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WORKING DOCUMENT

From:	General Secretariat of the Council
To:	Working Party on Transport - Intermodal Questions and Networks
N° Cion doc.:	ST 15109 2021 INIT
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 - Presidency compromises on railway transport infrastructure

In view of the Working Party on Transport - Intermodal Questions and Networks on 28 November 2023, delegations will find attached Presidency compromises on railway transport infrastructure of the above proposal (Articles 14-19).

TENT regulation. Main topics to discuss

Chapter III. Section 1. Railway transport infrastructure

1. ERTMS (art17):

The first part of the article 17 in the GA (lines 305 to 308 b) requires the deployment of ERTMS in the TENT network without differentiating the level of implementation. Connections are kept with a different deadline.

- General requirement for ERTMS in the TENT network

Lines 305 to 308 b → keeping the content of the General Approach, PRES proposes to simplify by merging paragraph 1 and 2. That means for requirement for complying for core (2030), Extended core (2040) and comprehensive (2050).

1. Member States shall ensure that **on the railway infrastructure of the core network by 31 December 2030, extended core network by 31 December 2040, and comprehensive network by 31 December 2050:**

- (i) ERTMS is equipped, except on connections referred to in Article 14(1), point (d), while ensuring a synchronised and harmonised ERTMS deployment trackside and on board of trains;
- (ii) ERTMS is deployed on connections referred to in Article 14(1), point (d), where such equipment is deemed necessary by the Member State concerned in coordination with the relevant stakeholders, in particular the infrastructure manager

- ERTMS radio based for lines of the TENT network

The difference between ERTMS levels in the regulation is considered. Some existing lines along the network have already deployed ERTMS level 1.

The requirement for deployment of ERTMS radio based (level 2) shall adjust and consider a different horizon for deployment between new constructed rail lines and existing lines (see line 310). Nevertheless, considering that the EP is accepting all exemption clauses, the PCY believes that the deadline for the core and extended core networks may be set earlier.

Line 310. (Deployment of ERTMS radio based): **New PCY compromise proposal:**

4. Member States shall ensure that the railway infrastructure is equipped with radio-based ERTMS:

- **by 31 December 2040, for lines on the core and extended core network.**
- **by 31 December 2050, for lines on the comprehensive network.**

Decommissioning of obsolete Class B systems:

Line 308 c (Decommissioning of class B systems): **New compromise proposal:**

2a. Member State shall **aim**, ~~where appropriate~~, at decommissioning of class B systems by 31 December 2050, **provided that the level of safety or service is not compromised.**

2. Circulation of 740 m trains (art 15 and 16):

PRES proposes to keep Council's General Approach

Comprehensive Network Lines 281, 284 a to 284e

Core Network Lines 292 to 292 b

3. Electrification (art 15 and 16):

PRES proposes to keep Council's General Approach lines 277-278, 290-291-294d, 290-295-296-297

The consideration of the requirement on the connection to ports and multimodal terminals must be considered independently.

4. P400 (art 16):

PRES proposes to adapt Council's General Approach lines 297b to 297i with a better definition of the criteria as follows (COM's proposal):

3ab. Member States shall ensure that, by 31 December 2040, lines for freight transport that are part of the railway infrastructure of the core or extended network, including connections referred to in Article 14(1), point (d), allow for the circulation of freight trains carrying standard semi-trailers up to 4 meters high on wagons of a height of at least 27 centimetres on the European Transport Corridors on their territories.

trains carrying standard semi-trailers up to 4 meters high, loaded at a height of at least 27 centimetres above the top of the rail track

5. **Connection to ports and multimodal terminals** (art 14, 15 and 16).

The connection to ports and multimodal terminals is defined in the following way in a common understanding for multimodal freight terminals, and maritime ports:

- Inside ports and terminals: only 740 m
 - Circulation of 740 m must be conceived to provide the necessary infrastructural means to form 740 m length trains, provided that there are no physical or geographical constraints and that it is economically viable.
- Last mile connection till the terminal/port, i.e. rail access routes up to multimodal freight terminals can provide the general requirement for 740 m and **electrification**.

PYC proposes to include the electrification of the last mile connections to find an agreement with the EP for the railway-and terminals package.

New PRES Compromise proposal

Comprehensive network. Line 284f (art 15)

2a. Member States shall ensure that, by 31 December 2050, the railway infrastructure of the comprehensive network on the connections referred to in Article 14(1), point (d) and which is connected to railway lines used for freight transport as defined in Article 15(2) meets the requirements set out in paragraph 2, points **(a)**, (c) and (d), unless, with respect to the requirements set out in paragraph 2, point (d), an exemption from the application of Article 37 (3) has been granted by the Commission pursuant to Article 37(5).

Extended core network. Line 294f (art 16)

2b. Member States shall ensure that, by 31 December 2040, the railway infrastructure of the extended core network on the connections referred to in Article 14(1), point (d) meets the requirements set out in Article 15(2), point **(a) and** (c) and in Article 16(2), point (b), unless, with respect to the requirements set out in Article 16(2), point (b), an exemption from the application of Article 37 (3) has been granted by the Commission pursuant to Article 37(5).

Extended core network. Line 294l (art 16)

3b. Member States shall ensure that, by 31 December 2030, the railway infrastructure of the core network on the connections referred to in Article 14(1), point (d) meets the requirements set out in Article 15(2), points **(a) and** (c) and in Article 16(2), point (b) unless, with respect to the requirements set out in Article 16(2), point (b), an exemption from the application of Article 37 (3) has been granted by the Commission pursuant to Article 37(5).

6. **Operational requirements for the European Transport Corridors** (art 18 / 65).

EP insists on bringing back the operational requirements to article 18 to avoid its deletion when the Railway capacity regulation is approved.

Article 18

Operational requirements priorities for the European Transport Corridors

COM initial proposal (art 18):

1. Member States shall ensure that, by 31 December 2030, the quality of services provided by infrastructure managers to railway undertakings, technical and operational requirements for infrastructure use and procedures related to border controls do not prevent the operational performance of rail freight services along the rail freight lines of the European Transport Corridors from meeting the following target values:

PCY compromise proposal (same wording as in art 65, now brought to art 18, with an only a change regarding rail freight governance reference to avoid future inconsistencies depending on the outcome of the rail capacity regulation):

1. ~~The executive board in close cooperation with management board~~ Rail Freight governance shall make all the possible efforts to ensure that, by 31 December 2030, 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 freight corridors from meeting the following target values:

COM initial proposal

(a) for each internal Union cross-border section, the dwelling time of all freight trains crossing the border does not exceed 15 minutes on average. Dwelling time of a train on a cross-border section means the total additional transit time that can be attributed to the existence of the border crossing, irrespective of the underlying causes, such as police border controls and procedures or considerations of infrastructural, operational, technical and administrative nature, without taking into account 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;

PCY compromise proposal (without changes with respect to the GA, art 65, now brought to art 18.)

(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 of Regulation (EU) 2016/399¹ do not allow for this time-limit to be complied with. 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;**

COM initial proposal

(b) at least 90% of the freight trains crossing at least one border of 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.

***PCY compromise proposal** (without changes with respect to the GA, art 65, now brought to art 18)*

(b) at least [75%] of the freight trains crossing at least one border of a freight corridor arrive at their destination, or at the external Union border if their destination is outside the Union, at their scheduled time or with a delay of less than 30 minutes by reasons that are attributable to the infrastructure manager(s) of the Union. Delays occurred in and attributable to third countries that are crossed by freight trains shall not be taken into account.

1. Regulation (EU) 2016/399 of the European Parliament and of the Council of 9 March 2016 on a Union Code on the rules governing the movement of persons across borders (Schengen Borders Code) OJ L 77, 23.3.2016, p. 1–52.

