

News from Brussels – May 2022

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).

War in Ukraine

State Aid

The Commission has, since the beginning of the crisis and war in Ukraine, approved a number of "exceptional" national schemes every month among which the following two for the month of May:

- *Commission approves German umbrella scheme to support companies in context of Russia's invasion of Ukraine – [here](#);*
- *Commission approves €500 million Luxembourgish scheme to support companies in context of Russia's invasion of Ukraine – [here](#);*

As a reminder, the Commission's new Temporary Crisis Framework for State aid that enables Member States to use the flexibility foreseen under State aid rules to support the economy in the context of Russia's invasion of Ukraine is available [here](#).

EU legislation and initiatives

PSO Regulation guidelines

Earlier this month, UITP published a joint statement on the proposed revision of the interpretative guidelines on Regulation (EC) No 1370 on public passenger transport services by rail and by road ('PSO regulation'), alongside a broad coalition of transport stakeholders. The statement called on the European Commission to avoid undermining the legal framework for public transport organisation. In the joint statement ([here](#)), the coalition, composed of UITP, CCRE-CEMR, CER, EMTA, Eurocities, POLIS and SGI Europe, calls for legal coherence for public transport in Europe, especially at a time when the sector's efforts are focused on sustainable recovery from the pandemic and a just transition to a climate-neutral, resilient Europe for all.

Further to the joint statement, it was announced that the European Commission would organise an exchange of views with the Members of the European Parliament during a TRAN Committee meeting on May 17th. The live feed of the meeting is available in full [here](#). The MEPs were almost unanimous in their criticism of the current draft revised guidelines. Some underlined the Commission's attempt at reintroducing provisions of the Fourth Railway Package that were set aside by the co-legislators. Others pointed at the lack of transparency throughout the entire process or even at how misleading the Commission's statement was that «*A need for public service can occur only where there is a user demand and that demand is not capable of being met by the interplay of market forces alone*».

The European Commission has promised now to revise its draft proposal especially with regards to the ex-ante assessment of user demand and in order to make it clearer which parts apply to the rail

sector vs to the urban sector in those countries where it is not liberalised. There will not be a second occasion to comment on the guidelines. The Commission is planning on publishing the final version of the revised guidelines after the summer.

Emission Trading System Directive

On 11th May, UITP and the commercial road transport association IRU co-signed an open letter calling for an effective extension of the Emission Trading System (ETS) to road transport and buildings (ETS II) that supports public transport. The letter is available in full [here](#). The letter was published a week before the vote that took place in the Environmental Committee of the European Parliament on ETS II. In the letter, UITP once again underlines the importance of earmarking part of the ETS revenue towards supporting climate-friendly, public transport. Indeed, UITP has been advocating for earmarking ETS revenues since even before the Commission proposal on ETS was published.

On 17th May, the ENVI committee adopted the report by German MEP Peter Liese (EPP) and in a major lobbying success for UITP, the report included a proposal to earmark parts of ETS revenues for public transport:

“[...] Member States shall use at least 10 % of the revenues generated from the auctioning of allowances for the development of public transport, in particular climate-friendly passenger and freight rail transport and bus services and technologies [...].”

The proposal is now scheduled for a vote during the 6-9 June plenary session of the European Parliament.

Commission adopts Contingency Plan for Transport

A few weeks ago, the European Commission carried out a public consultation on a Contingency Plan for Transport, to strengthen the resilience of EU transport in times of crisis. The plan's aim is to draw lessons from the COVID-19 pandemic and take into account the challenges the EU transport sector has been facing since then as well as with the Russian invasion of Ukraine. Most of the plan therefore predictably emphasizes Commission actions to tackle negative impacts of the pandemic and of the Ukrainian war. Unfortunately, public transport is barely mentioned. It is mentioned only under section 5 and seems to be geared more at Member States than local public transport authorities or operators.

«5) Ensuring minimum transport connectivity and passenger protection

*When transport services are under pressure, it is important to maintain adequate collective public transport in and between cities and regions. [...] **Member States should therefore consider urgent awards of public service contracts for collective transport services or amending existing contracts for the public's travel needs.** The EU public transport rules for rail, road and maritime transport already provide for an urgent procedure under certain conditions. [...]*

*The Commission also calls upon regional and local authorities to step up their preparedness. Following the guidance on planning for more resilient and robust urban mobility, the Commission pointed to the need to prepare for any contingency and the importance of urban mobility in the overall resilience of urban areas. This would be reflected in follow-up action, such as **a Commission recommendation on sustainable urban mobility plans scheduled in 2022** and dedicated*

discussions with Member State and city experts on additional measures to make urban mobility more resilient.»

The official press release and related document are available [here](#).

Understanding the EU better – the ordinary legislative procedure

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, with the ETS Directive being examined in the ENVI Committee, the ITS Directive being examined in the TRAN Committee, **we take a look once again at the EU legislative procedure: how are Regulations and Directives adopted at EU level? What happens to an proposal once it is published by the European Commission?**

The founding Treaty of the EU (the Rome Treaty) gave only a very limited role to the European Parliament: it had the right to be consulted, and even then, only on a small number of matters. Subsequent treaties all progressively gave the European Parliament more powers culminating, with the Maastricht Treaty in 1992, in the introduction of the co-decision procedure that gave equal powers in the legislative procedure to the Council and the European Parliament.

There are other legislative procedures than the ordinary one, but as its name suggests, it is the most common one. Most Treaty articles relating to specific competences of the EU will specify which legislative procedure is otherwise applicable.

