CONSIGLIO DELL'UNIONE EUROPEA

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RELAZIONE SULLO STATO DEI LAVORI

del:	Segretariato generale
al:	COREPER/Consiglio
n. doc. prec.:	16061/11 TRANS 288 ECOFIN 722 ENV 822 RECH 350 CODEC 1818
n. prop. Comm.:	15629/11 TRANS 276 ECOFIN 688 ENV 778 RECH 336 CODEC 1699
Oggetto:	***Preparazione della sessione del Consiglio "Trasporti, telecomunicazioni e energia" del 12 dicembre 2011*** Proposta di regolamento del Parlamento europeo e del Consiglio sugli orientamenti dell'Unione per lo sviluppo della rete transeuropea dei trasporti – Relazione sullo stato dei lavori

I. Introduzione

1. Il 24 ottobre 2011 la Commissione europea ha trasmesso al Consiglio e al Parlamento europeo la proposta in oggetto, che mira a istituire e sviluppare una rete transeuropea dei trasporti completa, consistente in infrastrutture per ferrovie, vie navigabili interne, strade, trasporti marittimi e aerei, in grado quindi di assicurare l'efficiente funzionamento del mercato interno e di rafforzare la coesione economica e sociale.

II. Lavori in seno al Consiglio

2. Il Gruppo "Trasporti intermodali e reti", che dalla fine di ottobre ha analizzato la proposta in sette riunioni, ha esaminato il 9 novembre 2011 la valutazione d'impatto.

3. La presidenza polacca si è adoperata attivamente perché fosse possibile raggiungere un orientamento generale sulla proposta nella sessione del Consiglio TTE di dicembre. Tuttavia, dato che la proposta della Commissione è stata presentata più tardi del previsto, che la versione finale delle mappe è stata pubblicata solo di recente e data anche la complessità tecnica e l'importanza politica di questo fascicolo, tale obiettivo non ha potuto essere conseguito.

4. Per progredire in modo significativo sul fascicolo, la presidenza ha elaborato varie proposte di compromesso alla luce delle osservazioni formulate dagli Stati membri. Tali proposte figurano in allegato. Le ultime proposte della presidenza sono evidenziate in **grassetto** (parti aggiunte) e testo ~~sbarrato~~ (parti soppresse).

5. Poiché l'esame del compromesso della presidenza è ancora in corso da parte degli Stati membri, questi ultimi mantengono una riserva d'esame generale sull'intero testo. Inoltre, va notato che anche la Commissione ha formulato una riserva d'esame generale sulle varie modifiche suggerite alla sua proposta iniziale.

III. Posizione degli Stati membri in merito al regolamento

6. In linea di massima, gli Stati membri si sono detti favorevoli all'idea di una rete transeuropea dei trasporti basata su una struttura a doppio strato, comprendente una rete centrale e una rete globale.

7. Vari Stati membri hanno espresso riserve sulla forma giuridica dell'atto scelto dalla Commissione, dato che per i precedenti orientamenti era stata adottata una decisione. La Commissione ha sottolineato che il vantaggio di un regolamento è quello di rivolgersi a un'ampia gamma di destinatari (Stati membri, autorità locali e regionali e operatori privati).

8. Vari Stati membri hanno posto l'accento sui costi elevati derivanti dal rispetto degli obblighi stabiliti per ciascun modo di trasporto (specialmente la ferrovia) e hanno chiesto un approccio più flessibile, che preveda la possibilità di deroghe in circostanze specifiche, sostenendo che, nell'attuale contesto economico, è estremamente difficile pregiudicare in questa fase i reali impegni finanziari richiesti a ciascuno Stato membro o all'Unione europea. Uno Stato membro ha indicato chiaramente che considera inaccettabile la possibilità di adottare decisioni il cui impatto finanziario potrebbe andare oltre le attuali prospettive finanziarie, specialmente in quanto le date proposte dalla Commissione per il completamento della rete centrale e della rete globale sono rispettivamente il 2030 e il 2050. La Commissione ha ricordato che gli orientamenti TEN-T dovrebbero contribuire a dare impulso alla crescita economica, a rafforzare la competitività e la sostenibilità europea e a facilitare uno sviluppo equilibrato delle regioni europee in futuro. Ha inoltre insistito sul fatto che una rete TEN-T è essenziale per l'efficiente funzionamento del mercato unico.

9. La maggior parte degli Stati membri ha espresso difficoltà riguardo alle suddette date vincolanti proposte dalla Commissione per la messa a punto delle rete centrale e globale, in quanto non ritengono di potersi impegnare a così lungo termine. Alcuni Stati membri preferirebbero che il regolamento si limitasse a fissare scadenze indicative. Altri hanno chiesto quali sarebbero le possibili conseguenze del mancato rispetto da parte di uno Stato membro degli obblighi previsti dal regolamento.

10. Vari Stati membri hanno criticato l'approccio per corridoi proposto dalla Commissione, in quanto tale aspetto è disciplinato anche dalla proposta di regolamento CEF, il che rischia di creare incertezza del diritto, e anche perché detto approccio non rispetta il principio di sussidiarietà. Alcuni di tali Stati membri hanno sostenuto inoltre che la nozione di corridoi della rete centrale suggerita dalla Commissione non è stata discussa con loro prima dell'adozione della proposta. Vari Stati membri hanno invece dichiarato di sostenere l'approccio per corridoi suggerito dalla Commissione.

11. Vari Stati membri hanno espresso riserve sulla proposta della Commissione di rafforzare il ruolo dei coordinatori europei nella realizzazione della rete centrale attraverso i corridoi della rete centrale e sull'introduzione del concetto di piattaforme di corridoio. Altri hanno rilevato la necessità di evitare un inutile aumento delle strutture amministrative e dei relativi costi.

12. Per quanto riguarda gli atti delegati, un'ampia maggioranza degli Stati membri si è dichiarata a favore di un approccio prudente, in quanto ritiene che il potere di adottare atti delegati debba essere conferito alla Commissione soltanto per un periodo limitato, ad esempio di cinque anni, dall'entrata in vigore del regolamento.

IV. Conclusione

13. Si invitano il Coreper e il Consiglio a prendere atto della presente relazione sullo stato dei lavori e della proposta di compromesso della presidenza che figura in allegato. A parere della presidenza polacca, il documento accluso può costituire una buona base per i successivi lavori su questo fascicolo durante la presidenza danese.

ALLEGATO

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on Union guidelines for the development of the Trans-European Transport Network

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the European Commission,

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

Having regard to the opinion of the European Economic and Social Committee[1],

Having regard to the opinion of the Committee of the Regions[2],

Acting in accordance with the ordinary legislative procedure,

Whereas:

[1] OJ C , , p. .
[2] OJ C , , p. .

[(1) Decision No 1692/96/EC of the European Parliament and of the Council of 23 July 1996 on Community guidelines for the development of the trans-European transport network[3] was recast in the interest of clarity by Decision No 661/2010/EU of the European Parliament and of the Council of 7 July 2010 on Union guidelines for the development of the trans-European transport network[4].

(2) The planning, development and operation of trans-European transport networks contribute to the attainment of major Union objectives, such as the smooth functioning of the internal market and the strengthening of economic and social cohesion and also have the specific objectives of allowing the seamless and sustainable mobility of persons and goods and ensuring accessibility for all regions of the Union.

(3) These specific objectives should be achieved by establishing interconnections and interoperability between national transport networks in a resource-efficient way.

(4) Growth in traffic has resulted in increased congestion on international transport corridors. In order to ensure the international mobility of goods and passengers, the capacity of the trans-European transport network and the use of this capacity should be optimised and, if necessary, expanded by removing infrastructure bottlenecks and bridging missing infrastructure links within and between Member States.

(5) As stated in the White Paper on Transport "Roadmap to a Single European Transport Area – Towards a competitive and resource efficient transport system"[5], the efficiency and effectiveness of transport can be significantly enhanced by ensuring a better modal integration across the network, in terms of infrastructure, information flows and procedures.

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3 OJ L 228, 9.9.1996, p.1.
4 OJ L 204, 5.8.2010. p. 1.
5 COM (2011) 144 final.

(6) The White Paper calls for the deployment of transport-related information and communication technology to ensure improved and integrated traffic management and to simplify administrative procedures through improved freight logistics, cargo tracking and tracing, and optimised schedules and traffic flows. As such measures promote the efficient management and use of transport infrastructure they should fall within the scope of this Regulation.

(7) The trans-European transport network policy has to take into account the evolution of the transport policy and infrastructure ownership. In the past, Member States were the principal entity in charge of creating and maintaining transport infrastructure. However, other entities, including private, have also become relevant for the realisation of a multimodal trans-European transport network, including for example infrastructure managers, concessionaires or port and airports authorities.

(8) The trans-European transport network consists to a large extent of existing infrastructure. This existing infrastructure is managed by different public and private entities. In order to achieve fully the objectives of the new trans-European transport network policy, uniform requirements regarding the infrastructure have to be established in a Regulation in order to be complied with by any entity responsible for the infrastructure of the trans-European transport network.

(9) The trans-European transport network should best be developed through a dual layer approach, consisting of a comprehensive network and a core network, these two layers being the highest level of infrastructure planning within the Union.

(10) The comprehensive network should be a European-wide transport network ensuring the accessibility of all regions in the Union, including the remote and outermost regions, as also pursued by the Integrated Maritime Policy[6], and strengthening cohesion between them. The guidelines should set the requirements for the infrastructure of the comprehensive network, in order to achieve a high-quality network throughout the Union by 2050.

(11) The core network should be identified and implemented as a priority within the framework provided by the comprehensive network by 2030. It should constitute the backbone of the development of a multi-modal transport network and stimulate the development of the entire comprehensive network. It should enable Union action to concentrate on those components of the trans-European transport network with the highest European added value, in particular cross-border sections, missing links, multi-modal connecting points and major bottlenecks.

