



## News from Brussels - January 2021

Hi!

Here is this month's newsletter from Brussels where we take a look at what's going on at the EU level and at relevant news from UITP (The International Association of Public Transport).

### COVID-19

2021 will hopefully be the year our societies and our sector can start building back and recovering from the crisis. At EU level at the very least, it is the year Member States will be asked to submit their National Recovery & Resilience Plans to benefit from the €672.5 billion fund dedicated to financial support for public investments and reforms.

- **National Recovery & Resilience Plans**

As a reminder, since October 15th 2020, Member States have been able to submit their draft national recovery and resilience plans to the Special "RECOVER Task Force" unit set up within the European Commission and dedicated to the the national recovery plans. The national plans need to comply with current State aid rules. The Commission has therefore published ([here](#)) guiding templates to help the Member States navigate the State aid rules for each of the seven identified European flagships - ie. categories of common challenges faced by Member States and set out in the EU's Annual Sustainable Growth Strategy published in September 2020 ([here](#)).

- European Commission

### **Renewal and extension of certificates in road and rail transport**

The European Commission has presented a proposal to the Parliament and the Council allowing for specific and temporary measures in view of the COVID-19 outbreak "*concerning the renewal or extension of certain certificates, licences and authorisations and the postponement of certain periodic checks and periodic training in certain areas of transport*



legislation". The text will be examined by the co-legislators via an emergency procedure, leading to a fast adoption. These measures include, for instance, an extension of the time limits provided for in Directive [2003/59/EC](#) on the initial qualification and periodic training of drivers of certain road vehicles, as well as in the rail sector, an extension of the time limits provided for in Directive (EU) [2016/798](#) on railway safety.

The proposal for a Regulation is available in full [here](#).

Moreover, regarding the rail sector, please be aware that the derogations awarded last year to certain provisions of Directive [2012/34/EU](#), including articles 27, 31 and 32 related to track access charges, have been extended until 30<sup>th</sup> June 2021. Indeed, they had only been extended until 31<sup>st</sup> December 2020 with the possibility of an extension should the crisis not be resolved by then. You will find the full information on this extension in delegated regulation (EU) 2020/2180 [here](#).

### **Extension of the Temporary Framework for State aid measures**

A 5<sup>th</sup> Amendment to the Temporary Framework for State aid measures to support the economy in the current COVID-19 outbreak was adopted on 28th January 2021 leading to a prolonging of the measures set out in the Temporary Framework until 31 December 2021. This amendment increases the aid ceilings set out in the original Temporary Framework to reflect the length and importance of the crisis and provides for the possibility for Member States to convert repayable forms of aid granted under that framework such as repayable advances, guarantees and loans into other forms of aid such as grants. The Communication is available [here](#) in full.

- **UITP actions**

UITP Europe keeps an active register that overviews all the National Recovery and Resilience Plans (NRRP), and is interested in hearing about your own NRRP. Such a register will then be made available to members so that they can compare and contrast their own NRRP with other European ones.

For all of the information on how UITP is helping members share knowledge and coordinate their responses to the crisis, please visit the dedicated webpage [here](#) or contact Artur [Perchel](#) for more information on the NRRPs.



## EU legislation and initiatives

2021 will mark the second year of the Von der Leyen Commission and as such will be the year a lot of proposals for legislation will finally be published after lengthy stakeholder negotiations and impact assessments.

### The Smart and Sustainable Mobility Strategy

On December 9<sup>th</sup>, the European Commission published the long awaited, and highly anticipated, Smart and Sustainable Mobility Strategy. The full Strategy is [here](#) with the accompanying Commission Staff working document [here](#). One of the targets of the Strategy is to reach carbon neutrality by 2030 for scheduled collective travel of under 500km. In an effort to understand whether this referred to urban transport, UITP wrote to Commissioner Valean to ask for clarifications. The Commission's answer is that **this target is aimed solely at long-distance, interurban transport and not urban transport. As a consequence, this means that the targets set out by the Clean Vehicles Directive continue to apply to urban buses.** The Commission also clarified that alternative fuels as well as offsetting can be used in order to reach this target of climate-neutral transport services by 2030.

### Proposal for a Battery Regulation

The European Commission's Circular Economy Action Plan was set in motion at the end of last year with the publication of a proposal for a new Battery Regulation ([here](#)). The proposal's aim is to set up the right framework for the development of a sustainable, high-performing and safe battery market in the EU, including for electric vehicle batteries. The proposed Regulation should replace the current Batteries Directive. Among other provisions, the proposal lays down rules on the carbon footprint of electric vehicle batteries and rechargeable industrial batteries. The requirements are staged in such a manner that there first is an information requirement in the form of a carbon footprint declaration. Thereafter, the batteries shall be subject to classification into carbon footprint performance classes. Ultimately, and informed by the results of a dedicated impact assessment, the batteries will need to comply with maximum life cycle carbon footprint thresholds.

Furthermore, at the end of their life, batteries should be repurposed, remanufactured, or recycled.



## Portuguese EU Council Presidency

On 1<sup>st</sup> January 2021, Portugal took up the Presidency of the Council after Germany. Portugal will be followed by Slovenia on 1<sup>st</sup> July 2021. The Portuguese presidency of the Council has made the fight against COVID-19 and the recovery process its utmost priority. Other priorities include “*Encourag[ing] new digital solutions and strategies for the green transition, in the fields of [...] mobility*” as well as “*Prioritis[ing] the implementation of the European Green Deal, with a view to sustainable economic recovery.*” The official website of the presidency is available here: <https://www.2021portugal.eu/en/>

For more information on Portugal and its priorities for the EU, the European Parliament published an excellent document available [here](#).

