is replaced by the following:*

*‘10. In paragraphs 4 and 9 of this Article, references to infrastructure managers shall include, where relevant, allocation bodies as referred to in Article 7(2) of Directive 2012/34/EU.’;*



**(11) Article 15 is replaced by the following:**

***‘Article 15***

***Authorised applicants***

***Notwithstanding Article 41(1) of Directive 2012/34/EU, applicants other than railway undertakings or the international groupings that they make up, such as shippers, freight forwarders and combined transport operators, may request international pre-arranged train paths specified in Article 14(3) and the reserve capacity specified in Article 14(5). In order to use such a train path for freight transport on the freight corridor these applicants shall appoint a railway undertaking to conclude an agreement with the infrastructure manager in accordance with Article 28 of Directive 2012/34/EU.’;***

**(12) Article 17(2) is replaced by the following:**

***‘2. Each infrastructure manager concerned shall draw up priority rules for the management between the different types of traffic in the part of the freight corridors within the responsibility of that infrastructure manager in accordance with the common targets or guidelines referred to in paragraph 1 of this Article, or both. Those priority rules shall be published in the network statement referred to in Article 27 of Directive 2012/34/EU.’;***

(13) *Article 18, point (a), is replaced by the following:*

*‘(a) all the information contained in the network statement for national networks regarding the freight corridor, drawn up in accordance with the procedure set out in Article 27 of Directive 2012/34/EU;’;*

(14) 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 Article 9(1), point (c). The management board shall consult the advisory groups referred to in Articles 8(7) and (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 Article 9(1), point (c), and to the operational priorities referred to in Article 19 of Regulation (EU) .../...<sup>+</sup>.
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 Articles 8(7) and (8) in a dedicated section of the report. The management board shall submit the annual report for approval to the executive board.’;

**(15) Article 20 is amended as follows:**

**(a) paragraph 1 is replaced by the following:**

**’1. The regulatory bodies referred to in Article 55 of Directive 2012/34/EU shall cooperate in monitoring the competition in the rail freight corridor. In particular, they shall ensure non-discriminatory access to the corridor and shall be responsible for the appeal provided for under Article 56(1) of that Directive. They shall exchange the necessary information obtained from infrastructure managers and other relevant parties.’;**

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<sup>+</sup> OJ: Please insert the number of this Regulation contained in document PE-CONS .../... (2021/0420(COD)).

(b) *paragraph 6 is replaced by the following:*

*'6. Any associated representatives of infrastructure managers as referred to in Article 40(1) and (2) of Directive 2012/34/EU shall ensure provision, without delay, of all the information necessary for the purpose of the handling of the complaint or the investigation referred to in paragraph 3 of this Article and requested by the regulatory body of the Member State in which the associated representative is located. This regulatory body shall be entitled to transfer such information regarding the international train path concerned to the regulatory bodies mentioned in paragraph 3 of this Article';*

(16) *Article 21 is deleted;*

(17) 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) of this Regulation 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/EU* 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, for the first time by 10 November 2015, and every four years thereafter.’;

(18) the Annex is deleted.

Article 68

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 69

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 ...,

*For the European Parliament*

*For the Council*

*The President*

*The President*

## LIST OF ANNEXES

- ANNEX I Maps of the comprehensive, extended core and core network
- ANNEX II List of nodes of the trans-European transport network
- ANNEX III Alignment of the European transport corridors
- ANNEX IV Indicative maps of the trans – European transport network extended to specific third countries.
- ANNEX V Sustainable urban mobility planning guidelines for urban nodes
- ANNEX VI Amendments to Regulation (EU) 2021/1153
- ANNEX VII Correlation table

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