(12) In order to establish the core and the comprehensive network in a coordinated and timely manner, allowing thereby maximising the network benefits, Member States concerned should ensure that the projects of common interest are finalised by 2030 and 2050 respectively.

(13) It is necessary to identify projects of common interest which will contribute to the achievement of the trans-European transport network and which correspond to the priorities established in the guidelines.

(14) Projects of common interest should demonstrate a clear European added value. Cross-border projects typically have high European added value, but may have lower direct economic effects compared to purely national projects. Therefore, they are likely not to be implemented without Union intervention.

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[6] COM (2007) 575 final.

(15) As the development and implementation of the trans-European transport network is not solely carried out by Member States, all promoters of projects of common interest such as local and regional authorities, infrastructure managers or other private or public entities should be subject to the rights and obligations of this Regulation, as well other relevant Union and national rules and procedures, when carrying out such projects.

(16) Cooperation with neighbouring and third countries is necessary to ensure connection and interoperability between the respective infrastructure networks. Therefore the Union should where appropriate promote projects of mutual interest with those countries.

(17) In order to achieve modal integration across the network, adequate planning of the trans-European transport network is required. This also implies the implementation of specific requirements throughout the network in terms of infrastructure, intelligent transport systems, equipment, and services. It is therefore necessary to ensure adequate and concerted deployment of such requirements across Europe for each transport mode and for their interconnection across the trans-European transport network and beyond, in order to obtain the benefits of the network effect and to enable efficient long-range trans-European transport operations.

(18) In order to determine existing and planned transport infrastructures for the comprehensive and the core network, maps should be provided and adapted over time to take into account the evolution of traffic flows. The technical basis of the maps is provided by the Commission's TENtec system which contains a higher level of detail concerning the trans-European transport infrastructure.

(19) The guidelines should set priorities in order to achieve the objectives within the given time horizon.

(20) Intelligent transport systems are necessary to provide the basis for optimising of traffic and transport operations and improving related services.

(21) The guidelines should provide for the development of the comprehensive network in urban nodes, as those nodes are the starting point or the final destination ("last mile") for passengers and freight moving on the trans-European transport network and are points of transfer within or between different transport modes.

(22) The trans-European transport network, thanks to its large scale, should provide the basis for the large-scale deployment of new technologies and innovation, which, for example, can help enhance the overall efficiency of the European transport sector and curb its carbon footprint. This will contribute towards the Europe 2020 strategy and the Transport White Paper's target of a 60% cut in greenhouse gas emissions by 2050 (based on 1990 levels) and at the same time contribute to the objective of increasing fuel security for the Union.

(23) The trans-European transport network has to ensure efficient multi-modality in order to allow better modal choices to be made and large volumes to be consolidated for transfers over long distances. This will make multi-modality economically more attractive for shippers.

(24) In order to achieve a high-quality and efficient transport infrastructure across all modes the guidelines should contain provisions regarding the security and safety of passengers and freight movements, the impact of climate change and of potential natural and man-made disasters on infrastructure and accessibility for all transport users.

(25) The core network should be a subset of the comprehensive network overlaying it. It should represent the strategically most important nodes and links of the trans-European transport network, according to traffic needs. It should be multi-modal, i.e. include all transport modes and their connections as well as relevant traffic and information management systems.

(26) In order to implement the core network within the given time horizon, a corridor approach could be used as an instrument to coordinate on a transnational basis different projects and synchronise the development of the corridor, thereby maximising network benefits.

(27) Core network corridors should also address wider transport policy objectives and facilitate modal integration and multi-modal operations. This should allow specially developed corridors that are optimised in terms of energy use and emissions, thus minimising environmental impacts, and are also attractive for their reliability, limited congestion and low operating and administrative costs. An initial list of corridors should be included in the Regulation (EU) XXX/2012 [Connecting Europe Facility], but should be adaptable in order to take account of changes in traffic flows.

(28) Designing the right governance structure and identifying the sources of financing for complex cross-border projects would be eased by creating corridor platforms for such core network corridors. European Coordinators should facilitate the coordinated implementation of the core network corridors.

(29) In developing core network corridors due account should be given to the rail freight corridors set up in accordance with Regulation (EU) No 913/2010 of 22 September 2010 of the European Parliament and of the Council concerning a European rail network for competitive freight[7] as well as to the European Deployment Plan for ERTMS provided for in Commission Decision 2009/561/EC of 22 July 2009 amending Decision 2006/679/EC as regards the implementation of the technical specification for interoperability relating to the control-command and signalling subsystem of the trans-European conventional rail system[8].

[7] OJ L 276, 20.10.2010, p. 22.
[8] OJ L 194, 25.7.2009, p. 60.

(30) In order to maximise consistency between the guidelines and the programming of the relevant financial instruments available at Union level, trans-European transport network funding should be based on this Regulation and draw on the Connecting Europe Facility[9]. Correspondingly, it should aim at aligning and combining funding from relevant internal and external instruments such as structural and cohesion funds, the Neighbourhood Investment Facility (NIF), the Instrument for Pre-Accession Assistance (IPA)[10], and from financing from the European Investment Bank, the European Bank for Reconstruction and Development and other financial institutions. In particular, when developing the trans-European transport network, Member States should take into account to the ex ante conditionalities applicable to transport as provided for in Annex IV to Regulation (EU) No XXX2012 [Regulation laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund covered by the Common Strategic Framework and laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund and repealing Regulation (EC) No 1083/2006].[11]

(31) In order to update the Annexes and in particular the maps to take into account possible changes resulting from the actual usage of certain elements of transport infrastructure analysed against pre-established quantitative thresholds, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of amendments to the Annexes. It is of particular importance for the Commission to carry out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing-up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council.

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9 Regulation (EU) No XXX/2012 of … [Connecting Europe Facility].

10 Council Regulation (EC) No 1085/2006 of 17 July 2006 establishing an Instrument for Pre-Accession Assistance (IPA), OJ L 210, 31.7.2006, p. 82.

11 COM (2011) 615 final.

(32) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers[12].

(33) Since the objectives of the action to be taken, and in particular the coordinated establishment and development of the trans-European transport network, cannot be sufficiently achieved by the Member States and can therefore, by reason of the need for coordination of these objectives, be better achieved at Union level, the Union may adopt measures in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as also set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives,**]**[13]

HAVE ADOPTED THIS REGULATION:

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12 OJ L 55, 28.2.2011, p. 13.

13 Recitals have not been examined and still need to be amended.

CHAPTER I
GENERAL PRINCIPLES

Article 1

Subject matter

1. This **[**Regulation**]**[14] establishes ~~the Union~~ guidelines ~~(hereinafter "the guidelines")~~ for the development of a trans-European transport network ~~which determine the infrastructure of the trans-European transport network within which projects of common interest and projects of mutual interest are identified~~ **comprising a dual-layer structure: the comprehensive network upon which the core network is established, and identifies projects of common interest.**

2. ~~The guidelines~~ **It** specif**ies** the requirements to be respected ~~by the entities responsible~~ for management of the infrastructure of the trans-European transport network.

~~3. The guidelines set out the priorities for the development of the trans-European network.~~

4. ~~The guidelines~~ **It** provide**s** for measures for the implementation of the trans-European network. **[The implementation of projects depends on their degree of maturity and the availability of financial resources, without prejudging the financial commitment of a Member State or the Union.]**[15]

14 Legal form of the legislative act to be discussed.
15 This sentence could be moved to Article 7.

Article 2

Scope

1. This Regulation shall apply to the trans-European network as set out in Annex I which shall comprise transport infrastructure, traffic management systems and positioning as well as navigation systems.

~~1. The guidelines shall apply to the trans-European transport network which comprises:~~

~~– existing and planned transport infrastructure referred to in paragraph 2, and~~

~~– measures promoting the efficient management and use of such infrastructure.~~

2. **As regards the** ~~transport~~ infrastructure of the trans-European transport network, **it shall** consist of

~~(a)~~ railway transport~~, infrastructure as determined in Section 1 of Chapter II;~~

~~(b)~~ inland waterway, ~~infrastructure as determined in Section 2 of Chapter II;~~

~~(c)~~ road transport, ~~infrastructure as determined in Section 3 of Chapter II;~~

~~(d)~~ maritime transport, ~~infrastructure as determined in Section 4 of Chapter II;~~

~~(e)~~ air transport ~~infrastructure as determined in Section 5 of Chapter II;~~

~~(f)~~ **and** infrastructure for multimodal transport~~.as determined in Section 6 of Chapter II;~~

~~(g) the equipment and intelligent transport systems associated with the transport infrastructure referred to in points (a) to (f).~~

*Article **2a**[16] 4*

Objectives of the trans-European transport network

~~1.~~ The trans-European transport network shall **strengthen the territorial cohesion of the European Union, contribute positively to the creation of a single European transport area and [demonstrate a clear European added value], as well as** enable transport services and operations which:

(a) meet the mobility and transport needs of **all of** its users within the Union and in the relations with third countries, thereby contributing to further economic growth and competitiveness **in a global perspective**;

(b) are economically efficient, contribute to the objectives of **low-greenhouse gas emissions,** low-carbon and clean transport, fuel security and environmental protection, are safe and secure and have high quality standards, both for passenger and freight transport;

~~(d)~~**(c) provide appropriate accessibility to all regions of the Union, thereby promoting social, economic and territorial cohesion and supporting inclusive growth;**

~~(c)~~**(d)** ~~promote~~ **are supported by** ~~the most~~ **innovative** ~~advanced~~ technological and operational concepts **in a cost-efficient way**;

(e) support mobility even in case of natural or man-made disasters, ensuring accessibility to emergency and rescue services.

[16] Former Article 4(1).