## Revision of the Rail Passenger Rights Regulation

The Rail Passenger Rights Regulation should soon be adopted as it was announced on Monday 25<sup>th</sup> January that the Council had formally adopted the interinstitutional agreement as its first reading position. The Council’s reasons are explained in a document [here](#) with the press release [here](#). No changes have been made compared to the agreement reached with the Parliament in October 2020. The text will now need to be adopted in plenary by the Parliament in March/April before a second and final reading in the Council and then a publication in the Official Journal of the EU. The revised Regulation would then start to apply two years later, with the exception of the bicycle space requirements, applicable four years after the entry into force of the regulation.

## European Year of Rail 2021

The European Year of Rail was officially launched on January 1<sup>st</sup> 2021. The decision was published in the Official Journal of the EU at the end of last year and is available in full [here](#). A dedicated webpage has been set up ([here](#)) that includes information on all the related events as well as a section that explains how to get involved with this initiative. Proposed stakeholders’ initiatives will be assessed on a case-by-case basis.

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## Understanding the EU better - the Council of the EU’s decision process

The EU can seem quite far away at times, the legislative procedure can seem obscure and the jargon impenetrable. This is why, every month, we take a closer look at one of the cogs



in the EU machinery, in relation with a relevant piece of EU legislation for the public transport sector.

This month, we look a little more in detail at **how the Council of the EU works and how decisions are taken and positions adopted.**

The Council of the EU is one of the least transparent institutions of the EU. It is not always easy to get information on who is in charge of what, on when the meetings are taking place and the documents are not made as easily accessible to the public as is the case with the European Parliament. As a result, it is often the lesser known institution of the two co-legislators.

The Council's work is organised at three different levels:

1. the working parties
2. the Permanent Representative Committee (Coreper)
3. the relevant Council configuration

When a Commission proposal for legislation reaches the Council for a first reading, it is assigned to a working party composed of national representatives and officials from each Member State, often experts in the relevant area. Whichever country holds the Presidency of the Council, presides over the working party's proceedings and is responsible for organising meetings and finding a workable compromise on the technical aspects of the legislation between the Member States.

Once the working parties have reached a first compromise, it is sent to the Permanent Representative Committee for a more "political and strategic" reading. The Coreper is called this way as it is composed of all the Permanent Representatives (a Brussels bubble word and equivalent of an ambassador) of each Member State to the EU.

If the Coreper then approves of the compromise, or reaches a new one, the amended proposal for legislation can finally be sent to the relevant Council configuration for debate and approval. The Council can meet in 10 different configurations depending on the topic at hand, the most important one for our sector being the "Transport, telecommunications and energy Council" (TTE). The relevant Ministers of each Member State meet in such a configuration and take decisions that are binding on their country.



The Council website rightly points out that this procedure *“ensures that there is technical scrutiny of the proposal at working party level, political responsibility for it at ministers’ level, as well as scrutiny by ambassadors in Coreper, who combine technical expertise with political consideration.”*

For more information on how the Council of the EU works, you can always visit the dedicated webpage of the Council [here](#).

### Publications

#### **Committee of the Regions - Challenges for public transport in cities and metropolitan regions**

The European Committee of the Regions (CoR) published this month an own-initiative opinion entitled ‘Challenges for public transport in cities and metropolitan regions’. The Opinion was introduced and drawn up by Mr. Adam Struzik (PL/EPP), President of the Mazovia Region, and approved at the December plenary of the CoR. UITP contributed with arguments and data both directly to the rapporteur as well as through formal stakeholder consultations. UITP will be engaging further with the European community of municipal and regional leaders in order to advance the local public transport agenda EU-wide. The full opinion in all EU languages is available [here](#).

#### **CERRE - MaaS: A digital roadmap for public transport authorities**

The Centre on Regulation in Europe recently published a report on Mobility-as-a-Service and the role of public transport authorities. The authors call for regulation at a European level to set out clear rules for fair competition as well as a review of European regulation to help develop multimodal mobility in urban and suburban areas. The report includes examples of organising authorities across Europe, including in the Nordic countries. For instance, it states that:

*“We must evolve in our thinking when it comes to apps. Apps are not magic wands intended to reduce the general cost of travel, but a means of supporting the load-shifting that multimodality will impose. As the Oslo example shows, regulation of urban mobility needs first to be considered within its wider context, by defining the types of service to be set up for different origins and destinations (within the city centre, radial or concentric).*



*Traditional public transport plays a major role here by innovating the offer; express buses on motorways, reserved lanes for rapid access to heavy forms of transport, etc.”*

The full report is available [here](#).

### Not a UITP member yet?

As a UITP member, you can share knowledge with a network of more than 200 public transport authorities worldwide. Read more at <https://www.uitp.org/membership-benefits> or contact Camille Roy in UITP: [camille.roy@uitp.org](mailto:camille.roy@uitp.org)

Any questions? Please contact me at [annabelle.huet@uitp.org](mailto:annabelle.huet@uitp.org)

**Wishing you all the best for the new year!**

Kind regards,  
Annabelle