The ordinary legislative procedure is set out in full in article 294 TFEU (available [here](#) for those looking for some light reading).

The procedure starts with the European Commission submitting a proposal for a legislative act (a directive, a regulation or a decision) to the European Parliament and the Council.

The Council and the Parliament then examine the proposal in parallel. Once the proposal is amended by each co-legislator and both have adopted what is known as a first reading, then they must agree on a common wording and common amendments to the original proposal. They do so via trilateral negotiations called the trilogues (which we looked at more in-depth in a previous newsletter).

This is where the theory laid out in article 294 TFEU and the reality don't quite match up. According to the Treaties, if the first readings in the Council and the Parliament differ, a second reading is required. A Conciliation Committee is then called forward to allow the Parliament and the Council to reach an agreement after this second reading. In reality though, very few legislative proposals ever reach the second reading stage. The trilogues, that involve the European Commission in the search for a compromise solution, almost always lead to an agreement that makes any second reading unnecessary.

Once the text agreed upon during the trilogue meetings is officially adopted during a plenary session of the European Parliament, followed by an adoption in the relevant Council configuration, it is published in the Official Journal of the EU. Only then can it enter into force.

The clearest infographic on this topic is available [here](#). For more in-depth information, you can also visit the European Parliament's dedicated webpage [here](#) that includes a step-by-step explanation of the ordinary legislative procedure, as well as a focus on the main Parliament Actors. The Council also has a webpage [here](#) on this subject that includes a short video on the procedure.

Events

- **9th June 2022: UITP Europe (members only) - digital roundtable on EU Funds & Financing**

This kick-off and members-only roundtable, to be held on June 9 at 10h00-12h00 CET, will provide a unique opportunity to UITP members for an open debate on the state-of-the-affairs, lessons learned, and lobbying priorities related to the ongoing EU funds and financing programmes. Together with our European operator and authority members, we will be discussing challenges and opportunities related to EU programmes and instruments available for local public transport investments. We want to foster an impactful exchange of experience and ideas as well as to facilitate a transfer of EU funds expertise among the members and UITP staff. [To register, please go HERE.](#)

- **14th June 2022 : Intelligent Transport - Bus to the Future webinar: Imagining public transport in 2030 and beyond**

Intelligent Transport and the Trapeze Group are jointly hosting a webinar on 14 June at 1pm to discuss **visions for the future of buses and public transport in major urban environments**, with a specific focus on delivering a next generation customer experience; ensuring speed and efficiency of end-to-end journeys; and the implementation of a truly sustainable transport network. More information is available [here](#).

- **17th June 2022: DG MOVE information session on the 'Commission Notice on well-functioning and sustainable local passenger transport-on-demand (taxis and PHV)'**

The Directorate General for Mobility and Transport (DG MOVE) of the European Commission will hold an information session on the **'Commission Notice on well-functioning and sustainable local passenger transport-on-demand (taxis and PHV)'** (Official Journal, C 62, 4.2.2022, p. 1).

The information session will take place online (Webex) on 17 June 2022 10:00-12:30. It is aimed at public and private stakeholders active in the field of local passenger transport-on-demand. Director Kristian Schmidt will present the Commission Notice and there will be opportunity for questions and an exchange of views afterwards. Participants must register before 10 June 2022 on the following

link [EUSurvey](#) indicating names as well authority/organisation/company. Please note that the information session will be held in English.

- **21st to 23rd June 2022 : RailTech Europe 2022**

On 21-23 June 2022, the European railway industry will gather at the Jaarbeurs Utrecht, the Netherlands, for the next edition of RailTech Europe. As a meeting place for the European infrastructure managers, suppliers, consultants and IT departments, the congress offers the opportunity to learn more about the latest European technological developments in the railway infrastructure. More information is available [here](#).

- **24th June 2022: ERA Webinar - Railway Safety and Interoperability: the Importance of Data Sharing**

The European Union Agency for Railway will be presenting the publication of the 2022 edition of the report monitoring progress on the safety and interoperability of the Union rail system during this webinar. This report represents a key element in the Agency's effort to better understand the situation of European railways and its evolution over time. A particular focus will be made on the importance of data sharing and the on-going collaborations with other European institutions/organisations for collecting and presenting meaningful data and indicators. More information is available [here](#).

Publications

- **UITP – World Metro Figures 2021, Statistics Brief**

In monitoring the global development of metro, UITP has collected data on a series of key indicators including ridership, number of lines, stations and fleet size. Since our last World Metro Figures in 2018, 14 cities new cities have opened a metro system, taking the total to 193 cities. At the time of gathering this data in 2020, global ridership fell by 60% as a result of COVID-19. This ranged from 32% in Asia-Pacific to 63% in North America. While many networks have since recovered a substantial part of the drop in passenger numbers, few have reached 2019 levels. The statistics brief is available in full [here](#).

- **UMII Report: Urban mobility innovation index 2021**

The first UMii report was delivered in 2017. Since then, the world has been through many important transformations and cities have had to face many challenges. Thanks to the review of the UMii framework and with more cities involved, the new UMii report captures all the recent changes and identifies best practices, translating them into practical and actionable recommendations for cities, to strategically integrate innovation as part of urban transport planning and to develop greater urban mobility services. The report is available in full [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

Any questions? Please contact me at annabelle.huet@uitp.org

Kind regards,
Annabelle