Article 3

Definitions

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

[~~(a) 'project of common interest' means any piece of planned transport infrastructure, of existing transport infrastructure or any modification of existing transport infrastructure that complies with the provisions of Chapter II and any measures providing the efficient management and use of such infrastructure;~~

~~(b) 'project of mutual interest' means a project involving both the Union and one or more third countries which aims to connect the trans-European transport network with the transport infrastructure networks of those countries to facilitate major transport flows;~~**]**

(aa) 'comprehensive network' means the trans-European transport network referred to in Article 2;

(aaa) 'core network' means those parts of the comprehensive network which are of the highest strategic importance for the European Union and its Member States;

(c) 'third country' means any neighbouring country and all other countries with which the Union may cooperate to achieve the objectives pursued by this Regulation;

(d) 'neighbouring country' means **[**~~the~~ **a** country coming under the European Neighbourhood Policy, ~~including~~ the Strategic Partnership[17], the Enlargement Policy, the European Economic Area or the European Free Trade Association;**]**[18]

(e) 'European added value' means, **[**in relation to a project, the value resulting from Union intervention which is additional to the value that would otherwise have been created by Member State action alone;**]**

(f) 'infrastructure manager' means any body or undertaking that is responsible in particular for establishing ~~and~~ **or** maintaining transport infrastructure. This may also include the management of infrastructure control and safety systems;

(g) '**telematic applications** ~~intelligent transport systems~~ (~~ITS~~**TA**)' mean systems using information, communication, navigation and positioning/localization technologies in order to manage **infrastructure,** mobility and traffic on the trans-European transport network and to provide value added services to citizens and operators, including for safe, secure, environmentally sound and capacity efficient use of the network. They may also include onboard devices, provided they form an indivisible system with corresponding infrastructure components. They include systems, technologies and services referred to in points (h)-(l);

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17 COM(2004) 106 final.

18 Depending on which countries are meant under this definition. Russia is covered through the reference to the Strategic Partnership.

(gg) 'intelligent transport system (ITS)' means [a system as defined in Directive 2010/40/EU of the European Parliament and of the Council of 7 July 2010 on the framework for the deployment of Intelligent Transport Systems in the field of road transport and for interfaces with other modes of transport[19];]

(h) 'air traffic management system' means a system as specified in Regulation (EC) No. 552/2004 of the European Parliament and of the Council of 10 March 2004 on the interoperability of the European Air Traffic Management network (the interoperability Regulation)[20] and in the European Air Traffic Management (ATM) Master Plan as defined in Council Regulation (EC) No 219/2007 of 27 February 2007 on the establishment of a Joint Undertaking to develop the new generation European air traffic management system (SESAR)[21];

(i) 'Vessel Traffic Monitoring and Information Systems' (VTMIS) means systems deployed to monitor and manage traffic and maritime transport, using information from Automatic Identification Systems of Ships (AIS), Long-Range Identification and Tracking of Ships (LRIT), coastal radar systems and radio communications as provided in Directive 2002/59/EC of the European Parliament and of the Council of 27 June 2002 **to achieve the purpose of** establishing a Community vessel traffic monitoring and information system and repealing Council Directive 93/75/EEC[22];

(j) 'River Information Services (RIS)' means information and communication technologies on inland waterways as defined in Directive 2005/44/EC of the Parliament and of the Council of 7 September 2005 on harmonised river information services (RIS) on inland waterways in the Community[23];

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19 OJ L 207, 6.8.2010, p. 1.
20 OJ L 96, 31.3.2004, p. 26.
21 OJ L 64, 2.3.2007, p. 1.
22 OJ L 208, 5.8.2002, p. 10.
23 OJ L 255, 30.9.2005, p. 152.

(k) 'e Maritime services' means services using advanced and interoperable information technologies in the maritime transport sector to facilitate the throughput of cargo **and passenger** traffic at sea and in port areas;

(l) 'European Rail Traffic Management System (ERTMS)' means the system defined in Commission Decision 2006/679/EC of 28 March 2006[24] and Commission Decision 2006/860 of 7 November 2006[25] concerning the technical specification for interoperability relating to the control-command and signalling subsystems of the trans-European conventional and high-speed rail systems;

(m) ~~'transport mode' means railway, inland waterways, road, maritime or air transport;~~ **'border crossing point' means […];**

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

(o) 'urban node' means an urban area where the transport infrastructure of the trans-European transport network is connected with other parts of that infrastructure and with the infrastructure for regional and local traffic;

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

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[24] OJ L 284, 16.10.2006, p. 1.
[25] OJ L 342, 7.12.2006, p. 1.

(q) 'freight terminal' means a structure equipped for transhipment between at least two transport modes and for temporary storage of freight such as ports, inland ports, airports and rail-road terminals;

(r) 'NUTS region' means a region which as defined in the Nomenclature of Territorial Units for Statistics.

Article 4

~~***Objectives of the trans-European transport network***~~

Development of TEN-T infrastructure

~~1. The trans-European transport network shall enable transport services and operations which:~~

~~(a) meet the mobility and transport needs of its users within the Union and in the relations with third countries, thereby contributing to further economic growth and competitiveness;~~

~~(b) are economically efficient, contribute to the objectives of low-carbon and clean transport, fuel security and environmental protection, are safe and secure and have high quality standards, both for passenger and freight transport;~~

~~(c) promote the most advanced technological and operational concepts;~~

~~(d) provide appropriate accessibility of all regions of the Union, thereby promoting social, economic and territorial cohesion and supporting inclusive growth.~~

~~2.~~ **Further to the objectives set out in Article 2a,** ~~In developing the infrastructure of the trans-European transport network,~~ the following objectives shall be pursued **in developing the infrastructure of the trans-European transport network**:

(a) the interconnection and interoperability of national transport networks;

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

(c) the development of all transport modes in a manner consistent with ensuring sustainable and economically efficient transport in the long term;

(d) optimal integration and interconnection of all transport modes;

(e) the efficient use of infrastructure;

(f) promotion of a broad use of transport with the most carbon neutral effect;

(g) transport infrastructure connections between the trans-European transport network and transport infrastructure networks of neighbouring countries, and the promotion of their interoperability;

(h) the establishment of infrastructure requirements, notably in the field of interoperability, safety and security, which will benchmark quality, efficiency and sustainability of transport services;

(i) for both passenger and freight traffic, ~~seamless connections~~ **interconnection** between transport infrastructure for long-distance traffic on the one hand, and regional and local traffic on the other;

(j) a transport infrastructure that reflects the specific situations in different parts of the Union and provides for a balanced coverage of European regions, including outermost regions and other peripheral ones;

(k) accessibility for elderly people, persons of reduced mobility and for disabled passengers.

Article 5

Resource efficient network

Planning, developing and operation of ~~Member States and, as appropriate, regional and local authorities, infrastructure managers, transport operators and other public and private entities shall plan, develop and operate~~ the trans-European transport network **shall be made** in a resource efficient way, through:

~~(c)~~**(a) development,** improvement and maintainance of existing transport infrastructure;

~~(a)~~(b) an optimisation of infrastructure integration and interconnection;

~~(b)~~(c) the **broad** deployment of new technologies and ~~ITS~~ **TA, where it is economically justified**;

(d) the taking into account of possible synergies with other networks, in particular trans-European energy or telecommunication networks;

(e) the assessment of strategic environmental impact, with the establishment of appropriate plans and programmes and of impacts on climate mitigation;

(f) measures to plan and expand infrastructure capacity where necessary;

(g) adequate consideration of the vulnerability of transport infrastructure with regard to a changing climate as well as natural and man-made disasters;

(h) promoting contingency plans and programmes for safety and mitigation of road accidents.

~~*Article 6*~~

~~***Dual layer trans-European transport network structure***~~

~~1. The gradual development of the trans-European transport network shall in particular be achieved by implementing a dual-layer structure for this network, comprising a comprehensive network and a core network.~~

~~2. The comprehensive network shall be made up of all existing and planned transport infrastructures of the trans-European transport network as well as measures promoting the efficient use of such infrastructure. It shall be developed in accordance with Chapter II.~~

~~3. The core network shall consist of those parts of the comprehensive network which are of the highest strategic importance for achieving the objectives for the development of the trans-European transport network. It shall be identified and developed in accordance with Chapter III.~~

Article 7

Projects of common interest

1. Projects of common interest shall contribute to the development of the trans-European transport network through the creation of new transport infrastructure, the maintenance, rehabilitation and upgrading of existing transport infrastructure and through measures promoting its resource-efficient use.

2. A project of common interest shall:

(a) contribute to the objectives set out in Article**s 2a and** 4;

(b) comply with Chapter II and, if it concerns the core network, comply in addition with Chapter III;

(c) have been subject to a socio-economic cost benefit analysis **with a positive outcome** ~~resulting in a positive net present value~~;

(d) demonstrate clear European added value.

3. A project of common interest may encompass its entire cycle, including feasibility studies and permission procedures, implementation and evaluation.

4. **[**Member States ~~and other project promoters~~**]**[26] shall take all necessary measures to ensure that the projects are carried out in compliance with relevant Union and national rules and procedures, in particular with Union legislation on the environment, climate protection, safety, security, competition, state aid, public procurement and public health.

[5. Projects of common interest are eligible for Union financial aid under the instruments available for the trans-European transport network~~, in particular the Connecting Europe Facility established by Regulation (EU) No XXX/2012.~~][27]

[26] Addressees of this proposal to be further discussed in all Articles.
[27] Could be included in a recital.

Article 8

Cooperation with third countries

1. The Union may support**, including financially,** projects of common interest **referred to in Article 7** in order to connect the trans-European transport network with infrastructure networks of [third countries covered by the European Neighbourhood Policy, the Enlargement Policy, the European Economic Area and the European Free Trade Association][28] **insofar as such projects** ~~and which seek to~~:

   (a) connect the core network at border crossing points;

   (b) ensure the connection between the core network and the transport networks of the third countries, **aiming at enhanced economic growth and competitiveness;**

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

   (d) implement traffic management systems in those countries.

   Such projects ~~of common interest~~ shall enhance the capacity or utility of networks located in one or several Member States.

[28] Dpending on which countries are meant to be covered. Russia is not covered since there is no reference to the Strategic Partnership.

