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Regulation on the Trans-European Transport Network (TEN-T)

More for rail and more for employees

Executive summary

In Europe, there are around 11 million employees in the transport sector. They ensure the supply of goods in the Union and the mobility of the population. Therefore good working conditions, modern rest facilities, and fair pay are basic.

Hence, **employees** need

- free, safe, modern parking facilities for all employees,
- maximum distances between parking facilities (65 km) on the TEN road network,
- optimized controls, for example through train checkpoints,
- a uniform standard for data exchange on waterways and rail to ensure that the provisions of working and rest times are permanently complied with and to ensure the necessary knowledge (infrastructure, vehicles) of the employees, and
- improved social infrastructure for employees so that it is comprehensive, safe, and easily accessible.

The envisaged **increase in the quality of rail infrastructure to make transport greener** is certainly to be welcomed, especially if it enables fast and continuous travel on this sustainable mode of transport. However, focusing solely on international or high-speed traffic carries risks. On the one hand, this can result in a less utilisation of train paths, which means that fewer trains run on the same network. On the other hand, most rail passengers travel on regional services. Improvements initiated by the Union therefore do not reach them.

In the view of AK and VIDA, the **goals of the Green Deal can only be achieved** if

- the main passengers of the railway in regional transport are taken into account, they represent 93% of the passengers in Europe,
- more investments take place in urban and regional transport,
- the compatibility of the ERTMS backup systems is increased, and
- financial support for the new digital automatic coupling is guaranteed.

AK's & VIDA's position

In mid-December 2021, the European Commission (EC) presented an amendment to the [Trans-European Networks \(TEN\) Directive](#). Within the framework of the TEN, the most important transport links - so-called corridors - are defined. These TEN corridors are subject to minimum technical requirements and financial support from the EU budget, in particular through the Connecting Europe Facility (CEF).

Compared to existing regulations, the draft pushes for faster completion of key infrastructure projects. Similarly, urban nodes will be addressed and international connections by rail will be promoted. In principle, AK and VIDA welcome the EC's concern to complete the TEN network quickly. However, the measures announced fall short of expectations in terms of regulations on employees and rail transport.

Infrastructure principles

The **inclusion of the Tauern-Pyhrn-Schober axis** in the TEN network is expressly welcomed. For Europe, this axis is of particular importance for securing the economic location and for protecting the Alpine valley landscapes from road transit traffic. Likewise, this connection is particularly important for local rail passenger transport.

Within the framework of the "General Principles", the criteria for infrastructure development such as axle loads, weights, etc. are defined. On the part of AK and VIDA it is stated that the transport infrastructure must in any case also guarantee **good working conditions and the safety of employees**. Especially in the area of rest and recreation facilities, the draft falls far short of expectations. Break and overnight rooms are often unacceptable within the EU, regarding both the equipment and its quantity.

The equipment criteria for parking facilities on TEN roads are currently being defined in a delegated act. However, the minimum number required is not regulated. AK and VIDA propose a **maximum distance between two parking facilities of 65 km** on the Union TEN road network. This corresponds to the maximum distance that is already fixed between locations for

"charging infrastructure", such as for recharging battery-powered vehicles (cf. Proposal for a Regulation on the deployment of alternative fuels infrastructure, [COM\(2021\) 559 final](#)). Parking facilities are crucial for road safety, as they contribute significantly to rested drivers. It must be ensured that all drivers have access to high-quality and safe parking facilities. Therefore, they must be free of charge. The draft must therefore be amended, for example in Art 28.

In the TEN, much more attention must be paid to accessibility. Whilst there are international agreements for aviation and clear specifications for rail within the framework of the Technical Specifications for Interoperability ([Directive 2016/797/EU](#) on rail interoperability), comparable provisions are lacking for other modes of transport. Regulations must therefore be made for passenger transport by road (equipment of parking facilities), hubs and inland waterways (ports and landing stages).

In general, urban transport should not be limited to the role of the city as a hub (Art 40). An innovative infrastructure programme must also offer clear solutions for inner-city traffic. Likewise, the **financing of measures in the cities** must be ensured. This is especially true for public transport, bicycle and pedestrian transport. The Union's reticence in relation to these regional infrastructures must end. Pushing cycling, public transport and walking in agglomerations is one of the most effective and efficient measures to relieve pressure on existing infrastructures, especially European road corridors. It also serves to achieve the climate goals at comparatively low costs.

AK and VIDA demand

- maximum distances between parking facilities (65 km) on the TEN road network,
- free, safe, modern parking facilities for all employees
- the prioritisation and ensuring of the eligibility of inner-city and sub-urban transport,

- greater consideration of bicycle and pedestrian infrastructure, and
- ensuring accessibility.