**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 (Text with EEA relevance)
2021/0420(COD)**

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
CHAPTER III					
252	CHAPTER III SPECIFIC PROVISIONS			CHAPTER III SPECIFIC PROVISIONS	
SECTION 1					
253	SECTION 1 Railway transport infrastructure			SECTION 1 Railway transport infrastructure	
Article 14					
254	Article 14 Infrastructure components			Article 14 Infrastructure components	
Article 14(1)					
255					

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
	1. Railway transport infrastructure shall comprise, in particular:			1. Railway transport infrastructure shall comprise, in particular:	
Article 14(1), point (a)					
256	(a) railway lines, including:			(a) railway lines, including:	
Article 14(1), point (a)(i)					
257	(i) tracks;			(i) tracks;	
Article 14(1), point (a)(ii)					
258	(ii) points;			(ii) points;	
Article 14(1), point (a)(iii)					
259	(iii) level crossings;			(iii) level crossings;	
Article 14(1), point (a)(iv)					
260	(iv) sidings;			(iv) sidings;	
Article 14(1), point (a)(v)					
261	(v) tunnels;			(v) tunnels;	

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 14(1), point (a)(vi)					
262	(vi) bridges;			(vi) bridges;	
Article 14(1), point (a)(vii)					
263	(vii) infrastructure mitigating impact on environment;			(vii) infrastructure mitigating impact on environment;	
Article 14(1), point (b)					
264	(b) stations along the lines indicated in Annex I for the transfer of passengers within the rail mode and between rail and other transport modes;			(b) stations along the lines indicated in Annex I for the transfer of passengers within the rail mode and between rail and other transport modes;	
Article 14(1), point (c)					
265	(c) rail service facilities other than passenger stations as defined in Article 3(11) of Directive 2012/34/EU of the European Parliament and of the Council ¹ , in particular marshalling yards, train			(c) rail service facilities along the lines indicated in Annex I other than passenger stations as defined in Article 3(11) of Directive 2012/34/EU of the European Parliament and of the Council ¹ , in particular marshalling yards, train formation facilities, shunting	B

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
	formation facilities, shunting facilities, storage sidings, maintenance facilities, other technical facilities like cleaning and washing facilities, relief facilities and refuelling facilities; it also includes automatic gauge-changing facilities for rail; 1. 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).			facilities, storage sidings, maintenance facilities, other technical facilities like cleaning and washing facilities, relief facilities and refuelling facilities; it also includes automatic gauge-changing facilities for rail; 1. 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).	
Article 14(1), point (d)					
266	(d) the rail access routes and last mile rail connections to multimodal freight terminals connected by rail, including in inland and maritime ports and airports, and rail service facilities;			(d) the rail access routes and last mile rail connections up to multimodal freight terminals connected by rail, including the rail access routes up to multimodal freight terminals in inland and maritime ports and airports, and the rail access routes up to marshalling yards as defined by the Annex II, point 2(c) of Directive 2012/34/EU rail service facilities;	C - linked to scope.

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 14(1), point (e)					
267	(e) trackside control-command signalling;			(e) trackside control-command signalling;	
Article 14(1), point (f)					
268	(f) trackside energy infrastructure;			(f) trackside energy infrastructure;	
Article 14(1), point (fa)					
268a			<i>(fa) infrastructure related to alternative fuels facilities , as defined in Regulation (EU) [...] [on the deployment of alternative fuels infrastructure];</i>		B PRES proposes to include EP's proposal (fa) infrastructure related to alternative fuels facilities, as defined in Regulation of the European Parliament and of the Council on the deployment of alternative fuels infrastructure;
Article 14(1), point (g)					
269	(g) associated equipment;			(g) associated equipment;	

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 14(1), point (h)					
270	(h) ICT systems for transport.			(h) ICT systems for transport.	
Article 14(2)					
271	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.			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					
272	Article 15 Transport infrastructure requirements for the comprehensive network			Article 15 Transport infrastructure requirements for the comprehensive network	
Article 15(1)					

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
273	1. Member States shall ensure that the railway infrastructure of the comprehensive network:			1. Member States shall ensure that the railway infrastructure of the comprehensive network:	
Article 15(1), point (a)					
274	(a) complies with Directive (EU) 2016/797 of the European Parliament and of the Council¹ and its implementing measures in order to achieve the interoperability of the comprehensive network; ¹ 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).			(a) complies with Directive (EU) 2016/797 of the European Parliament and of the Council¹ and its implementing measures in order to achieve the interoperability of the comprehensive network; ¹ 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).	
Article 15(1), point (b)					
275	(b) complies with the requirements of the technical specifications			(b) complies with the requirements of the technical specifications for interoperability	B

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
	for interoperability (TSIs) adopted pursuant to Articles 4 and 5 of Directive (EU) 2016/797, under the procedure provided for in Article 7(1), points (b), (c), (d) and (e) of that Directive;			(TSIs) adopted pursuant to Articles 4 and 5 of Directive (EU) 2016/797, under the procedure without prejudice to the exemptions provided for in Article 7(1), points (b), (c), (d) and (e) of that Directive;	
Article 15(1), point (c)					
276	(c) complies with the requirements laid down in as defined in Regulation (EU) [...] [on the deployment of alternative fuels infrastructure].			(c) complies with the requirements laid down in as defined in Regulation (EU) [...] [on the deployment of alternative fuels infrastructure].	B PRES proposes to keep the GA, since the inclusion of line 268a on EP's proposal is proposed. There is no knowledge of requirements on alternative fuels for rail.
Article 15(2)					
277	2. Member States shall ensure that the railway infrastructure of the comprehensive network, including connections referred to in Article 14(1), point (d), by 31 December 2050:		2. Member States shall ensure that the railway infrastructure of the comprehensive network, including connections referred to in Article 14(1), point (d), by 31 December 2050:	2. Member States shall ensure that, by 31 December 2050 , the railway infrastructure of the comprehensive network, including except connections referred to in Article 14(1), point (d), by 31 December 2050 :	

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 15(2), point (a)					
278	(a) is fully electrified as regards line tracks and, to the extent necessary for electric train operations, as regards sidings;		(a) is fully electrified as regards line tracks and, to the extent necessary for electric train operations, as regards sidings;	(a) is fully electrified as regards line tracks and, to the extent necessary for electric train operations, as regards sidings;	
Article 15(2), point (b)					
279	(b) provides for a nominal track gauge for new railway lines of 1435 mm, except where the new line is an extension on a network the track gauge of which is different and detached from the main rail lines in the Union;	(b) To be deleted.	(b) provides for a nominal track gauge for new railway lines of 1435 mm, except where the new line is an extension on a network the track gauge of which is different and detached from the main rail lines in the Union; Deleted	(b) provides for a nominal track gauge for new railway lines of 1435 mm, except where the new line is an extension on a network the track gauge of which is different and detached from the main rail lines in the Union;	
Article 15(2), point (c)					
280	(c) enables, without special permission, an axle load of at least 22.5 tons;	(c) To be renumbered.		(c) enables, without special permission, an axle load of at least 22.5 tons;	
Article 15(2), point (d)					
281					

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
	(d) enables, without special permission, the operation of freight trains with a train length of at least 740 m (including the locomotive(s)). This requirement is met if at least the following conditions are complied with:	(d) To be renumbered.		(d) enables, without special permission, the operation of freight trains with a train length of at least 740 m (including the locomotive(s)). This requirement is met if, on double track lines , at least the following conditions are complied with: 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.	C
Article 15(2), point (d)(i)					
282	(i) on double track lines, at least 50% of the train paths for freight trains, and not less than two train paths per hour and direction, can be allocated to freight trains with a length of at least 740 m;		(i) on double track lines, at least 50% of the train paths for freight trains, and not less than two train paths per hour and direction, can be allocated to freight trains with a length of at least 740 m, in order to ensure seamless cross border operations, those train paths shall be aligned accordingly;	(i) on double track lines, at least 50% of the train paths for freight trains, and not less than two train paths per hour and direction, can be allocated to freight trains with a length of at least 740 m;	C
Article 15(2), point (d)(ii)					
283					

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
	(ii) on single track lines, at least one train path per two hours and direction can be allocated to freight trains with a length of at least 740 m;			(ii) on single track lines, at least one train path per two hours and direction can be allocated to freight trains with a length of at least 740 m;	C
Article 15(2), point (e)					
284	(e) provides a standard of at least P400 in accordance with item 1.1.1.1.3.5 of Table 1 in the Annex to Commission Implementing Regulation (EU) 2019/777¹, without any additional requirement for special permission to operate services. ¹. Commission Implementing Regulation (EU) 2019/777 of 16 May 2019 on the common specifications for the register of railway infrastructure and repealing Implementing Decision 2014/880/EU (OJ L 139I, 27.5.2019, p. 312).	(e) To be renumbered.		(e) provides a standard of at least P400 in accordance with item 1.1.1.1.3.5 of Table 1 in the Annex to Commission Implementing Regulation (EU) 2019/777¹, without any additional requirement for special permission to operate services. ¹. Commission Implementing Regulation (EU) 2019/777 of 16 May 2019 on the common specifications for the register of railway infrastructure and repealing Implementing Decision 2014/880/EU (OJ L 139I, 27.5.2019, p. 312).	C
Article 15(2), second sub-paragraph					

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
284a				The requirements set out in points (c) and (d) shall apply only on those lines of the comprehensive network which:	C
Article 15(2), second subparagraph, point (i)					
284b				(i) connect a multimodal freight terminal or a maritime or an inland port with its closest crossing point with core or extended core freight network, or	C
Article 15(2), second subparagraph, point (ii)					
284c				(ii) constitute a re-routing line of a line that is part of the core or extended core network for freight transport, or	C
Article 15(2), second subparagraph, point (iii)					
284d				(iii) 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.	C

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 15(2), third subparagraph					
284e				Member States shall, at the latest three years after the entry into force of this Regulation, notify the Commission of the lines concerned. For cross-border sections, such notification shall be made in agreement with the other Member States concerned.	C
Article 15(2a.)					
284f				2a. Member States shall ensure that, by 31 December 2050, the railway infrastructure of the comprehensive network on the connections referred to in Article 14(1), point (d) and which is connected to railway lines used for freight transport as defined in Article 15(2) meets the requirements set out in paragraph 2, points (c) and (d), unless, with respect to the requirements set out in paragraph 2, point (d), an exemption from the application of Article 37 (3) has been granted by the Commission pursuant to Article 37(5).	C New PRES Compromise proposal 2a. Member States shall ensure that, by 31 December 2050, the railway infrastructure of the comprehensive network on the connections referred to in Article 14(1), point (d) and which is connected to railway lines used for freight transport as defined in Article 15(2) meets the requirements set out in paragraph 2, points (a), (c)

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
					and (d), unless, with respect to the requirements set out in paragraph 2, point (d), an exemption from the application of Article 37 (3) has been granted by the Commission pursuant to Article 37(5).
Article 15(2), point (eg)					
284g			<i>At the request of a Member State, in duly justified cases including reasons of cost-efficiency of the service, exemptions for the comprehensive network to the requirements under paragraph 2, first subparagraph, points (a), (d), and (e) may be granted by the Commission by means of implementing acts. Any request for exemption shall be based on a socio-economic cost-benefit analysis and an assessment of the impact on interoperability. An exemption shall comply</i>		C This line proposed by EP introduces exemptions to requirements in paragraph 2. However, this is also proposed by the Council in lines 287a-287e. General Approach has deleted line 284g and maintained 287a-287e. EP and Council positions seem compatible.