2. The Union may cooperate**, in addition to what is set out in paragraph 1,** with third countries to promote **other** projects**, without providing financial support, insofar as such** ~~of mutual interest. These~~ projects ~~shall~~ seek to:

(a) promote the interoperability between the trans-European transport network and networks of ~~neighbouring~~ **third** countries;

(b) promote the extension of the trans-European transport network policy into third countries;

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

(d) facilitate maritime transport and promote motorways of the sea with third countries.

3. Projects ~~of mutual interest~~ coming under point (a) **and (d)** of paragraph 2 shall comply with the relevant provisions of Chapter II.

[4. Annex III includes indicative maps of the trans-European transport network extended to specific neighbouring countries.**]**

[5. The Union may use existing or set up and use new coordination and financial instruments with neighbouring countries, such as the Neighbourhood Investment Facility (NIF) or the Instrument for Pre-Accession Assistance (IPA), for the promotion of projects of mutual interest.][29]

29 Could be included in a recital.

~~6. The Union may cooperate with international and regional organisations and bodies to achieve any objective pursued by this Article.~~

7. **The provisions of this Article are subject to the relevant procedures on international agreements as set out in Article 218 TFEU.**

CHAPTER II
THE COMPREHENSIVE NETWORK

Article 9

General provisions

~~1. The comprehensive network shall constitute the basis for the identification of projects of common interest.~~

2. The comprehensive network shall:

(a) be as specified in the maps in Annex I to this Regulation;

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

(c) ~~comply with the~~ **be based on** requirements for the transport infrastructures set out in this Chapter;

(d) set the framework for **the identification of projects of common interest;** ~~priority infrastructure development as referred to in Articles 10 to 35~~.

(e) recognise the physical limitations of Member States transport infrastructures, especially in respect of historical and geographical factors, such as those identified in Technical Standards for Interoperability, that prevent or financially prohibit the ability to meet harmonised standards.

3. **Efforts shall be made to complete** ~~The Member States shall ensure that~~ the comprehensive network ~~is completed~~ and ~~fully~~ compl**y** with the relevant provisions of this Chapter by 31 December 2050 ~~at the latest~~.

Article 10

~~Priorities~~General considerations

~~The Union, Member States, infrastructure managers and other project promoters,~~ **W**hen developing the comprehensive network, ~~shall give~~ particular consideration **shall be given** to measures that are necessary for:

~~(e)~~**(a)** ensuring ~~appropriate~~ **enhanced** accessibility for all regions of the Union;

~~(d)~~**(b)** ensuring optimal integration of the transport modes;

~~(b)~~**(c)** bridging missing links and removing bottlenecks, notably in cross-border sections;

~~(c)~~**(d)** removing administrative and technical barriers, in particular to the interoperability of the network and to competition;

~~(f)~~**(e)** improving or maintaining the quality of infrastructure in terms of ~~efficiency,~~ safety, security, **efficiency,** climate and where appropriate disaster resilience, environmental performances, social conditions, accessibility for all users, quality of services and continuity of traffic flows;

~~(g)~~**(f)** promoting **innovative** ~~state-of-the-art~~ technological development;

~~(a)~~**(g)** implementing and deploying intelligent transport systems, including measures which enable traffic management, multimodal scheduling and information services, multimodal tracking and tracing, capacity planning and online reservation and integrated ticketing services;

(h) ensuring fuel security by ~~allowing~~ **promoting** the use of alternative and in particular low or zero carbon energy sources and propulsion systems;

(i) bypassing urban areas for **transiting** rail **and road** freight transport.

SECTION 1

RAILWAY TRANSPORT INFRASTRUCTURE

~~*Article 11*~~

~~***Maps***~~

~~Railway lines which form part of the comprehensive network are indicated on the maps in Annex I.~~

Article 12

Infrastructure components

1. Railway transport infrastructure **shall** comprise~~s~~ in particular:

(a) high-speed and conventional railway lines, including:

(i) sidings;
(ii) tunnels;
(iii) bridges;

(b) freight terminals and logistic platforms for the transhipment of goods within the rail mode and between rail and other transport modes;

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

(d) associated equipment;

(e) ~~ITS~~ **TA**.

2. Railway lines shall take one of the following forms:

(a) Railway lines for high speed transport which are:

(i) specially built high-speed lines equipped for speeds equal to or greater than 250 km/h;

(ii) specially upgraded conventional lines equipped for speeds in the order of 200 km/h;

(iii) specially upgraded high-speed lines which have special features as a result of topographical, relief or town-planning constraints, on which the speed must be adapted to each case.

(b) Railway lines for conventional transport.

3. The technical equipment associated with railway lines shall include electrification systems, equipment for the boarding and alighting of passengers and the loading and unloading of cargo in stations, logistic platforms and freight terminals. It shall include any facility necessary to ensure the safe, secure and efficient operation of vehicles.

Article 13

Transport infrastructure requirements

1. Operators of freight terminals shall ensure that any freight terminal is open to all operators. Operators of logistic platforms shall offer at least one terminal open to all operators. Operators of freight terminals and logistic platform shall provide this access in a non-discriminatory way and apply transparent charges.

1a. Within the sphere of their responsibility, Member States, operators of railways and infrastructure managers shall ensure that freight terminals are connected with the road or, where possible, inland waterway infrastructure of the comprehensive network.

2. Operators of passenger stations shall ensure that **at such** ~~passenger~~ stations **access is** provide**d** ~~access~~ to information, ticketing and commercial activities for railway traffic throughout the comprehensive network and where appropriate information on connection with local and regional transport, **[**in accordance with Commission Regulation (EU) No 454/2011 of 5 May 2011 on the technical specification for interoperability relating to the subsystem 'telematics applications for passenger services' of the trans-European rail system[30].**]**[31]

3. Within the sphere of their responsibility, Member States and infrastructure managers shall ensure that:

   (a) railway lines are equipped with ERTMS**, except for the lines the track gauge of which is different and detached from that of the main rail lines in the European Union**;

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30 OJ L 123, 12.5.2011, p. 11.

31 Needs to be revised in view of the fact that a mere repetition of existing legislation is not in accordance with point 12 of the Guidelines for Quality of Drafting of Community Legislation (OJ C 73, 17.03.1999, p. 1).

(b) **[**railway infrastructure complies with Directive 2008/57/EC of the European Parliament and of the Council of 17 June 2008 on the interoperability of the rail system within the Community[32] and its implementing measures in order to achieve the interoperability of the comprehensive network;

(c) railway infrastructure complies with the requirements of the technical specification for Interoperability (TSI) adopted pursuant to Article 6 of Directive 2008/57/EC for new and upgraded lines, except in duly justified cases, where allowed by the relevant TSI or under the procedure provided for in Article 9 of Directive 2008/57/EC**]**[33]. In any case, **as a general rule,** the railway infrastructure shall comply with the following requirements:

(1) nominal track gauge for new railway lines: 1 435 mm[34];

(2) electrification**, except sidings**;

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32 OJ L 191, 18.7.2008, p. 1.

33 Needs to be revised in view of the fact that a mere repetition of existing legislation is not in accordance with point 12 of the Guidelines for Quality of Drafting of Community Legislation (OJ C 73, 17.03.1999, p. 1).

34 European standard nominal track gauge as referred to in technical specification for interoperability on infrastructure, section 4.2.5.1. for the conventional lines (hereafter: CR TSI) of Commission Decision 2011/275/EU of 26 April 2011 concerning a technical specification for interoperability relating to the 'infrastructure' subsystem of the trans-European conventional rail system, OJ L 126, 14.5.2011, p. 53, and section 4.2.2. for the high speed lines (hereafter: HS TSI) of Commission Decision 2008/217/EC of 20 December 2007 concerning a technical specification for interoperability relating to the 'infrastructure' sub-system of the trans-European high-speed rail system, OJ L 77, 19.3.2008, p. 1.

(3) lines which are used by conventional freight trains[35]: 22,5 t axle load, and **500** ~~750~~ m train length, **if the traffic volume by 2050 exceeds 0,1% of the total annual railway freight carried in the Union**;

(4) maximum gradients for new lines which are to be used by conventional freight trains: 12,5 mm/m, **except in duly justified cases, related to geographic, urbanistic or environmental conditions**.[36]

Article 14

~~Framework for priority infrastructure development~~Specific considerations

~~Member States and other project promoters,~~ **W**hen promoting projects of common interest and in addition to the ~~priorities~~ **general considerations** set out in Article 10, particular consideration **shall be given** to **the following aspects, having in mind the economic implications**:

(a) deploying ERTMS;

(aa) migrating to 1435 mm nominal track gauge;

(b) mitigating the impact of noise caused by rail transport;

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35 See requirements of line category **IV-F and** V-F specified in section 4.2.2. of the CR TSI.

36 Requirements for line categories IV-F, IV-M, VI-F and VI-M as specified in section 4.2.4.3. of the CR TSI**, including the permission of higher gradient in short sections as specified in paragraphs (4) and (5).**

(c) achieving standards higher than those set out as minimum requirements in the technical specifications, as described in Article 13;

(d) construction of second track [and removal of bottlenecks].

SECTION 2

INLAND WATERWAYS TRANSPORT INFRASTRUCTURE

~~*Article 15*~~

~~***Maps***~~

~~Inland waterways and inland ports which form part of the comprehensive network are indicated on the maps in Annex I.~~

Article 16

Infrastructure components

1. Inland waterways infrastructure **shall** comprise~~s~~ in particular:

(a) rivers;
(b) canals;
(c) lakes;
(d) related infrastructure such as locks, elevators, bridges, reservoirs, **tunnels and dams**;
(e) inland ports **having an annual freight transhipment volume or capacity exceeding [500 000] tonnes based on the latest available three-year average, as published by Eurostat** including **also** the infrastructure necessary for transport operations within the port area;

(f) **port** associated equipment **which enables, in particular, operating systems which reduce pollution, energy consumption and carbon intensity and which includes waste reception facilities, as well as equipment for ice breaking, hydrological services and dredging**;

(g) ~~ITS~~ **TA, including RIS**;

(h) freight terminals

~~2. Inland ports shall have an annual freight transhipment volume exceeding 500 000 tonnes. The total annual freight transhipment volume is based on the latest available three-year average, as published by Eurostat.~~

~~3. Port-associated equipment shall enable in particular propulsion and operating systems which reduce pollution, energy consumption and carbon intensity. It includes waste reception facilities.~~

Article 17

Transport infrastructure requirements

1. Within the sphere of their responsibility, Member States, port operators and infrastructure managers shall ensure that, **subject to a economic cost-benefit analysis with a positive outcome** [inland ports **shall be** ~~are~~ connected with the road or rail infrastructure of the comprehensive network][37].