No Green Deal without regional rail services

The Green Deal calls for drastic reductions in greenhouse gases. According to the European Commission, the reduction targets should be achieved by making international rail transport more attractive. The aim is to guarantee high speed railways (over 160 km/h for passenger traffic and over 100 km/h for freight traffic, Art 16). Increasing the quality of rail infrastructure is certainly to be welcomed, especially if it enables fast and continuous travel on this sustainable mode of transport.

Focusing solely on international or high-speed services also carries a risk. In Europe, the railway system is often operated in a so called “mixed mode”. This means that different types of services (freight transport, high-speed trains, regional trains) run on the same infrastructure, in most cases at different speeds. The higher the differences in train speeds, the more difficult it becomes to ensure mixed operation; ultimately, there is a lack of opportunities for overtaking. This in turn leads to a lower use of the infrastructure. **Overall, fewer trains, including freight trains, can run per train-path kilometre.** Increasing the speed of some type of trains can therefore make it more difficult to adhere to regular timetables. Regular service in particular is an important feature to push rail usage. Network expansion and travel speeds should therefore continue to be based on the requirements of regular timetables and network utilisation.

If an enterprise wants to run a train on the railway, it needs a train path allocated in advance, similar to the “slots” in air traffic. If there are more applications than capacities for all services (freight and passenger, regional, and international), the allocation is based on prioritisation rules. This applies in particular in the morning peak around major cities. These rules result largely from EU law ([Directive 2012/34 EU](#) on the development of the Community's railways, [Regulation 913/2010 EU](#) on freight corridors) and from national regulations. The train path is awarded via national allocation bodies. The EC plans to change this system. On the one hand, train path allocation is to be partially withdrawn from the Member States on the TEN-corridors (cf. also the announcements in the “Action plan to boost long distance passenger rail” [COM\(2021\) 810 final](#), ch 3.5, p 11). On the other hand, **the current prioritisation** is, according to the EC,

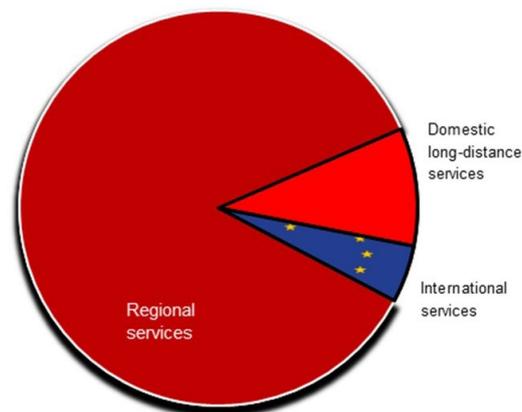
to be **massively changed in favour of international rail freight**. There are plans to reserve minimum train paths for freight traffic (Art 5 and 15) and to guarantee only freight traffic a maximum delay in door-to-door travel times of 30 minutes (Art 18).

In Austria, the EU champion in rail transport, it was recognised years ago that the railways can only work optimally if they can exploit their network advantages (nationwide service, regular service, interconnected tickets, mixed service with regional and long-distance traffic). Each connection is ultimately dependent on its feeder lines and sidings. Anyone who tries to improve the railway by optimising or removing individual types of services (high-speed, long-distance, freight, profitable routes, routes requiring subsidies) is jeopardising the optimal handling of rail traffic. However, the intention of the EC is a one-sided optimisation of fast, cross-border traffic. In fact, regional traffic is not taken into account, even though it carries the most passengers.

From AK's and VIDA's perspective, the sole focus on high speeds (over 160 km/h in passenger and over 100 km/h in goods transport) and the outsourcing of train path allocation to the Union jeopardise the mobility needs of the main rail customers, the millions of daily commuters, and pupils. **More train paths for cross-border services and high-speed services mean fewer train paths and fewer trains for 93% of passengers in Europe.**

The goals of the Green Deal, which provides for a reduction in emissions from transport, can only be achieved if the railways' main passengers are also taken into account. AK and VIDA maintain that the railway is an element of public service. It guarantees the mobility of hundreds of millions of people in the Union. The allocation of train paths therefore also determines who can participate in social life and how.

No Green Deal without regional rail services
Rail passengers in Austria after type of services 2019



Allocation of train paths in the interest of international services by the Union without any control and without clearly regulated inclusion of regional interests is not expedient.

A clear commitment to urban and regional transport is therefore needed. This must be financed accordingly. Similarly, investments must be encouraged.

AK and VIDA demand

- a focus on the railways' main customer: urban and regional transport (93% of the passengers),
- more investment in urban and regional transport,
- exemptions for public investments from the Maastricht criteria on public sector debt, especially in the field of rail and public transport,
- ensure that the interests of all rail passengers (urban, regional, international, high-speed and freight) can be adequately represented in corridor management (Chapter 5),
- to ensure that the interests of employees are represented in corridor management,
- no change in prioritisation for train paths, and
- remove the unilateral punctuality rules for freight traffic.