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
			<i>with the requirements of Directive (EU) 2016/797 of the European Parliament and of the Council¹, be coordinated with and agreed by the neighbouring Member State(s) where applicable.</i> <i>1. 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).</i>		
Article 15(2), point (eh)					
284h			<i>2a. Without prejudice to paragraph 2, second subparagraph, Member States shall ensure that on the railway infrastructure of the comprehensive network, as of 1 December 2040, in case of construction of a new line, the requirement set out in paragraph 2, point (a), is complied with.</i>		c
Article 15(3)					
285					

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
	3. The following exemptions apply:		3. <i>Isolated networks are exempted from the requirements under paragraph 2. The following exemptions apply:</i>	3. The following exemptions requirements set out in paragraph 2, and paragraph 2a do not apply: to isolated networks.	
Article 15(3), point (a)					
286	(c) isolated networks are exempted from the requirements under paragraph 2, points (a), (c), (d) and ©;	(c) 'isolated networks are exempted from the requirements under paragraph 2, points (a) to (d)';	(c) <i>isolated networks are exempted from the requirements under paragraph 2, points (a), (c), (d) and ©; deleted</i>	(c) <i>isolated networks are exempted from the requirements under paragraph 2, points (a), (c), (d) and ©;</i>	
Article 15(3), point (b)					
287	(b) at the request of a Member State, in duly justified cases, other exemptions may be granted by the Commission by means of implementing acts in respect of the requirements referred to in paragraph 2. Any request for exemption shall be based on a		(b) <i>at the request of a Member State, in duly justified cases, other exemptions may be granted by the Commission by means of implementing acts in respect of the requirements referred to in paragraph 2. Any request for exemption shall be based on a socio-economic cost-benefit analysis and</i>	(b) at the request of a Member State, in duly justified cases, other exemptions may be granted by the Commission by means of implementing acts in respect of the requirements referred to in paragraph 2. Any request for exemption shall be based on a socio-economic cost-benefit analysis and an assessment of the impact on interoperability. An exemption shall comply with the	

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
	socio-economic cost-benefit analysis and an assessment of the impact on interoperability. An exemption shall comply with the requirements of Directive (EU) 2016/797 of the European Parliament and of the Council¹, be coordinated and agreed with the neighbouring Member State(s) where applicable. ¹ C. 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).		an assessment of the impact on interoperability. An exemption shall comply with the requirements of Directive (EU) 2016/797 of the European Parliament and of the Council¹, be coordinated and agreed with the neighbouring Member State(s) where applicable. ¹ C. 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).	requirements of Directive (EU) 2016/797 of the European Parliament and of the Council¹, be coordinated and agreed with the neighbouring Member State(s) where applicable. C. 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).	
Article 15(4), first subparagraph					
287a				4. Without prejudice to paragraph 3, upon request of a Member State, in duly justified cases, exemptions shall be	C Presidency compromise proposal:

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

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
					Member State may request the granting of several exemptions in a single request.
Article 15(4), second subparagraph					
287b				The Commission shall assess the request in view of the justification provided as well as in terms of its significant impact on interoperability and continuity of the railway network where relevant. The Commission shall take duly into account the opinion(s) of the neighbouring Member State(s) concerned.	C
Article 15(4), third subparagraph					
287c				The Commission may ask additional information to the Member State no later than thirty calendar days following the receipt of request pursuant to the first subparagraph. If the Commission considers that the information provided is insufficient, it may ask the Member State to supplement that information within thirty	C

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
				calendar days from the receipt of that information.	
Article 15(4), fourth subparagraph					
287d				The Commission shall take a decision on the requested exemption no later than 6 months following the receipt of the request pursuant to in the first subparagraph or, in case further information has been provided by the Member States concerned pursuant to the third subparagraph, no later than 4 months following the latest receipt of such information, whichever is the latest date. In the absence of an explicit decision by the Commission within such time-limits, the exemption shall be deemed to be granted.	C
Article 15(4), fifth subparagraph					
287e				The Commission shall inform other Member States of the exemptions granted pursuant to this Article.	C
Article 16					

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
288	Article 16 Transport infrastructure requirements for the core network and the extended core network			Article 16 Transport infrastructure requirements for the core network and the extended core network	
Article 16(1)					
289	c. Member States shall ensure that the railway infrastructure of the core network and the extended core network complies with Article 15(1).			c. Member States shall ensure that the railway infrastructure of the core network and the extended core network complies with Article 15(1).	
Article 16(2)					
290	2. Member States shall ensure that the railway infrastructure of the extended core network, including connections referred to in Article 14(1), point (d), by 31 December 2040:		2. Member States shall ensure that the railway infrastructure of the extended core network, including connections referred to in Article 14(1), point (d), by 31 December 2040:	2. Member States shall ensure that, by 31 December 2040 , the railway infrastructure of the extended core network, including except connections referred to in Article 14(1), point (d), by 31 December 2040 for lines that are part of the network for freight transport:	B

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 16(2a)					
290a			<i>(-a) is fully electrified as regards line tracks and, to the extent necessary for electric train operations, as regards sidings;</i>		C This requirement is the same in GA by indirect reference in next line to 15.2.a (line 278)
Article 16(2), point (a)					
291	(c) meets the requirements set out in Article 15(2), points (a) to ©, and of a prevailing minimum operational line speed of 100 km/h for freight trains on the freight lines of the extended core network;	(c) meets the requirements set out in Article 15(2), points (a) to (d), and of a prevailing minimum operational line speed of 100 km/h for freight trains on the freight lines of the extended core network;	(c) meets the requirements set out in Article 15(2), points (a) to ©, and of a prevailing minimum operational line speed of 100 km/h for freight trains on the freight lines of the extended core network; (c), (d) and ©	(c) meets the requirements set out in Article 15(2), points (a) to ©, and of a prevailing minimum operational line speed of 100 km/h for freight trains on the freight lines of the extended core network and (c);	C
Article 16(2), point (aa)					
291a			<i>(aa) allows for a prevailing minimum operational line speed of</i>		C – See also Council position on line 293.

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
			<i>100 km/h for freight trains on the freight lines of the extended core network;</i>		
Article 16(2), point (b)					
292	(b) meets the requirements set out in Article 15(2), points (a) and (b), on the passenger lines of the extended core network;	(b) meets the requirements set out in Article 15(2), point (a), on the passenger lines of the extended core network;	<i>(b) meets the requirements set out in Article 15(2), points (a) and (b), on the passenger lines of the extended core network; deleted</i>	(b) meets the requirements set out in Article 15(2), points (a) and (b), on the passenger lines of the extended core network; enables, without special permission, the operation of freight trains with a train length of at least 740 m (including the locomotive(s)). This requirement is met if at least the following conditions are complied with:	C
Article 16(2), point (b)(i)					
292a				(c) 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;	C
Article 16(2), point (b)(ii)					

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
292b				(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;	C
Article 16(2), point ©					
293	(c) allows for a prevailing minimum line speed of 160 km/h for passenger trains on the passenger lines of the extended core network;			(c) allows for a prevailing minimum line 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 passengerfreight trains on the passengerfreight lines of the extended core network;	C – See also EP AM on line 291a.
Article 16(2), point ©, second subparagraph					
294	When constructing or upgrading a passenger line of the extended core network or			When constructing or upgrading a passenger line of the extended core network or sections thereof, Member States shall perform a	

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
	sections thereof, Member States shall perform a study to analyse the feasibility and economic relevance of higher speeds, and build or upgrade the line to such higher speed where its feasibility and economic relevance are demonstrated.			study to analyse the feasibility and economic relevance of higher speeds, and build or upgrade the line to such higher speed where its feasibility and economic relevance are demonstrated.	
Article 16(2), point ©, second subparagraph a					
294a			<i>At the request of a Member State, in duly justified cases including reasons of cost-efficiency of the service, exemptions may be granted by the Commission by means of implementing acts in respect of the requirements set in this paragraph, except for the requirements set in Article 15, paragraph 2, points © and (d). Any request for exemption shall be based on a socio-economic cost-benefit analysis and an assessment of the impact</i>		C – Horizontal issue linked to exemptions. See line 301 and 303a-303f on exemptions.