2. Port operators shall ensure that any inland port offers at least one freight terminal open to all operators in a non-discriminatory way and apply transparent charges.

[37] To be examined in view of finding a solution for specific cases where no such connection exists.

3. Within the sphere of their responsibility, Member States and infrastructure managers shall ensure that:

(a) rivers, canals and lakes comply with the minimum requirements for class **III** ~~IV~~ waterways as laid down in the European Agreement on Main Inland Waterways of International Importance (AGN) on the new classification of inland waterways[38] and ensure continuous bridge clearance.

(b) rivers, canals and lakes are equipped with RIS**, where appropriate**.

Article 18

~~Framework for priority infrastructure development~~Specific considerations

~~Member States and other project promoters, w~~**W**hen promoting projects of common interest and in addition to the ~~priorities~~ **general considerations** set out in Article 10, ~~shall give~~ particular consideration **shall be given** to **the following aspects, having in mind the economic implications**:

(a) for existing inland waterways: implementing measures necessary to reach the standards of the inland waterways class ~~V~~**III**;

(b) where appropriate, achieving higher standards than inland waterways class **III**~~V~~, to meet market demands;

(c) implementing **TA** ~~ITS~~, including RIS;

(d) connecting inland port infrastructure to railway**, road** transport infrastructure;

[(e) the promotion of inland waterway transport.]

[38] European Conference of Ministers of transports (ECMT), ECMT/CM(92)6/Final.

SECTION 3

ROAD TRANSPORT INFRASTRUCTURE

~~*Article 19*~~

~~***Maps***~~

~~Roads which form part of the comprehensive network are indicated on the maps in Annex I.~~

Article 20

Infrastructure components

1. Road transport infrastructure **shall** comprise~~s~~ in particular:

   (a) high quality roads, including

      (i) bridges;
      (ii) tunnels;
      (iii) junctions;
      ~~(iv) crossings;~~
      (v) interchanges;

   (b) parking areas;

   (c) associated equipment;

   (d) ITS;

   [(e) freight terminals and logistic platforms;

   (f) bus stations. **]**

2. The high quality roads referred to in point (a) of paragraph 1 are those which play an important role in long-distance freight and passenger traffic, integrate the main urban and economic centres, interconnect with other transport modes and link **[mountainous]**, **remote**, landlocked and peripheral NUTS 2 regions to central regions of the Union. **These roads shall be adequately maintained to allow safe and secure traffic.**

3. High-quality roads shall be specially designed and built for motor traffic, and shall be either motorways, ~~or~~ express roads **or conventional strategic roads**.

(a) A motorway is a road specially designed and built for motor traffic, which does not serve properties bordering on it, and which:

(i) is provided, except at special points or temporarily, with separate carriageways for the two directions of traffic, separated from each other by a dividing strip not intended for traffic, or, **[**exceptionally**]**[39] by other means;

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

(iii) is especially sign-posted as a motorway.

(b) An express road is a road reserved for motor traffic accessible from interchanges or controlled junctions only and which:

(i) prohibits stopping and parking **[**on the running carriageway**]**; and

(ii) does not cross at **grade** ~~level~~ with any railway or tramway track, **bicycle path** or footpath.

(c) A conventional strategic road is a a road which is not a motorway or express road, that provides a vital link to ensure territorial cohesion. Such a road may be accessible from non-controlled junctions and may permit:

(i) stopping and parking [on running carriageways]; and

(ii) crossing at grade with any road, bicycle path or footpath.

[39] The question of whether further flexibility could be allowed should be discussed.

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

Article 21

Transport infrastructure requirements

Within the sphere of their responsibility, Member States and infrastructure managers shall ensure that:

(a) Roads correspond to the provisions of Article 20(3)**.**

[(b) The safety of road transport infrastructure is assured, monitored and, when necessary, improved according to the procedure provided for by Directive 2008/96/EC of the European Parliament and of the Council of 19 November 2008 on road infrastructure safety management[40].

(c) Road tunnels with length of over 500 m comply with Directive 2004/54/EC of the European Parliament and of the Council of 29 April 2004 on minimum safety requirements for tunnels in the trans-European road network[41].

(d) The interoperability of toll collection systems is ensured in accordance with Directive 2004/52/EC of the European Parliament and of the Council of 29 April 2004 on the interoperability of electronic road toll systems in the Community[42] and by Commission Decision 2009/750/EC of 6 October 2009 on the definition of the European Electronic Toll Service and its technical elements[43].

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40 OJ L 319, 29.11.2008, p. 59.
41 OJ L 167, 30.4.2004, p. 39.
42 OJ L 166, 30.4.2004, p. 124.
43 OJ L 268, 13.10.2009, p. 11.

(e) **Any** intelligent transport system **deployed by a public authority on** ~~of the~~ road transport infrastructure compl**ies** ~~ing~~ with Directive 2010/40/EU of the European Parliament and of the Council of 7 July 2010 on the framework for the deployment of Intelligent Transport Systems in the field of road transport and for interfaces with other modes of transport[44] **and is** deployed **in a manner consistent with delegated acts adopted under this Directive**.**]**[45]

Article 22

~~Framework for priority infrastructure development~~Specific considerations

~~Member States and other project promoters,~~ **W**hen promoting projects of common interest and in addition to the ~~priorities~~ **general considerations** set out in Article 10, ~~shall give~~ particular consideration **shall be given** to **the following aspects, having in mind the economic implications**:

(a) use of ITS, in particular multi-modal information and traffic management and to enable integrated communication and payment systems;

(b) introduction of new technologies and innovation for promoting low carbon transport;

(c) provision of **sufficient** ~~secure~~ parking ~~areas~~ **space for commercial users with an appropriate level of safety and security**;

(d) promotion of road safety;

(e) making best use of existing capacity on the network.

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44 OJ L 207, 6.8.2010, p. 1.

45 Needs to be revised in view of the fact that a mere repetition of existing legislation is not in accordance with point 12 of the Guidelines for Quality of Drafting of Community Legislation (OJ C 73, 17.03.1999, p. 1).

SECTION 4

MARITIME TRANSPORT INFRASTRUCTURE

~~*Article 23*~~

~~***Maps***~~

~~Maritime ports which form part of the comprehensive network are indicated on the maps in Annex I.~~

Article 24

Infrastructure components

1. Maritime transport infrastructure **shall** comprise~~s~~ in particular:

   (a) maritime space;
   (b) sea canals;
   (c) maritime ports, including the infrastructure necessary for transport operations within the port area;
   (d) navigational aids;
   (e) port approaches **and fairways;**
   (f) motorways of the sea;
   (g) associated equipment;
   (h) ~~ITS~~**VTMIS**.

2. Maritime ports shall be entry and exit points for the land infrastructure of the comprehensive network. They shall meet at least one of the following criteria:

   (a) The total annual passenger traffic volume exceeds 0,1 % of the total annual passenger traffic volume of all maritime ports of the Union. The reference amount for this total volume is the latest available three-year average, based on the statistics published by Eurostat.

(b) The total annual cargo volume – either for bulk or for non-bulk cargo handling – exceeds 0,1% of the corresponding total annual cargo volume handled in all maritime ports of the Union. The reference amount for this total volume is the latest available three-year average, based on the statistics published by Eurostat.

(c) The maritime port is located on an island and provides the sole point of access to a NUTS 3 region in the comprehensive network.

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

3. Equipment associated with maritime transport infrastructure shall include in particular equipment for ice breaking, hydrological surveys, and dredging and maintenance of the port and port approaches.

Article 25

Motorways of the sea

1. Motorways of the sea represent the maritime dimension of the trans-European transport network. They shall consist of short-sea routes, ports, associated maritime infrastructure and equipment, and facilities enabling short-sea shipping or sea-river services between at least two ports, including hinterland connections~~, in at least two different Member States~~. Motorways of the sea shall include:

(a) maritime links between maritime ports of the comprehensive network;

(b) port facilities, information and communication technologies (ICT) such as electronic logistics management systems, safety and security and administrative and customs procedures in at least one Member State;

(c) infrastructure for direct land and sea access.

2. Projects of common interest for motorways of the sea in the trans-European transport network shall be proposed by at least two Member States. They shall take one of the following forms:

(a) **[**be the maritime component of a core network corridor as defined in Article 49, or constitute the maritime component between two core network corridors;**]**[46]

(b) constitute a maritime link and its hinterland connections within the core network between two or more core network ports;

(c) constitute a maritime link and its hinterland connections between a core network port and ports of the comprehensive network, with a special focus on the hinterland connections of the core and comprehensive network ports.

3. Projects of common interest for motorways of the sea in the trans-European transport network may also include activities that have wider benefits and are not linked to specific ports, such as activities for improving environmental performance, making available facilities for ice-breaking, activities ensuring year-round navigability, dredging operations, alternative fuelling facilities, as well as the optimisation of processes, procedures and the human element, ICT platforms and information systems, including traffic management and electronic reporting systems.

[46] Has to be reviewed in the light of the examination of the Chapter on Core Network Corridors.

Article 26

Transport infrastructure requirements

1. Within the sphere of their responsibility, Member States, port operators and infrastructure managers shall ensure that:

   (a) Maritime ports are connected with railway lines, roads and, where possible, inland waterways of the comprehensive network, except in Malta and Cyprus for as long as no railway system is established within their territory.