Digitalisation as an opportunity for rail

The EC proposes to replace existing national rail safety systems with the modern ERTMS (European Rail Traffic Management System). Starting in 2041, older systems will no longer be allowed on corridors. A rapid changeover to the modern ERTMS backup system is to be welcomed. However, the ban on "older safety systems" could lead to bottlenecks in rolling stock. Older rail vehicles are often not equipped with modern ERTMS systems and would be excluded from traffic on the corridors. In this context, reference is made to the longevity of rail vehicles (over 40 years).

The ERTMS system is a dynamic system, it is constantly evolving and requires recurring adjustments to vehicles and infrastructure. The adjustments represent a high expenditure of time and money. Many ERTMS "upgrades" do not adequately account for this effort. Here, the Union should take measures, for example within the framework of the European Railway Agency, to increase the compatibility of older ERTMS versions with newer

ones. Modern safety systems and their updates should not fail due to excessive financial burdens.

In recent years, the railways have pushed ahead with the development of a new digital automatic coupler (DAC) for rail vehicles. This is expected to bring massive improvements in operations (handling, train path utilisation, and safety). It is therefore an important instrument for greening transport and relieving congestion on the TEN networks. At the same time, it means massive investments for rail companies, because ultimately almost all rail vehicles will have to be retrofitted. However, DAC is not reflected in the present draft, although it contributes to an improvement of the network. From AK's and VIDA's point of view, it must be ensured that financial support - also from the TEN budget - is available for the DAC.

AK and the VIDA demand

- an increase in the compatibility of ERTMS backup systems,
- the prevention of an artificial shortage of rail vehicles as a result of the lack of backward compatibility of the safety systems, and
- financial support for the new digital automatic coupling.

Rail transport - infrastructure requirements

Checks on compliance with applicable rules, for example on the technical condition of rolling stock or the suitability of employees (driving times, training), are handled very differently from one Member State or infrastructure manager to another. The type and number of inspections that are prescribed throughout the EU as a matter of course on the roads ([Directive 2014/47/EU](#) on the technical roadside inspection of the roadworthiness and operational safety of commercial vehicles) do not exist on the railways. From AK's and VIDA's point of view, safety on the railways can only be guaranteed if appropriate controls are in place. The necessary infrastructural measures are to be regulated in the present regulation. This also includes a uniform standard for the (real-time) exchange of data on working and rest times, the qualifications of the employees (training, route knowledge) and the identification of the personnel deployed on the train. An easy exchange of data between the railway companies, infrastructure managers and the control authority must be ensured.

In AK's and VIDA's view the regulation should make mandatory so-called "train checkpoints" on the network. These are technical devices that

automatically check the technical condition of passing trains. These are, according to AK and VIDA, to be established at a maximum distance of 100 km from each other. In any case, they should have devices for measuring axle load, clearance gauge, and running gear condition. In addition, they should be equipped with impact detectors and be able to detect “hot axle boxes”. Infrastructure managers must define those areas where an additional checkpoint is required. This can be the case, for example, on mountain routes, in long tunnels, or on certain bridge sections. The results of the checks must be centrally registered, made available to other infrastructure managers and the railway authorities. If technical deficiencies are detected, infrastructure managers, railway companies or the authorities must take measures, up to the stopping of the train immediately.

However, the rail infrastructure is also characterised by the fact that the facilities for railway workers vary significantly. For example, it is often not guaranteed that employees will find the necessary sanitary facilities along the route. Similarly, there is no guarantee that trains will always be parked where there is minimal social infrastructure. In some cases, even getting off the train safely involves unacceptable burdens. At a minimum, infrastructure must include for all employees safe routes, overnight accommodation, modern break areas (cooling, heating, hygiene), utilities, and sanitary facilities. This also supports the Union’s goal of making railway jobs more attractive. Similarly, this will achieve more rapid implementation of the objectives of the [agreement of the European social partners in the railway sector on the promotion of female employment](#).

AK and VIDA demand

- the mandatory establishment of so-called train checkpoints, at least every 100 km,
- a uniform standard for data exchange to ensure fair working hours and to ensure the necessary knowledge (infrastructure, vehicles) of the employees, and
- improving the social infrastructure for employees so that it is comprehensive, safe, and easily accessible.



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About us

The Austrian Federal Chamber of Labour (AK) represents by law the interests of about 3.8 million employees and consumers in Austria. It acts on behalf of its members in fields of social-, educational-, economical-, and consumer issues both on the national and on the EU-level in Brussels. Furthermore, the Austrian Federal Chamber of Labour is a part of the Austrian social partnership. The Austrian Federal Chamber of Labour is registered at the EU Transparency Register under the number 23869471911-54.

The main objectives of the AK EUROPA Office established in 1991 in Brussels are the representation of AK towards the European Institutions and interest groups. Other objectives are the monitoring of EU policies and transferring relevant information from Brussels to Austria, as well as to lobbying the expertise developed in Austria and positions of the Austrian Federal Chamber of Labour in Brussels.