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
			<i>on interoperability. An exemption shall comply with the requirements of Directive (EU) 2016/797 of the European Parliament and of the Council , be coordinated with and agreed by the neighbouring Member State(s) where applicable.</i>		
Article 16(2), point ©, second subparagraph b					
294b			<i>(2a.) Without prejudice to paragraph 2, second subparagraph, Member States shall ensure that on the railway infrastructure of the extended core network network, as of 31 December 2030, in case of construction of a new line, the requirement set out in paragraph 2, point (-a), is complied with.</i>		c
Article 16(2a.)					
294c				2a. Member States shall ensure that, by 31 December 2040, the railway infrastructure of the extended core network, except	c

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
				connections referred to in Article 14(1), point (d) for lines that are part of the network for passenger transport:	
Article 16(2a), point (a)					
294d				(a) meets the requirements set out in Article 15(2), point (a) on the passenger lines of the extended core network;	C
Article 16(2a), point (b)					
294e				(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.	
Article 16(2b.)					
294f				2b. Member States shall ensure that, by 31 December 2040, the railway	C

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
				infrastructure of the extended core network on the connections referred to in Article 14(1), point (d) meets the requirements set out in Article 15(2), point (c) and in Article 16(2), point (b), unless, with respect to the requirements set out in Article 16(2), point (b), an exemption from the application of Article 37 (3) has been granted by the Commission pursuant to Article 37(5).	New PRES compromise proposal 2b. Member States shall ensure that, by 31 December 2040, the railway infrastructure of the extended core network on the connections referred to in Article 14(1), point (d) meets the requirements set out in Article 15(2), point (a) and (c) and in Article 16(2), point (b), unless, with respect to the requirements set out in Article 16(2), point (b), an exemption from the application of Article 37 (3) has been granted by the Commission pursuant to Article 37(5).
Article 16(3)					
295	3. Member States shall ensure that the railway infrastructure of the core network, including connections referred to in Article 14(1), point (d), by 31 December 2030:		3. Member States shall ensure that the railway infrastructure of the core network, including connections referred to in Article 14(1), point (d), by 31 December 2030:	3. Member States shall ensure that, by 31 December 2030 , the railway infrastructure of the core network, including except connections referred to in Article 14(1), point (d), by 31 December 2030:	B

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 16(3a)					
295a			<i>(-a) is fully electrified as regards line tracks and, to the extent necessary for electric train operations, as regards sidings;</i>		C This requirement is the same in GA by indirect reference in next line to 15.2.a (line 278 and 297)
Article 16(3), point (a)					
296	(a) meets the requirements set out in Article 15(2), points (a) to (d), and of a prevailing minimum operational line speed of 100 km/h for freight trains on the freight lines of the core network;	(a) meets the requirements set out in Article 15(2), points (a), (b) and (c), and of a prevailing minimum operational line speed of 100 km/h for freight trains on the freight lines of the core network;	(a) meets the requirements set out in Article 15(2), points (a) to (d) , and of a prevailing minimum operational line speed of 100 km/h for freight trains on the freight lines of the core network (c) and (d) ;	(a) meets the requirements set out in Article 15(2), points (a) to (d), and of a prevailing minimum operational line speed of 100 km/h for freight trains on the freight lines of the core network for lines that are part of the network for freight transport: meets the requirements set out in Article 16(2), points (a), (b) and (c);	C
Article 16(3), point (aa)					
296a			<i>(aa) allows for a prevailing minimum operational line speed of 100 km/h for freight trains on the freight lines of the core network;</i>		

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 16(3), point (b)					
297	(b) meets the requirements set out in Article 15(2), points (a) and (b), on the passenger lines of the core network;	(b) meets the requirements set out in Article 15(2), point (a), on the passenger lines of the core network;	(b) meets the requirements set out in Article 15(2), points (a) and (b), on the passenger lines of the core network; deleted	(b) meets the requirements set out in Article 15(2), points (a) and (b), on the passenger lines of the core network; for the lines that are part of the network for passenger transport: meets the requirements set out in Article 15(2), point (a).	C
Article 16(3), point (ba)					
297a			(ba) <i>allows for a prevailing minimum line speed of 160 km/h for passenger trains on the passenger lines of the core network;</i>		
Article 16(3), point (bb)					
297b				3a. Member States shall ensure that, by 31 December 2040, the railway infrastructure that is part of the core network for passenger transport, except connections referred to in Article 14(1), point (d) meets the requirement set out in Article 16(2a), point (b).	C

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 16(3ab)					
297c				3ab. Member States shall ensure that, by 31 December 2040, lines for freight transport that are part of the railway infrastructure of the core or extended network, including connections referred to in Article 14(1), point (d), allow for the circulation of freight trains carrying standard semi-trailers up to 4 meters high on wagons of a height of at least 27 centimetres on the European Transport Corridors on their territories.	C
Article 16(3ab), second paragraph					
297d				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:	C
Article 16(3ab), first indent					
297e				(a) there is at least one direct line meeting that requirement	C

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
				enabling uninterrupted operation of trains in the territory of a Member State as well as on cross-border lines with each neighbouring Member State;	
Article 16(3ab), second indent					
297f				(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;	C
Article 16(3ab), third indent					
297g				(c) if one or more end points of a corridor are located on the territory of a Member State, there is at least one direct line meeting that requirement to at least one of these end points.	C
Article 16(3ab), third paragraph					
297h					

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
				For cross-border sections, the determination of the lines concerned shall be made in agreement with the neighbouring Member State(s) concerned.	B
Article 16(3ab), fourth paragraph					
297i				Member States shall, at the latest three years after the entry into force of this Regulation, notify the Commission of the lines concerned.	B
Article 16(3), subparagraph 1					
297j			At the request of a Member State, in duly justified cases where a Member State is affected by specific geographic or significant physical constraints which prevent the requirements set out in this paragraph, points (ab) and (ba), being complied with on the rail lines on the core network, exemptions may be granted by the		C - Horizontal issue, linked to exemptions. See lines 301 and 303a-303f.

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
			<i>Commission by means of implementing acts in respect of those requirements.</i>		
Article 16(3a)					
297k			<i>3a. Member States shall ensure that on the railway infrastructure of the core network network, as of 31 December 2025, in case of construction of a new line, the requirement set out in paragraph 3, point (-a), is complied with.</i>		C See lines 301 and 303a-303f.
Article 16(3b)					
297l				3b. Member States shall ensure that, by 31 December 2030, the railway infrastructure of the core network on the connections referred to in Article 14(1), point (d) meets the requirements set out in Article 15(2), point (c) and in Article 16(2), point (b) unless, with respect to the requirements set out in Article 16(2), point (b), an exemption from the	C New PRES compromise proposal 3b. Member States shall ensure that, by 31 December 2030, the railway infrastructure of the core network on the connections referred to in Article 14(1), point (d) meets the requirements set out in

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
				application of Article 37 (3) has been granted by the Commission pursuant to Article 37(5).	Article 15(2), points (a) and (c) and in Article 16(2), point (b) unless, with respect to the requirements set out in Article 16(2), point (b), an exemption from the application of Article 37 (3) has been granted by the Commission pursuant to Article 37(5).
Article 16(4)					
298	4. Member States shall ensure that the railway infrastructure of the core network, including connections referred to in Article 14(1), point (d), by 31 December 2040:		4. Member States shall ensure that the railway infrastructure of the core network, including connections referred to in Article 14(1), point (d), by 31 December 2040:	4. Member States shall ensure that the railway infrastructure of the core network, including connections referred to in Article 14(1), point (d), by 31 December 2040: The requirements set out in paragraphs 2 to 3b do not apply to isolated networks.	C
Article 16(4), point (a)					
299	(a) meets the requirement of Article 15(2), point (e), on the freight lines on the core network;	(a) meets the requirement of Article 15(2), point (d), on the freight lines on the core network;		(a) meets the requirement of Article 15(2), point (e), on the freight lines on the core network;	C
Article 16(4), point (b)					

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
300	(b) meets the requirement of paragraph 2, point (c), on the passenger lines of the core network.	(b) meets the requirement of paragraph 2, point (b) on the passenger lines of the core network.;	(b) meets the requirement of paragraph 2, point (c), on the passenger lines of the core network. deleted	(b) meets the requirement of paragraph 2, point (c), on the passenger lines of the core network.	C
Article 16(4), subparagraph 1					
300a			<i>At the request of a Member State, in duly justified cases including reasons of cost-efficiency of the service, exemptions to the requirement set out in point (a) of this paragraph may be granted by the Commission by means of implementing acts. Any request for exemption shall be based on a socio-economic cost-benefit analysis and an assessment of the impact on interoperability. An exemption shall comply with the requirements of Directive (EU) 2016/797 of the European Parliament and of the Council, and be coordinated with and agreed by the</i>		C - Linked to exemptions. See line 301.