   (b) Any maritime port **that serves freight traffic** offers at least one **multipurpose** terminal open to all **users** ~~operators~~ in a non-discriminatory way and apply transparent charges.

   (c) Sea canals, port fairways and estuaries connect two seas, or provide access from the sea to maritime ports and correspond at least to inland waterway class **III** ~~VI~~.

2. ~~Port operators~~ **Member States** shall ensure that ports include equipment necessary to ensure **the year-round navigability and assist** the environmental performance of ships in ports, in particular reception facilities for ship generated waste and cargo residues **[**in accordance with Directive 2000/59/EC of the European Parliament and of the Council of 27 November 2000 on port reception facilities for ship-generated waste and cargo residues[47].**]**[48]

~~3. Member States shall implement VTMIS as provided for in Directive 2002/59/EC.~~

[47] OJ L 332, 28.11.2000, p. 81.

[48] Needs to be revised in view of the fact that a mere repetition of existing legislation is not in accordance with point 12 of the Guidelines for Quality of Drafting of Community Legislation (OJ C 73, 17.03.1999, p. 1).

Article 27

~~***Framework for priority infrastructure development***~~***Specific considerations***

1. Member States shall guarantee unrestricted sea access to ports through the port approaches and fairways and shall ensure that there are no physical barriers restricting vessel navigation upon entering a port.

2. ~~Member States and other project promoters,~~ When promoting projects of common interest and in addition to the ~~priorities~~ **general considerations** set out in Article 10, ~~shall give~~ particular consideration **shall be given** to **the following aspects, having in mind the economic implications**:

(a) promoting motorways of the sea ~~including~~ **and** short sea shipping;
(b) interconnection of maritime ports with inland waterways;
(c) implementation of VTMIS and e Maritime services.

SECTION 5

AIR TRANSPORT INFRASTRUCTURE

~~*Article 28*~~

~~***Maps***~~

~~Airports which form part of the comprehensive network are indicated on the maps in Annex I.~~

Article 29

Infrastructure components

1. Air transport infrastructure **shall** comprises in particular:

   (a) air space, routes and airways;
   (b) airports;
   (c) associated equipment;
   (d) ~~ITS~~ **air navigation systems, including SESAR.**

2. Airports shall comply with one of the following criteria:

   (a) For passenger airports:

      (i) the total annual passenger traffic is at least 0,1 % of the total annual passenger volume of all airports of the Union. The total annual passenger volume is based on the latest available three-years average, as published by Eurostat;

      (ii) the volume threshold of 0,1 % does not apply if the airport is situated outside a radius of 100 km from the nearest airport in the comprehensive network, or outside a radius of 200 km if the region in which it is situated is provided with a high-speed railway line.

(b) For cargo airports the total annual cargo volume is at least 0,2 % of the total annual cargo volume of all airports of the Union. The total annual cargo volume is based on the latest available three-year average, as published by Eurostat.

Article 30

Transport infrastructure requirements

1. Within the sphere of their responsibility, Member States and airport operators shall ensure that any airport **[that serves freight traffic]** offers at least one terminal open to all operators in a non-discriminatory way and apply transparent charges.

2. Within the sphere of their responsibility, Member States, airport operators**, air navigation services providers** and air carriers shall ensure that common basic standards for safeguarding civil aviation against acts of unlawful interference, as adopted by the Union **[**in accordance with Regulation (EC) No 300/2008 of the European Parliament and of the Council of 11 March 2008 on common rules in the field of civil aviation security and repealing Regulation (EC) No 2320/2002[49], apply to the air transport infrastructure of the comprehensive network.**]**[50]

[49] OJ L 97, 9.4.2008, p. 72.

[50] Needs to be revised in view of the fact that a mere repetition of existing legislation is not in accordance with point 12 of the Guidelines for Quality of Drafting of Community Legislation (OJ C 73, 17.03.1999, p. 1).

3. Within the sphere of their responsibility, Member States, airport operators**, air navigation services providers** and air carriers shall ensure that infrastructure for air traffic management enables the implementation of the Single European Sky, **[**in accordance with Regulation (EC) No 549/2004 of the European Parliament and of the Council of 10 March 2004 laying down the framework for the creation of the single European sky (the framework Regulation)[51], Regulation (EC) No 550/2004 of the European Parliament and of the Council of 10 March 2004 on the provision of air navigation services in the single European sky (the service provision Regulation)[52], Regulation (EC) No 551/2004 of the European Parliament and of the Council of 10 March 2004 on the organisation and use of the airspace in the single European sky (the airspace Regulation)[53] and Regulation (EC) No 552/2004 of the European Parliament and of the Council of 10 March 2004 on the interoperability of the European Air Traffic Management network (the interoperability Regulation)[54] **and of air transport operations** in order to improve the performance and sustainability of the European aviation system, of implementing rules and of Union specifications.**]**[55]

Article 31

~~Framework for priority infrastructure development~~Specific considerations

~~Member States and other project promoters,~~ When promoting projects of common interest and in addition to the ~~priorities~~ **general considerations** set out in Article 10, ~~shall give~~ particular consideration **shall be given** to **the following aspects, having in mind the economic implications**:

(a) optimise existing infrastructure;

(b) increase airport capacity;

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51 OJ L 96, 31.3.2004, p. 1.
52 OJ L 96, 31.3.2004, p. 10.
53 OJ L 96, 31.3.2004, p. 20.
54 OJ L 96, 31.3.2004, p. 26.
55 Needs to be revised in view of the fact that a mere repetition of existing legislation is not in accordance with point 12 of the Guidelines for Quality of Drafting of Community Legislation (OJ C 73, 17.03.1999, p. 1).

(c) support the implementation of the Single European Sky and of air traffic management systems, in particular those deploying SESAR;

(d) improve the multimodal interconnections of the airports with infrastructure of other transport modes.

SECTION 6

INFRASTRUCTURE FOR MULTIMODAL TRANSPORT

~~*Article 32*~~

~~***Maps***~~

~~Freight terminals and logistic platforms which form part of the comprehensive network are indicated on the maps in Annex I.~~

Article 33

Infrastructure components

Freight terminals or logistic platforms shall comply with at least one of the following criteria:

(a) its total transhipment of freight exceeds the quantitative threshold for maritime ports set in Article 24;

(b) where there is no freight terminal or logistic platform complying with point (a) in a NUTS 2 region, it is the main freight terminal or logistic platform designated by the Member State concerned, linked at least to roads and railways for that NUTS 2 region**, or in the case of Member States with no rail system, linked only to roads.**

Article 34

Transport infrastructure requirements

1. Within the sphere of their responsibility, Member States, operators of freight terminals, ports and airports, and infrastructure managers shall ensure, **in a non-discriminatory way,** that:

   (a) transport modes are connected in any of the following places: freight terminals, passenger stations, inland ports, airports, maritime ports, in order to allow multimodal transport of freight and passengers.

   (b) Without prejudice to the applicable provisions laid down in Union and national law, freight terminals and logistic platforms, inland and maritime ports as well as airports handling cargo are equipped for the provision of information flows within this infrastructure and between the transport modes along the logistic chain. Such systems shall in particular enable **[**real time information on available infrastructure capacity, traffic flows and positioning, tracking and tracing, and ensure safety and security throughout multi-modal journeys**]**.

   ~~(c) Without prejudice to the applicable provisions laid down in Union and national law, continuous passenger traffic across the comprehensive network shall be facilitated through appropriate equipment and the availability of ITS in railway stations, bus stations, airports and where relevant maritime and inland waterway ports.~~

2. Freight terminal**s** operators shall **be** ~~ensure that freight terminals are~~ equipped with cranes, conveyors and other devices for moving freight between different transport modes and for the positioning and storage of freight.

Article 35

~~***Framework for priority infrastructure development***~~***Specific considerations***

~~Member States and other project promoters,~~ When promoting projects of common interest and in addition to the ~~priorities~~ **general considerations** set out in Article 10, ~~shall give~~ particular consideration **shall be given** to **the following aspects, having in mind the economic implications**:

(a) providing for effective interconnection and integration of the infrastructure of the comprehensive network, including through access infrastructure where necessary and through freight terminals and logistic platforms;

(b) removing the main technical and administrative barriers to multimodal transport;

(c) developing a smooth flow of information between the transport modes and enabling the provision of multimodal and single-mode services across the trans-European transport system ~~including the related communication, payment, ticketing and commercialisation services.~~

SECTION 7

COMMON PROVISIONS

Article 36

Urban nodes

Member States and other project promoters, when developing the comprehensive network in urban nodes shall, **where feasible,** aim to ensure:

(a) for passenger transport: interconnection between rail, **road,** air and, as appropriate, inland waterway~~, road~~ and maritime infrastructure of the comprehensive network;

(b) for freight transport: interconnection between rail, **road,** and, as appropriate, inland waterway, air **and** maritime ~~and road~~ infrastructure of the comprehensive network;

(c) adequate connection between different railway stations or airports of the comprehensive network within an urban node;

(d) seamless connection between the infrastructure of the comprehensive network and the infrastructure for regional and local traffic, including logistic consolidation and distribution centres;

(e) bypassing of urban areas for road transport to facilitate long-distance traffic flows on the comprehensive network;

(f) bypassing ~~of~~ urban areas for **transiting** rail **and road** freight transport;

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

Article 37

Telematic Applications~~ITS~~

It shall be ensured that:

1. ~~ITS~~ **TA** ~~shall~~ enable traffic management and the exchange of information within and between transport modes for multi-modal transport operations and value added transport-related services, improving safety, security and environmental performance.

2. ~~ITS~~ **TA** ~~shall~~ facilitate seamless connection between the infrastructure of the comprehensive network and the infrastructure for regional and local transport.

3. ~~ITS~~ **TA,** associated with transport modes, ~~shall~~ **include** in particular ~~include~~:

- for railways: ERTMS, **except for the lines the track gauge of which is different and detached from that of the main rail lines in the European Union**;
- for inland waterways: River Information Services ~~and e-Maritime services;~~
- for road transport: ITS in accordance with Directive 2010/40/EU;
- for maritime transport: VTMIS and e-Maritime services;
- for air transport: air traffic management systems, in particular those resulting from SESAR.

