

Commission proposes coronavirus relief package for transport industries – Railway related summary

Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL laying down specific and temporary measures in view of COVID-19 outbreak and concerning the validity of certain certificates, licences and authorisations and the postponement of certain periodic checks and training in certain areas of transport legislation

<https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1588173960641&uri=COM:2020:176:FIN>

Railway legislation concerned: Directive (EU) 2016/798; Directive 2004/49/EC; Directive 2007/59/EC; Directive 2012/34/EU.

Articles of the proposal : Articles 9, 10, 11, 12, 13

“Reference period” of expired time limits and validity that can benefit from these provisions: 1 March 2020 - 31 August 2020

Due to the extraordinary situation caused by the COVID-19 outbreak:

Directive (EU) 2016/798:

- Time limits for **renewal of single safety certificates** expiring in the reference period 1 March 2020 - 31 August 2020: extended by 6 months.
- **Validity of safety authorisations** expiring in the reference period: extended by 6 months.
- Member states still facing difficulties can apply for extension of this period by 15 July 2020.

Directive (EU) 2004/49/EC:

- Time limits for **renewal of safety certificates** expiring in the reference period 1 March 2020 - 31 August 2020: extended by 6 months.
- Time limits for **renewal of safety authorisations** expiring in the reference period: extended by 6 months.
- Member states still facing difficulties can apply for extension of this period by 15 July 2020.

Directive 2007/59/EC:

- **Validity of [train driver’s] licences** expiring in the reference period 1 March 2020 - 31 August 2020: extended by 6 months from the date of expiry of any such licence.
- Time limits for the **completion of the periodic checks** mentioned in article 16 and Annexes II and VII of the Directive expiring in the reference period: extended by 6 months.
- Member states still facing difficulties can apply for extension of this period by 15 July 2020.

Directive 2012/34/EU:

- **Validity of temporary licences [of railway undertakings]** expiring in the reference period 1 March 2020 - 31 August 2020: extended by 6 months from the date of end of validity of any such licence.

- The licensing authority shall take a decision in respect of **applications submitted from 12 January 2020 to 31 August 2020** not later than nine months after all relevant information, notably the particulars referred to in Annex III, has been submitted.
- Member states still facing difficulties can apply for extension of this period by 15 July 2020.
- Article 13 concerns the **treatment of licences of railway undertakings under Directive 2012/34/EU in the event of lack of financial fitness**. The licensing authority may decide not to suspend or revoke the licence of the railway undertaking provided that safety is not at risk, and that there is a realistic prospect of a satisfactory financial reconstruction within the following six months. It shall review the performance of the railway undertaking concerned at the end of the six month period and decide whether the licence shall be suspended or revoked under Article 24(1) and whether a temporary licence should be granted on the basis of Article 24(3) of that Directive.

Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive (EU) 2016/797 and Directive (EU) 2016/798, as regards the extension of their transposition period
<https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1588174002101&uri=COM:2020:179:FIN>

The European Commission tabled an amendment allowing the remaining 17 member states (who have not yet transposed the Interoperability Directive and Railway Safety Directive) to postpone the **implementation of the 4th Railway Package's Technical Pillar** from 16th June 2020 to **16th September 2020**. Member States, that have extended the transposition period, **may** further extend it until [16 September 2020]. Their transposition measures shall apply from that date. Those Member States shall notify the Agency and the Commission .