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
			<i>neighbouring Member State(s) where applicable.</i>		
Article 16(5), first paragraph					
301	5. The following exemptions apply:		<i>5. Isolated networks are exempted from the requirements under paragraph 2, 3 and 4; The following exemptions apply:</i>	5. Without prejudice to paragraph 4, upon at the request of a Member State, in duly justified cases, The following exemptions apply: shall be granted by the Commission by means of implementing acts in respect of requirements referred to in this article on the ground of specific geographical or significant physical constraints, negative result of socio-economic cost-benefit analysis or potential negative impacts on environment or biodiversity. Any such request shall be substantiated with sufficient justification. The request for exemptions shall be coordinated with the neighbouring Member State(s) in case of cross-border sections. The neighbouring Member State(s) may provide an opinion to the Member State requesting the exemption. The Member State shall attach the opinion(s) of the neighbouring	C Presidency compromise proposal: 5. Without prejudice to paragraph 4, upon at the request of a Member State, in duly justified cases, exemptions shall be granted by the Commission by means of implementing acts in respect of requirements referred to in this article on the ground of specific geographical or significant physical constraints, negative result of socio-economic cost-benefit analysis or potential significant negative impacts on environment or biodiversity. Any such request shall be substantiated with sufficient justification. The request for exemptions shall be

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
				Member State(s) to its request. A Member State may request the granting of several exemptions in a single request.	coordinated with the neighbouring Member State(s) in case of cross-border sections. The neighbouring Member State(s) may provide an opinion to the Member State requesting the exemption. The Member State shall attach the opinion(s) of the neighbouring Member State(s) to its request. A Member State may request the granting of several exemptions in a single request.
Article 16(5), point (a)					
302	(a) isolated networks are exempted from the requirements under paragraph 2, 3 and 4;		<i>(a) isolated networks are exempted from the requirements under paragraph 2, 3 and 4; deleted</i>	(a) isolated networks are exempted from the requirements under paragraph 2, 3 and 4;	C Already included in line 298
Article 16(5), point (b)					
303	(b) at the request of a Member State, in duly justified cases, other exemptions may be granted by the Commission by means		<i>(b) at the request of a Member State, in duly justified cases, other exemptions may be granted by the Commission by means of implementing</i>	(b) at the request of a Member State, in duly justified cases, other exemptions may be granted by the Commission by means of implementing acts in respect of the requirements referred to in	

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
	of implementing acts in respect of the requirements referred to in paragraphs 2 to 4. Any exemption shall be based on a socio-economic cost-benefit analysis and an assessment of the impact on interoperability. An exemption shall comply with the requirements of Directive (EU) 2016/797, be coordinated and agreed with the neighbouring Member State(s) where applicable.		<i>acts in respect of the requirements referred to in paragraphs 2 to 4. Any exemption shall be based on a socio-economic cost-benefit analysis and an assessment of the impact on interoperability. An exemption shall comply with the requirements of Directive (EU) 2016/797, be coordinated and agreed with the neighbouring Member State(s) where applicable.deleted</i>	paragraphs 2 to 4. Any exemption shall be based on a socio-economic cost-benefit analysis and an assessment of the impact on interoperability. An exemption shall comply with the requirements of Directive (EU) 2016/797, be coordinated and agreed with the neighbouring Member State(s) where applicable.	
Article 16(5), second paragraph					
303a				The Commission shall assess the request in view of the justification provided as well as in terms of its significant impact on interoperability and continuity of the railway network, where relevant. The Commission shall take duly into account the opinion(s) of the neighbouring Member State(s) concerned.	C

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 16(5), third paragraph					
303b				When assessing requests for exemptions from the requirement related to carriage of the semi-trailers set out in paragraph 3ab of this Article, 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.	C
Article 16(5), fourth paragraph					
303c				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.	C

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 16(5), fifth paragraph					
303d				The Commission may ask additional information to the Member State no later than thirty calendar days following the receipt of request pursuant to the first subparagraph. If the Commission considers that the information provided is insufficient, it may ask the Member State to supplement that information within thirty calendar days from the receipt of that information.	C
Article 16(5), sixth paragraph					
303e				The Commission shall take a decision on the requested exemption no later than 6 months following the receipt of the request pursuant to in the first subparagraph or, in case further information has been provided by the Member States concerned pursuant to the third subparagraph, no later than 4 months following the latest receipt of such information, whichever is the	C

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
				latest date. In the absence of an explicit decision by the Commission within such time-limits, the exemption shall be deemed to be granted.	
Article 16(5), seventh paragraph					
303f				The Commission shall inform other Member States of the exemptions granted pursuant to this Article.	C
Article 16(5a)					
303g			<i>5a. Member States shall ensure that the railway infrastructure connections referred to in Article 14(1), point (d), meet the requirements of Article 15(2):</i> - on the core network by 31 December 2030; - on the extended core network by 31 December 2040; and - on the comprehensive network by 31 December 2050. <i>At the request of a Member State, in duly</i>		C This is already covered in the GA in lines 284f, 294f, 297c, 297l and 303i.

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
			<i>justified cases including reasons of cost-efficiency of the service, exemptions in respect of the requirements set out in Article 15(2), points (a) and (e) may be granted by the Commission by means of implementing acts. Any request for exemption shall be based on a socio-economic cost-benefit analysis and an assessment of the impact on interoperability. An exemption shall comply with the requirements of Directive (EU) 2016/797 of the European Parliament and of the Council, be coordinated with and agreed by the neighbouring Member State(s) where applicable.;</i> <i>At the request of a Member State, in duly justified cases where specific geographic or significant physical constraints prevent such provision, exemptions to the requirement set out in Article 15(2), point (d) may be granted by the</i>		

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
			<i>Commission by means of implementing acts.</i>		
Article 16a(4)					
303h		Article 16a European standard nominal track gauge for rail	<i>Article 16a European standard nominal track gauge for rail</i> Changes to amended COM prop. not shown.	<i>Article 16a European standard nominal track gauge for rail</i> Changes to amended COM prop. not shown.	EP agrees to keep the GA.
Article 16a(4)					
303i		1. Member States shall ensure that any new railway infrastructure of the comprehensive network, the extended network and the core network, including connections referred to in Article 14(1), point (d), provides for the European standard nominal track gauge of 1 435 mm. That requirement is considered to be met	<i>1. Member States shall ensure that any new railway infrastructure of the comprehensive network, the extended core network and the core network, including connections referred to in Article 14(1), point (d), provides for the European standard nominal track gauge of 1 435 mm. That requirement is considered to be met when 1 435 mm track gauge trains can</i>	1. Member States shall ensure that any new railway line of the extended core network and the core network, including connections referred to in Article 14(1), point (d), provides for the European standard nominal track gauge of 1 435 mm. That requirement is considered to be met when 1 435 mm track gauge trains can circulate on the infrastructure at the latest by 2030 for the core network and by 2040 for the extended core network. For the purposes of this Article new	EP agrees to keep the GA.

Commission Proposal	Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
		<i>circulate on the infrastructure. For the purposes of this Article new railway infrastructure means any infrastructure for which the authorising decision, as referred to in Article 2 of Directive (EU) 2021/1187 of the European Parliament and of the Council, has not been taken on ... [the date of entry into force of this Regulation].</i> Changes to amended COM prop. not shown.	railway line means any line for which construction works have not started on the date of entry into force of this Regulation. Changes to amended COM prop. not shown.	
Article 16a(4)				
303j		2. <i>Member States with a rail network, or a part thereof, with a track gauge different from that of the European standard nominal track gauge of 1 435 mm shall carry out an assessment, at the latest by ... [date two years after the date of entry into force of this Regulation], assessing the viability of</i>	2. By derogation to paragraph 1, the Member States on the territory of which, at the date of entry into force of this Regulation, no new railway line is planned to be connected to the land border of another Member State according to Annex I of this Regulation, shall draw up a plan identifying the new railway line to be built according to the European standard nominal track gauge	EP agrees to keep the GA. C

Commission Proposal	Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
	existing railway lines located on the European Transport Corridors to the European standard nominal track gauge of 1 435 mm. Such migration plan shall be coordinated with the neighbouring Member State(s) concerned by the migration.	<i>migration of the existing railway lines located on the European Transport Corridors to the European standard nominal track gauge of 1 435 mm. Such migration plan shall be coordinated with the neighbouring Member State or Member States concerned by the migration.</i> Changes to amended COM prop. not shown.	of 1 435 mm. This plan shall take account of the impact on interoperability with the neighbouring Member State(s), by taking account of, notably, the possible migration of existing railway lines according to paragraph 3. The plan shall include a socio-economic cost-benefit analysis justifying the decision of the Member State, where relevant, not to build new railway infrastructure to the European standard nominal track gauge of 1 435 mm and an assessment of the impact on interoperability. This plan shall be submitted to the Commission at the latest two years after the date of entry into force of this Regulation. Changes to amended COM prop. not shown.	
Article 16a(4)				
303k	3. Member States may identify in the migration plan the railway lines which will not migrate to the	3. <i>Based on the assessment under paragraph 2, the Member States shall draw up a migration plan, at the</i>	3. Member States with an existing rail network, or a part thereof, with a track gauge different from that of the European standard nominal	EP agrees to keep the GA. C