Article 38

Sustainable Freight transport services

[The Union**]**, Member States and other project promoters shall pay particular attention to projects of common interest which **both** provide efficient freight transport services that use the infrastructure of the comprehensive network **as well as** ~~and~~ contribute to reducing carbon dioxide emissions **which** ~~These projects shall in particular~~ aim to:

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

(b) promote the deployment of innovative transport services ~~new combinations of proven existing transport services~~, including through the **TA** ~~of ITS~~ and the establishment of relevant governance structures;

(c) facilitate multi-modal transport service operations and improve cooperation between transport service providers;

(d) stimulate resource and carbon efficiency, notably in the fields of vehicle traction, driving/steaming, systems and operations planning, ~~resource sharing and cooperation;~~

(e) analyse, provide information on ~~and monitor markets,~~ fleet characteristics and performance, administrative requirements and human resources.

Article 39

New technologies and innovation

In order for the comprehensive network **to** ~~shall~~ keep up with ~~state-of-the-art~~ **innovative** technological developments and deployments**, the** ~~They shall in particular~~ aim **shall be in particular** to:

(a) enable the decarbonisation of transport through transition to innovative transport technologies;

(b) enable the decarbonisation of all transport modes by stimulating energy efficiency as well as the introduction of alternative propulsion systems and the provision of corresponding infrastructure. Such infrastructure may include grids and other facilities necessary for the energy supply, take account of the infrastructure – vehicle interface and encompass intelligent transport systems;

(c) improve the safety and sustainability of the **transport** ~~movement~~ of ~~persons and~~ goods;

(d) improve the operation, accessibility, interoperability, multimodality and efficiency of the network ~~including multimodal ticketing;~~

(e) promote measures to reduce external costs, such as pollution of any kind, including noise, congestion and health damage;

(f) introduce security technology and compatible identification standards on the networks;

(g) improve resilience to climate change;

(h) further advance the development and deployment of intelligent transport systems within and between modes of transport.

Article 40

Safe and secure infrastructure

Member States and other project promoters shall give due consideration to ensure that transport infrastructure provides for a high degree of safety and security for passenger and freight movements.

~~*Article 41*~~

~~***Climate change proven infrastructure and disaster resilience***~~

~~During infrastructure planning, Member States and other project promoters shall give due consideration to the risk assessments and adaptation measures adequately improving the resilience to climate change, in particular in relation to precipitation, floods, storms, high temperature and heat waves, droughts, sea level rise and coastal surges, in compliance with any requirement which may be set out in relevant Union legislation.~~

~~Where appropriate, due consideration should also be given to the resilience of infrastructure to natural or man-made disasters in compliance with any requirement which may be set out in relevant Union legislation.~~

~~[Article 42]~~

~~Environmental protection~~ [56]

~~Member States and other project promoters shall carry out environmental assessment of plans and projects in particular as provided in Council Directives 85/337/EEC of 27 June 1985 on the assessment of the effects of certain public and private projects on the environment~~[57] ~~and 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora~~[58]~~, and Directives of the European Parliament and of the Council: 2000/60/EC of 23 October 2000 establishing a framework for Community action in the field of water policy~~[59]~~, 2001/42/EC of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment~~[60]~~, and 2009/147/EC of 30 November 2009 on the conservation of wild birds~~[61] ~~in order to avoid or, when not possible, mitigate or compensate for negative impacts on the environment, such as to landscape fragmentation, soil sealing, air and water pollution as well as noise, and to effectively protect biodiversity.~~

~~Article 43~~

~~Accessibility for all users~~ [62]

~~Transport infrastructure shall allow seamless mobility and accessibility for all users, in particular elderly people, persons of reduced mobility and disabled passengers.~~

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56 Could be included in a recital.
57 OJ L 175, 5.7.1985, p. 40.
58 OJ L 206, 22.7.1992, p. 7.
59 OJ L 327, 22.12.2000, p.1..
60 OJ L 197, 21.7.2001, p. 30.
61 OJ L 20, 26.1.2010, p. 7.

62 Considering the importance of this issue, it has been moved to Article 2a (a), and it could be further developed in a recital.

CHAPTER III
THE CORE NETWORK

Article 44

Identification of the core network

1. The core network**, as set out in Annex I,** shall consist of those parts of the comprehensive network which are of the highest strategic importance for achieving the objectives of the trans-European transport network policy **and shall reflect evolving traffic demand and the need for multi-modal transport**. The core network shall in particular contribute to coping with increasing mobility **and ensuring a high safety standard** ~~and~~ **as well as contributing** to the development of a low-carbon transport system.

2. The core network shall be interconnected in nodes and provide for connections **between Member States and** with neighbouring countries' transport infrastructure networks.

3. ~~The transport infrastructures constituting the core network are indicated in the corresponding maps of the comprehensive network in Annex I.~~ **Without prejudice to Article 47(2) and (3), the core network shall be completed and shall comply with the provisions of this Chapter by 31 December 2030** ~~at the latest~~.

Article 45

Infrastructure requirements

1. ~~The core network shall reflect evolving traffic demand and the need for multi-modal transport.~~ ~~State-of-the-art~~ **Innovative** technologies and regulatory and governance measures for managing the infrastructure use shall be taken into account in order to ensure resource-efficient use of transport infrastructure and to provide for sufficient capacity.

2. The infrastructure of the core network shall meet all the requirements set out in Chapter II without exception. In addition, the following requirements shall also be met by the infrastructure of the core network:

   (a) for railway transport infrastructure:

   – full electrification of the railway lines;
   – lines with regular freight traffic: at least 22.5 t axle load, 100 km/h line speed and ~~750~~ **600**m train length

   (b) for inland **waterway** and maritime transport infrastructure:

   – **demand-based** availability of **[**alternative clean fuels**]**;

   (c) for road transport infrastructure:

   – the development of rest areas approximately every ~~50~~ **100** kilometres on motorways **or less, as far as there is at least one per two nodes,** in order inter alia to provide sufficient parking space for commercial road users with an appropriate level of safety and security;
   – availability of alternative clean fuels;

(d) for air transport infrastructure:

– capacity to make available alternative clean fuels.

Article 46

Development of the core network

1. The transport infrastructure included in the core network shall be developed in accordance with the corresponding provisions of Chapter II.

2. Projects of common interest contributing to the completion of the core network shall be implemented as a priority.

~~3. Without prejudice to Article 47(2) and (3), the Member States shall ensure the core network is completed and complies with the provisions of this Chapter by 31 December 2030 at the latest.~~

Article 47

Nodes of the core network

1. The nodes of the core network are set out in Annex II and include:

– urban nodes, including their ports and airports;
– maritime ports **and inland waterways ports**;
– border crossing points to neighbouring countries;
– **multimodal platforms.**

2. Maritime ports ~~indicated~~ **set out** in Part 2 of Annex II shall be connected with the railway and road transport infrastructure of the trans-European transport network **and where possible by the inland waterway infrastructure** by 31 December 2030 ~~at the latest~~, except in duly justified cases.

3. The main airports indicated in Part 1b of Annex II shall be connected with the railway and road transport infrastructure of the trans-European transport network by 31 December 2050 ~~at the latest~~. Taking into account potential traffic demand, such airports shall, **except in the case of Member States with no rail system established within their territory,** be integrated into the high speed rail network wherever possible.

CHAPTER IV
IMPLEMENTATION OF THE CORE NETWORK THROUGH [CORE NETWORK CORRIDORS][63]

Article 48

General purpose of core network corridors

1. Core network corridors are an instrument to facilitate the coordinated implementation of the core network. Core network corridors shall be based on modal integration, interoperability, as well as on a coordinated development and management of infrastructure, in order to lead to resource-efficient multimodal transport.

2. Core network corridors shall provide for a coordinated approach with regard to infrastructure use and investments, so as to manage capacities in the most efficient way. Multimodal infrastructure within core network corridors shall be built and coordinated, wherever needed, in a way that optimises the use of each transport mode and their cooperation. The core network corridors shall support the comprehensive deployment of interoperable traffic management systems.

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63 The concept of "corridors" needs to be further discussed.

Article 49

Definition of core network corridors

1. Core network corridors ~~consist of parts of the core network. They shall involve at least three transport modes and cross at least three Member States. They~~ cover the most important ~~cross-border~~ long-distance flows in the core network **and are intended in particular to improve cross-border links.**

~~2. In duly justified cases the core network corridor may involve only two transport modes~~.

3. Core network corridors ~~shall~~ **may also** include maritime ports and its accesses, ~~except in duly justified cases.~~

Article 50

List of core network corridors

1. Each Member State shall participate in at least one core network corridor.

2. The list of core network corridors **agreed by the Member States** is set out in Annex ~~I~~ **X** to this Regulation (~~EU) No XXX/2012 of … [Connecting Europe Facility].~~

Article 51

Coordination of core network corridors

1. In order to facilitate the coordinated implementation of core network corridors, the Commission shall**, in agreement** ~~designate, after consultation~~ **with** the Member States concerned, and after having consulted the European Parliament **and the Council**, **designate** persons called "European Coordinator".

2. The European Coordinator shall be chosen, in particular, on the basis of his/her experience of European institutions and knowledge of issues relating to the financing and the socio-economic and environmental evaluation of major projects.

3. The Commission decision designating the European Coordinator shall specify how the tasks referred to in paragraph 5 are to be performed.