Commission Proposal	Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
	European standard nominal track gauge of 1 435 mm. The migration plan shall include a socio-economic cost-benefit analysis justifying the decision not to migrate the railway lines to the European standard nominal track gauge of 1 435 mm and an assessment of the impact on interoperability.	<i>latest one year following the completion of the assessment, justifying in the migration plan the railway lines which will not migrate to the European standard nominal track gauge of 1 435 mm. The migration plan shall include a socio-economic cost-benefit analysis justifying the decision not to migrate the railway lines to the European standard nominal track gauge of 1 435 mm and an assessment of the impact on interoperability and continuity of the railway network. In the case of cross-border sections, the request for exemption shall be coordinated and agreed with the neighboring Member State.</i> Changes to amended COM prop. not shown.	track gauge of 1 435 mm shall carry out an assessment, at the latest two years after the date of entry into force of this Regulation, identifying the existing railway lines located on the European Transport Corridors in view of their possible migration to the European standard nominal track gauge of 1 435 mm. The assessment shall be coordinated with the neighbouring Member State(s), in case of cross-border sections. The assessment shall include a socio-economic cost-benefit analysis on the viability of the possible migration and an assessment of the impact on interoperability. Changes to amended COM prop. not shown.	
Article 16a(5), point (bk)				
3031				

Commission Proposal	Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
			Based on the assessment under the first subparagraph, the Member States shall draw up a migration plan where relevant, at the latest one year following the completion of the assessment, identifying the existing railway lines located on the European Transport Corridors to be migrated to the European standard nominal track gauge of 1 435 mm and provide for an indication of the timeline of the migration. Changes to amended COM prop. not shown.	EP agrees to keep the GA. C
Article 16(5), point (bl)				
303m			Sub-paragraphs 1 and 2 shall apply mutatis mutandis to the railway lines for which construction works have started on the date of entry into force of this Regulation. Changes to amended COM prop. not shown.	EP agrees to keep the GA.
Article 16a(4)				
303n				EP agrees to keep the GA.

Commission Proposal	Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
	4. The priorities for infrastructure and investment planning related to the migration plan shall be included in the first work plan of the European Coordinator for a European Transport Corridor of which the freight railway lines with a track gauge different from that of the European standard nominal track gauge is part, in accordance with Article 53.’;	4. <i>The priorities for infrastructure and investment planning related to the migration plan shall be included in the first work plan of the European Coordinator for a European Transport Corridor of which the freight railway lines with a track gauge different from that of the European standard nominal track gauge is part, in accordance with Article 53.’;</i> Changes to amended COM prop. not shown. No changes to Amended COM proposal	4. The priorities for infrastructure and investment planning resulting from the plans referred to in paragraphs 2 and 3 shall be included in the first work plan of the European Coordinator for a European Transport Corridor of which the freight railway lines with a track gauge different from that of the European standard nominal track gauge is part, in accordance with Article 53. Changes to amended COM prop. not shown.	
Article 16a(5), point (bn)				
303o			5. Upon the request of a Member State, in duly justified cases, a temporary exemption from the requirements referred to in paragraph 1 shall be granted by the Commission by means of implementing acts for new railway lines of the core	EP agrees to keep the GA. C

Commission Proposal	Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
			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. In the case of cross-border sections, the requests for exemption shall be coordinated with the neighbouring Member State. The neighbouring Member State may provide an opinion to the Member State requesting the exemption. The Member State shall attach the opinion(s) of the neighbouring Member State(s) to its request. A Member State may request the granting of several exemptions in a single request. Changes to amended COM prop. not shown.	
Article 16a(5), point (bo)				
303p			The Commission shall assess the request in view of the justification provided as well as in terms of its significant impact on interoperability and continuity of the railway	EP agrees to keep the GA. C

Commission Proposal	Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
			network, where relevant. The Commission shall take duly into account the opinion(s) of the neighbouring Member State(s) concerned. Changes to amended COM prop. not shown.	
Article 16a(5), point (bp)				
303q			The Commission may ask additional information to the Member State no later than thirty calendar days following the receipt of request pursuant to the first subparagraph. If the Commission considers that the information provided is insufficient, it may ask the Member State to supplement that information within thirty calendar days from the receipt of that information. Changes to amended COM prop. not shown.	EP agrees to keep the GA. C
Article 16a(5), point (bq)				
303r			The Commission shall take a decision on the requested	EP agrees to keep the GA. C

Commission Proposal	Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
			exemption no later than 6 months following the receipt of the request pursuant to in the second subparagraph or, in case further information has been provided by the Member States concerned pursuant to the third subparagraph, no later than 4 months following the latest receipt of such information, whichever is the latest date. The decision shall indicate the period for which the exemption is granted. Changes to amended COM prop. not shown.	
Article 16a(5), point (br)				
303s			The Commission shall inform other Member States of the exemptions granted pursuant to the fourth subparagraph. Changes to amended COM prop. not shown.	EP agrees to keep the GA. C
Article 17				
304	Article 17		Article 17	

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
	The European Rail Traffic Management System			The European Rail Traffic Management System	
Article 17(1)					
305	1. Member States shall ensure that on the railway infrastructure of the extended core network and the comprehensive network, including connections referred to in Article 14(1), point (d), by 31 December 2040:			1. Member States shall ensure that on the railway infrastructure of the extended core network and the comprehensive network, including connections referred to in Article 14(1), point (d), by 31 December 2040:	C 1. Member States shall ensure that <u>on the railway infrastructure of the core network by 31 December 2030, extended core network by 31 December 2040, and comprehensive network by 31 December 2050:</u>
Article 17(1), first subparagraph, point (a)					
306	(a) ERTMS is equipped;		(a) ERTMS is equipped, <i>whilst a synchronised and harmonised ERTMS deployment of tracksides and onboards is ensured;</i>	(a) ERTMS is equipped;	C
Article 17(-1), first subparagraph, point (b)					
307	(b) class B systems are decommissioned.			(b) class B systems are decommissioned.	C

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 17(1), first indent					
307a				(i) 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;	C (i) ERTMS is equipped, except on connections referred to in Article 14(1), point (d), while ensuring a synchronised and harmonised ERTMS deployment trackside and on board of trains;
Article 17(1), second indent					
307b				(ii) ERTMS is deployed on connections referred to in Article 14(1), point (d), of the extended core by 31 December 2040 and the comprehensive network by 31 December 2050 where such equipment is deemed necessary by the Member State concerned in coordination with the relevant stakeholders, in particular the infrastructure manager.	C (ii) ERTMS is deployed on connections referred to in Article 14(1), point (d), where such equipment is deemed necessary by the Member State concerned in coordination with the relevant stakeholders, in particular the infrastructure manager.

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 17(2)					
308	2. Member States shall ensure that the railway infrastructure of the core network, including connections referred to in Article 14(1), point (d), by 31 December 2030 meets the requirements of paragraph 1, point (a).			2. Member States shall ensure that the railway infrastructure of the core network, including connections referred to in Article 14(1), point (d), by 31 December 2030 meets the requirements of paragraph 1, point (a):	C Lines 308 to 308 b are included in 305 to 307b. To be removed. 2. Member States shall ensure that the railway infrastructure of the core network, including connections referred to in Article 14(1), point (d), by 31 December 2030 meets the requirements of paragraph 1, point (a):
Article 17(2), first indent					
308a				- the railway infrastructure of the core network except connections referred to in Article 14(1), point (d), meets the requirements of paragraph 1.	C Lines 308 to 308 b are included in 305 to 307b. To be removed. the railway infrastructure of the core network except connections referred to in Article 14(1), point (d),

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
					meets the requirements of paragraph 1.
Article 17(2), second indent					
308b				- ERTMS is deployed on connections referred to in Article 14(1), point (d), of the core network where such equipment is deemed necessary by the Member State concerned in coordination with the relevant stakeholders, in particular the infrastructure manager.	C Lines 308 to 308 b are included in 305 to 307b. To be removed. —ERTMS is deployed on connections referred to in Article 14(1), point (d), of the core network where such equipment is deemed necessary by the Member State concerned in coordination with the relevant stakeholders, in particular the infrastructure manager.
Article 17(2a.)					
308c				2a. Member State shall aim, where appropriate, at decommissioning of class B systems by 31 December 2050.	C New PCY compromise proposal: 2a. Member State shall aim, where appropriate, at

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
					decommissioning of class B systems by 31 December 2050, <u>provided that the level of safety and service is not compromised.</u>
Article 17(3)					
309	3. Member States shall ensure that the railway infrastructure of the core network, including connections referred to in Article 14(1), point (d), by 31 December 2040 meets the requirement of paragraph 1, point (b).			3. Member States shall ensure that the railway infrastructure of the core network, including connections referred to in Article 14(1), point (d), by 31 December 2040 meets the requirement of paragraph 1, point (b).	C
Article 17(4)					
310	4. Member States shall ensure that the railway infrastructure of the core network, the extended core network and the comprehensive network, including connections referred to in Article 14(1), point (d), is equipped with		4. Member States shall ensure that the railway infrastructure of the core network, the extended core network and the comprehensive network, including connections referred to in Article 14(1), point (d), is equipped with	4. Member States shall ensure that the railway infrastructure of the core network, the extended core network and the comprehensive network, including connections referred to in Article 14(1), point (d), is equipped with radio-based ERTMS by 31 December 2050.	C New PRES compromise proposal: <u>4. Member States shall ensure that the railway infrastructure is equipped with radio-based ERTMS:</u>

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
	radio-based ERTMS by 31 December 2050.		radio-based ERTMS by 31 December 2050 2040.		• <u>by 31 December 2040, for lines on the core and extended core network.</u> • <u>by 31 December 2050, for lines on the comprehensive network and connections referred to in Article 14(1), point (d).</u>
Article 17(5)					
311	5. Member States shall ensure that on the railway infrastructure of the core network, the extended core network and the comprehensive network, including connections referred to in Article 14(1), point (d), as of 31 December 2025, in case of construction of a new line or upgrade of the signalling system,		5. Member States shall ensure that on the railway infrastructure of the core network, the extended core network and the comprehensive network, including connections referred to in Article 14(1), point (d), as of 31 December 2025, in case of construction of a new line or upgrade of the signalling system, radio-based ERTMS is being deployed.	5. Member States shall ensure that on the railway infrastructure of the core network, the extended core network and the comprehensive network, including connections referred to in Article 14(1), point (d), as of 31 December 2025 2030, in case of construction of a new line or upgrade of the signalling system, radio-based ERTMS is being deployed.	C Reorder and adaptation of the content in GA for simplification (see together line 310, 311 and 311a) 5. Member States shall ensure that on the railway infrastructure of the core network, the extended core network and the comprehensive network, <u>including connections</u>

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
	radio-based ERTMS is being deployed.				<u>referred to in Article 14(1), point (d),</u> as of 31 December 2025 2030 , in case of construction of a new line or upgrade of the signalling system, radio-based ERTMS is being deployed.
Article 17(5a)					
311a				5a. Member States shall ensure that radio-based ERTMS is deployed by 31 December 2050 on connections referred to in Article 14(1), point (d), of the core network, the extended core network and the comprehensive network, where such equipment is deemed necessary by the Member State concerned in coordination with the relevant stakeholders, in particular the infrastructure manager. In case of construction of a new line, such deployment shall be ensured as of 31 December 2030.	C 5a. Member States shall ensure that radio-based ERTMS is deployed by 31 December 2050 on connections referred to in Article 14(1), point (d), of the core network, the extended core network and the comprehensive network, where such equipment is deemed necessary by the Member State concerned in coordination with the relevant stakeholders, in particular the infrastructure manager. In case of construction of a new line, such deployment shall be

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
					ensured as of 31 December 2030.
Article 17(5b)					
311b				5b. The requirements set out in paragraphs 1 to 5a do not apply to isolated networks.	C
Article 17(6), first subparagraph					
312	6. At the request of a Member State, in duly justified cases, exemptions may be granted by the Commission by means of implementing acts in respect of requirements referred to in paragraphs 1 to 5. Any request for exemption shall be based on a socio-economic cost-benefit analysis and an assessment of the impact on interoperability. An exemption shall comply with the requirements of Directive (EU) 2016/797 of the		6. <i>For isolated networks,</i> at the request of a Member State, in duly justified cases, exemptions may be granted by the Commission by means of implementing acts in respect of requirements referred to in paragraphs 1 to 5. <i>Any request for exemption shall be based on a socio-economic cost-benefit analysis and an assessment of the impact on interoperability. An exemption shall comply with the requirements of Directive (EU) 2016/797 of the European Parliament and of the Council¹; be coordinated and agreed</i>	6. At the Without prejudice to paragraph 5b, upon request of a Member State, in duly justified cases, exemptions may shall be granted by the Commission by means of implementing acts in respect of requirements referred to in paragraphs 1 to 5 5a . Any request for exemption shall be based on a negative result of socio-economic cost-benefit analysis and an assessment of the impact on interoperability. Any such request shall be substantiated with sufficient justification. The request for exemptions shall be coordinated with the neighbouring Member State(s) in case of cross-border sections. The neighbouring Member	C

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
	European Parliament and of the Council¹, be coordinated and agreed with the neighbouring Member State(s) where applicable. 1. 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).		with the neighbouring Member State(s) where applicable. 1. Directive (EU) 2016/797 of the European Parliament and of the Council of 11 May 2016 on the interoperability of the rail system within the European Union (OJ L 138, 26.5.2016, p. 44).	State(s) may provide an opinion to the Member State requesting the An-exemption. The Member State shall attach the opinion(s) of the neighbouring Member State(s) to its request. A Member State may request the granting of several exemptions in a single request. Requested exemptions shall comply with the requirements of Directive (EU) 2016/797 of the European Parliament and of the Council¹; be coordinated and agreed with the neighbouring Member State(s) where applicable. 1. 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).	
Article 17(6), second subparagraph					
312a				The Commission shall assess the request in view of the justification provided under the first subparagraph as well as in terms of its significant impact on interoperability. The Commission shall take duly into account the opinion(s) of	C

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
				the neighbouring Member State(s) concerned.	
Article 17(6), third subparagraph					
312b				The Commission may ask additional information to the Member State no later than thirty calendar days following the receipt of request pursuant to the first subparagraph. If the Commission considers that the information provided is insufficient, it may ask the Member State to supplement that information within thirty calendar days from the receipt of that information.	C
Article 17(6), fourth subparagraph					
312c				The Commission shall take a decision on the requested exemption no later than 6 months following the receipt of the request pursuant to in the first subparagraph or, in case further information has been provided by the Member States concerned pursuant to the third subparagraph, no later than 4 months following the	C

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
				latest receipt of such information, whichever is the latest date. In the absence of an explicit decision by the Commission within such time-limits, the exemption shall be deemed to be granted.	
Article 17(6), fifth subparagraph					
312d				The Commission shall inform other Member States of the exemptions granted pursuant to this Article.	C
Article 17(6e)					
312e			<i>6a. Member States shall timely inform the concerned parties about ERTMS deployment before the ETCS trackside deployment and before the decommissioning of class B systems.</i>		
Article 17(6f)					
312f			<i>6b. The Commission shall ensure the Technical Specifications for</i>		

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
			<i>Interoperability (TSI CCS and TSI INF) are aligned with this Regulation, implying the alignment of provisions as well as the effective implementation.</i>		
Article 17(6g)					
312g			<i>6c. The Commission shall consider to provide, within two years from the date of entry in force of this Regulation, a legislative proposal for establishing a harmonised Rail Traffic Management System in order to improve cross-border operations on the trans-European transport network.</i>		
Article 18					
313	Article 18 Operational requirements for the European Transport Corridors			Article 18 Operational requirements for the European Transport Corridors Moved to Article 65	Article 18 Operational priorities requirements for the European Transport Corridors
Article 18(1)					

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
314	1. Member States shall ensure that, by 31 December 2030, the quality of services provided by infrastructure managers to railway undertakings, technical and operational requirements for infrastructure use and procedures related to border controls do not prevent the operational performance of rail freight services along the rail freight lines of the European Transport Corridors from meeting the following target values:		1. Member States shall ensure that, by 31 December 2030, the quality of services provided by infrastructure managers to railway undertakings <i>and terminal operators</i>, technical, <i>administrative</i> and operational requirements for infrastructure use and procedures related to border controls do not prevent the operational performance of rail freight services along the rail freight lines of the European Transport Corridors from meeting the following target values:	1. Member States shall ensure that, by 31 December 2030, the quality of services provided by infrastructure managers to railway undertakings, technical and operational requirements for infrastructure use and procedures related to border controls do not prevent the operational performance of rail freight services along the rail freight lines of the European Transport Corridors from meeting the following target values: Moved to Article 65	C <i>PCY compromise proposal:</i> 1. The executive board in close cooperation with management board <u>Rail Freight governance</u> shall make all the possible efforts to ensure that, by 31 December 2030, 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 freight corridors from meeting the following target values: <u>1. Member States, through the rail freight governance bodies [and the relevant infrastructure managers,] and in close collaboration with railway undertakings, shall make all the possible efforts to ensure that, by 31</u>