4. The European Coordinator shall act in the name and on behalf of the Commission. The remit of the European Coordinator shall relate to a single core network corridor. ~~The European Coordinator shall draw up together with the Member States concerned a work plan the activities to be fulfilled.~~

5. The European Coordinator shall:

   (a) **support** ~~lead~~ the coordinated implementation of the core network corridor ~~in order to enable respect of the timeline set in the implementing decision for the individual core network corridor;~~

   (b) report to the Member States, to the Commission and, as appropriate, to all other entities directly involved in the development of the core network corridor on any difficulties encountered and contribute to finding appropriate solutions;

   (c) draw up a report every year for the European Parliament, **the Council**, the Commission and the Member States concerned on the progress achieved in implementing the core network corridor;

(d) ~~consult, in cooperation with the Member States concerned, in particular regional and local authorities, infrastructure managers, transport operators, transport users and, as appropriate, other public and private entities, with a view to gaining a fuller knowledge of the~~ **examine the** demand for transport services, the possibilities of investment funding and financing and steps to be undertaken and the conditions to be met in order to facilitate access to such funding or financing **and give appropriate recommendations.**

6. The Member States concerned shall cooperate with the European Coordinator and give the Coordinator the information required to perform the tasks ~~referred to in paragraph 5.~~

7. Without prejudice to the applicable procedures laid down in Union and national law, the Commission may request the opinion of the European Coordinator when examining applications for Union funding for core network corridors ~~for~~ which the European Coordinator is **entrusted with** ~~responsible~~.

Article 52

Governance of core network corridors

1. For each core network corridor, the **relevant European Coordinator** ~~Member States concerned~~ shall, **annually or in case of urgency, convene** ~~establish~~ a corridor platform responsible for defining the general objectives of the core network corridor and for ~~preparing and~~ supervising the measures **and monitor the progress** ~~referred to in Article 53(1).~~

2. The corridor platform shall be composed of the representatives of the Member States concerned and, as appropriate, other public and private entities. In any case, the relevant infrastructure managers as defined in Directive 2001/14/EC of the European Parliament and of the Council of 26 February 2001 on the allocation of railway infrastructure capacity and the levying of charges for the use of railway infrastructure[64] shall participate in the corridor platform.

3. The European Coordinator shall chair the corridor platform.

~~4. The corridor platform may be established as a permanent legal entity, such as a European Economic Interest Group.~~

5. The establishment of corridor platforms is without prejudice to the principle that the beneficiary of Union financial support has the final responsibility for the implementation of the projects.

Article 53

~~Corridor development~~ Work plan

1. **The European Coordinator shall submit for the Member States' approval a draft work plan concerning the activities to be fulfilled. This plan shall be notified by the European Coordinator to the Commission within one year of the** ~~For each core network corridor, the Member States concerned, in cooperation with the corridor platform, shall jointly draw up and notify to the Commission a corridor development plan within six months after~~ entry into force of this Regulation. ~~This plan~~ **It** shall include in particular:

[64] OJ L 75, 15.3.2001, p. 29.

(a) a description of the characteristics of the core network corridor, including bottlenecks;

(b) the objectives for the core network corridor in particular in terms of performance expressed as the quality of the service, its capacity and its compliance with the requirements set out in Chapter II;

(c) the programme of measures necessary for developing the core network corridor;

(d) a multimodal transport market study;

(e) an implementation plan including:

- a deployment plan relating to interoperable traffic management systems on multi-modal freight corridors ~~without prejudice to the applicable Union legislation~~;

- a plan for the removal of physical, technical, operational and administrative barriers between and within transport modes and for the enhancement of efficient multimodal transport and services;

- measures to improve the administrative and technical capacity to conceive, plan, design, procure, implement and monitor projects of common interest;

– risk assessment, including the possible impacts of climate change on the infrastructure and where appropriate proposed measures to enhance climate resilience;

– measures to be taken in order to mitigate greenhouse gas emissions;

(f) an investment plan, to be updated regularly, including:

– the list of projects for the extension, renewal or redeployment of transport infrastructure referred to in Article 2(2) for each of the transport modes involved in the core network corridor;

– the related financial plan, with the various sources envisaged for funding and financing, at international, national, regional, local and Union level, including, whenever possible, earmarked cross-financing systems as well as private capital, together with the amount of commitments already made and, where applicable, reference to the contribution of the Union envisaged under the Union's financial programmes.

2. Based on the corridor ~~development~~ **work** plan provided by **the European Coordinator** ~~Member States concerned~~, the Commission shall deliver its opinion **on possible project funding.**

3. In order to support the implementation of the core network corridors, the Commission may adopt implementing decisions ~~for core network corridors~~. These decisions may:

(a) include the investment planning, the related costs and implementation timeline, estimated as necessary to implement the core network corridors ~~in line with the objectives of this Regulation~~;

(b) define all measures aimed at reducing external costs, in particular greenhouse gas emissions and noise, and aimed at promoting the introduction of new technologies in traffic and capacity management;

(c) provide for other measures which are necessary for the implementation of the corridor ~~development~~ **work** plan and for the efficient use of the ~~core network corridor~~ infrastructure.

Those implementing acts shall be adopted in accordance with the **examination** ~~advisory~~ procedure referred to in Article 55(2).

CHAPTER V
COMMON PROVISIONS

Article 54

Updating and reporting

1. **The infrastructure manager** ~~**Member States**~~ **shall transmit to** the Commission **the annual data** ~~shall inform continuously through the interactive geographical and technical information system for the trans-European transport network (TENtec),~~ about the progress made in implementing projects ~~of common interest~~ and the investments made for this purpose.

1a. Member States shall provide the Commission with abstracts of national plans and programmes ~~which they are drawing up with a view to develop the trans-European transport network, in particular in relation to the core network.~~ Once adopted, the Member States shall send the national plans and programmes to the Commission for information.

2. Every two years starting from the entry into force of this Regulation and after consultation of the Committee referred to in Article **55** ~~54~~, the Commission shall publish a progress report on ~~the~~ **its** implementation ~~of the guidelines~~, which shall be submitted to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions.

3. **[Subject to the second paragraph of Article 172 TFEU,]**[65] the Commission shall be empowered to adopt delegated acts in accordance with Article 56 concerning the adaptation of Annexes I,**[** II**]** ~~and III~~ to take account of possible changes resulting from the quantitative thresholds laid down in Articles 16, 24, 29 and 33. When adapting the Annexes, the Commission shall:

(a) include logistic platforms, freight terminals, inland ports, maritime ports and airports in the comprehensive network, if it is demonstrated that the latest two-year average of their traffic volume exceeds the relevant threshold;

(aa) include nodes, one in every NUTS II islands;

[(b) exclude logistic platforms, freight terminals, inland ports, maritime ports and airports from the comprehensive network, if it is demonstrated that the average of their traffic volume over the last six years is below the relevant threshold;**]**

[65] The question of how to reconcile the second paragraph of Article 172 TFEU with delegations of power to the Commission needs to be further examined.

(c) adjust the maps for road, railway and inland waterway infrastructure so as to reflect progress in completing the network. In adjusting those maps, the Commission shall not admit any adjustment in route alignment beyond that which is allowed by the relevant project authorization procedure.

The adaptations under points (a) and (b) shall be based on the latest available statistics published by Eurostat. **The adaptations under point (c) shall be based on the information provided by the Member State concerned, according to Article 54(1).**

4. Projects of common interest concerning infrastructure which is newly included **through a delegated act** in the trans-European transport network shall be eligible for the purposes of Article 7(5) as of the date of entry into force of ~~the~~ **that** delegated acts pursuant to paragraph 3.

Projects of common interest concerning infrastructure which have been excluded from the trans-European transport network shall not be eligible anymore as of the date of entry into force of the delegated acts pursuant to paragraph 3. The end of eligibility shall not affect financing or grant decisions taken by the Commission before this date.

Article 55

Committee

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

2. Where reference is made to this paragraph, Article **5** 4 of Regulation (EU) No 182/2011 shall apply.

Article 56

Exercise of delegation

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

2. The power to adopt delegated acts referred to in Article 54(3) shall be conferred on the Commission **[**for ~~an unlimited~~ **a five year** period from [date of entry into force of the Regulation]**]**.

3. The delegation of powers referred to in the Article 54(3) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

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

5. A delegated act adopted pursuant to the Article 54(3) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of the notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Article 57

Review

By 31 December 2023 ~~at the latest~~, the Commission shall carry out a review of the implementation of the core network, evaluating compliance with the provisions laid down in this Regulation and the progress in implementation.

Article 58

Single Contact Authority

Member States may appoint a Single Contact Authority for facilitating and co-ordinating the permitting process for projects of common interest, in particular cross-border projects, in accordance with the relevant Union acquis.

Article 59

Delay in completion of the core network

1. In the event of a **[**significant delay**]**[66] in starting or completing work on the core network, the Commission shall request the Member States concerned to provide the reasons for the delay. **Such reasons shall be provided by the Member States** within three months. On the basis of the reply given, the Commission shall consult the Member States concerned in order to resolve the problem leading to the delay.

~~2. The Commission may, as part of its active monitoring of the implementation of the core network and having due regard to the principle of proportionality and subsidiarity, decide to take appropriate measures.~~

~~3. The European Parliament and the Member States shall be informed immediately of any measure taken.~~

[66] Needs to be further clarified.

~~*Article 60*~~

~~***Compatibility with Union law and Union policies***~~

~~Actions taken under this Regulation shall take into account any relevant Union policies, in particular those relating to competition, market access, the protection of the environment, health, sustainable development, and public procurement.~~

~~*Article 61*~~

~~***Promotion and evaluation***~~

~~The Commission shall promote and evaluate the advancement of the trans-European transport network policy and its overall implementation.~~

Article 62

Repeal

Decision No 661/2010/EU is repealed.

For all financing decisions based on Regulation (EC) No 680/2007[67], Decision No 611/2010/EU shall continue to apply.

[67] Regulation (EC) No 680/2007 of the European Parliament and of the Council of 20 June 2007 laying down general rules for the granting of Community financial aid in the field of trans-European transport and energy networks, OJ L 162, 22.6.2007, p. 1.

Article 63

Entry into force

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*. **It shall apply subject to the provisions in Article 9(3), 44(3) and 47(2) and (3).**[68]

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

Done at Brussels,

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

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[68] The date of application of the provisions might need further clarification.