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
					<u>December 2030, the railway infrastructure of the European Transport Corridors does not represent an obstacle for rail freight services to achieving the following operational performance target values:</u>
Article 18(1), point (a)					
315	(a) for each internal Union cross-border section, the dwelling time of all freight trains crossing the border does not exceed 15 minutes on average. Dwelling time of a train on a cross-border section means the total additional transit time that can be attributed to the existence of the border crossing, irrespective of the underlying causes, such as police border controls and procedures or considerations of infrastructural, operational, technical		(a) for each internal Union cross-border section, the dwelling time of all freight trains crossing the border does not exceed 15 minutes on average . Dwelling time of a train on a cross-border section means the total additional transit time that can be attributed to the existence of the border crossing, irrespective of the underlying causes, such as police border controls and procedures or considerations of infrastructural, operational, technical and administrative nature, without taking into account the time that cannot be	(a) for each internal Union cross-border section, the dwelling time of all freight trains crossing the border does not exceed 15 minutes on average. Dwelling time of a train on a cross-border section means the total additional transit time that can be attributed to the existence of the border crossing, irrespective of the underlying causes, such as police border controls and procedures or considerations of infrastructural, operational, technical and administrative nature, without taking into account 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	<u>C</u> <i>PCY compromise proposal (without changes with respect to the GA, art 65.)</i> <u>(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</u>

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
	and administrative nature, without taking into account 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;		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;	intrinsically related to it; Moved to Article 65	<u>Annex VI of Regulation (EU) 2016/399¹ do not allow for this time-limit to be complied with. 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;</u>
Article 18(1), point (b)					
316	(b) at least 90% of the freight trains crossing at least one border of a European Transport Corridor arrive at their			(b) at least 90% of the freight trains crossing at least one border of a European Transport Corridor arrive at their destination, or at the external Union border if their	C

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
	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.			destination is outside the Union, at their scheduled time or with a delay of less than 30 minutes. Moved to Article 65	<i>PCY compromise proposal</i> <i>(without changes with respect to the GA, art 65.)</i> <u>(b) at least [75%] of the freight trains crossing at least one border of a freight corridor arrive at their destination, or at the external Union border if their destination is outside the Union, at their scheduled time or with a delay of less than 30 minutes by reasons that are attributable to the infrastructure manager(s) of the Union. Delays occurred in and attributable to third countries that are crossed by freight trains shall not be taken into account.</u>
Article 18(1), point (ba)					
316a			<i>(ba) at least 90% of the passenger trains crossing at least one border of a European Transport Corridor arrive at their destination, or at the external Union border if</i>		

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
			<i>their destination is outside the Union, at their scheduled time or with a delay of less than 30 minutes.</i>		
Article 18(2)					
317	2. Member States shall modify, as appropriate, contractual agreements referred to in Article 30 of Directive 2012/34/EU and take appropriate measures in accordance with Regulation (EU) No 913/2010 to meet the target values set out in points (a) and (b) of the first paragraph.		2. Member States shall modify, as appropriate, contractual agreements referred to in Article 30 of Directive 2012/34/EU and take appropriate measures in accordance with Regulation (EU) No 913/2010 to meet the target values set out in points (a), (b) and (ba) and (b) of the first paragraph.	2. Member States shall modify, as appropriate, contractual agreements referred to in Moved to Article 30 of Directive 2012/34/EU and take appropriate measures in accordance with Regulation (EU) No 913/2010 to meet the target values set out in points (a) and (b) of the first paragraph. 65	
Article 18(2a)					
317a			<i>2a. The Commission, in close cooperation with all the rail stakeholders, shall ensure that a digital capacity management system, which enables passenger and freight operators to book a cross-</i>		

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
			<i>border train path across several Member States, will be developed by 31 December 2025. The capacity management system shall be operated by the European Railway Agency. Member States shall fully deploy the system on the European Transport Corridors, core and extended core networks by 31 December 2027.</i>		
Article 19					
318	Article 19 Additional priorities for railway infrastructure development			Article 19 Additional priorities for railway infrastructure development	
Article 19, first paragraph					
319	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,			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:	

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
	attention shall be given to the following:				
Article 19, first paragraph a					
319a			<i>(-a) migrating to the European standard nominal track gauge (1 435 mm),</i> Changes to amended COM prop. not shown. No changes in EP mandate to COM proposal		
Article 19, first paragraph, point (a)					
320	(a) 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;	(a) 'migrating to the European standard nominal track gauge (1 435 mm)';	(a)(-a) 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 <i>'migrating to the European standard nominal track gauge (1 435 mm)';</i>	(a) 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 migrating to the European standard nominal track gauge (1 435 mm), where relevant;	

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
			Changes to amended COM prop. not shown. No changes to Amended COM proposal		
Article 19, first paragraph, point (b)					
321	(b) improving the safety of level crossings;		(b) improving the safety of level crossings, <i>and where relevant, converting to railway overpasses or tunnels</i> ;	(b) improving the safety of level crossings mitigating the impact of noise and vibration caused by rail transport, in particular through measures for rolling stock and for infrastructure, including noise protection barriers ;	B PRES proposes to keep GA. The proposal of EP could be included in line 322.
Article 19, first paragraph, point (c)					
322	(c) where appropriate, connecting railway transport infrastructure with inland waterway port infrastructure;		(c) where appropriate, connecting railway transport infrastructure with inland waterway <i>and maritime port, as well as airports</i> port infrastructure;	(c) where appropriate, connecting railway transport infrastructure with inland waterway port infrastructure improving the safety of level crossings ;	B
Article 19, first paragraph, point (d)					
323	(d) subject to socio-economic costs and benefits analysis, developing of			(d) subject to socio-economic costs and benefits analysis, developing of infrastructure for train length above 740 m and up	B

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
	infrastructure for train length above 740 m and up to 1500 m and 25.0 t axle load when constructing and modernising railway lines relevant for freight traffic;			to 1500 m and 25.0 t axle load when constructing and modernising railway lines relevant for freight traffic where appropriate, connecting railway transport infrastructure with inland waterway port infrastructure;	
Article 19, first paragraph, point (e)					
324	(e) developing and deploying innovative technologies for railways, building in particular on the work of the Shift2Rail and Europe's Rail Joint Undertakings, notably automatic train operation, advanced traffic management, and digital connectivity for passengers based on ERTMS and digital automatic couplings as well as 5G connectivity;		(e) 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, including automated shunting and automated brake status testing , advanced traffic management, and digital connectivity for passengers and freight based on ERTMS and digital automatic couplings as well as 5G connectivity;	(e) developing and deploying innovative technologies for railways, building in particular on the work of the Shift2Rail and Europe's Rail Joint Undertakings, notably automatic train operation, advanced traffic management, and digital connectivity for passengers based on ERTMS and digital automatic couplings as well as 5G connectivity subject to socio-economic costs and benefits analysis, developing of infrastructure for train length above 740 m and up to 1500 m and 25.0 t axle load when constructing and modernising railway lines relevant for freight traffic;	B PRES proposes to keep GA, which is aligned with COM proposal in line 323.
Article 19, first paragraph, point (f)					

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
325	(f) when building or upgrading railway infrastructure, ensure the continuity and accessibility of pedestrian and cycling paths in order to promote the active modes of transport;		(f) when building or <i>major</i> upgrading railway infrastructure, ensure the continuity and accessibility of pedestrian and cycling paths in order to promote the active modes of transport;	(f) when building or upgrading railway infrastructure, ensure the continuity and accessibility of pedestrian and cycling paths in order to promote the active modes of transport developing and deploying innovative technologies for railways, building or upgrading railway infrastructure, ensure the continuity and accessibility of pedestrian and cycling paths in order to promote the active modes of transport in particular on the work of the Shift2Rail and Europe's Rail Joint Undertakings, notably automatic train operation, advanced traffic management, and digital connectivity for passengers based on ERTMS and digital automatic couplings as well as 5G connectivity;	B
Article 19, first paragraph, point (g)					
326	(g) developing innovative alternative fuels technologies for railways, such as hydrogen for sections that are exempted from the electrification requirement.		(g) developing innovative alternative fuels technologies for railways, such as hydrogen <i>or battery powered trains</i> , for sections that are exempted from the electrification requirement-, <i>where the economic viability of such projects has been</i>	(g) developing innovative alternative fuels technologies for railways, such as hydrogen for sections that are exempted from the electrification requirement when building or upgrading railway infrastructure, ensure the continuity and accessibility of pedestrian and cycling paths, and develop bicycle parking in	B

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
			<i>established on basis of a cost-benefit analysis;</i>	the vicinity of the stations in order to promote the active modes of transport;	
Article 19, first paragraph, point (h)					
326a				(h) developing innovative alternative fuels technologies for railways, such as hydrogen for sections that are exempted from the electrification requirement and rail access routes.	B
Article 19, first paragraph, point (gb)					
326b			<i>(ga) developing FRMCS technology in order to deploy an ERTMS based on satellite technology;</i>		
Article 19, first paragraph, point (i)					
326c				(i) for the development of the trans-European transport network, providing a standard of ensuring the circulation of freight trains carrying standard semi-trailers up to 4 meters high on standard wagons of a height of 33	C

Commission Proposal		Amended COM Proposal	EP Mandate	Council Mandate	Draft Agreement
				centimeters, without any additional requirement for special permission to operate services.	
Article 19, first paragraph, point (gd)					
326d			<i>(gb) developing inertial units for the geopositionning component of ERTMS;</i>		B
Article 19, first paragraph, point (ge)					
326e			<i>(gc) upgrading to double-track rail in bottlenecks sections suffering from capacity barriers;</i>		B