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Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on rail ticketing

{SEC(2026) 300 final} - {SWD(2026) 300 final} - {SWD(2026) 301 final}

(Text with EEA relevance)

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE PROPOSAL

• Reasons for and objectives of the proposal

The Commission Communication ‘*The European Green Deal*’¹ and the Climate law² and subsequent amendment³ set both: (i) a climate-neutrality objective to be achieved by the EU by 2050, and (ii) a clear objective to reduce net greenhouse gas emissions by at least 55% by 2030 and 90% by 2040, compared with 1990 levels. The Communication also calls for a 90% reduction in greenhouse gas emissions from transport by 2050 compared with 1990 levels, while working towards the zero-pollution ambition⁴. In addition, it calls for a reduction in: (i) the health impacts of air pollutant emissions by more than 55% by 2030 compared with 1990 levels; and (ii) the share of people chronically disturbed by transport noise by 30% by 2030 compared with 1990 levels. Transport accounts for around 25% of the EU’s total greenhouse gas emissions, and these emissions have increased in recent years. Because rail transport is both largely electrified and an energy efficient mode of transport, greater use of rail services should help to reducing greenhouse gas emissions and energy consumption by the transport sector.

In 2020, rail transport accounted for 5.1% of passenger transport between EU countries and 11.5% of freight transport between EU countries, but for only 0.4% of greenhouse gas emissions from transport in the EU⁵. Rail transport is highly energy efficient – accounting for only 0.6% of the energy consumption of all modes of transport⁶ within the EU – and most rail traffic runs on electrified lines. EU policy has consistently promoted rail transport, not only because of these energy and emissions advantages, but also because of rail transport’s clear socio-economic benefits, high level of safety and capacity to promote territorial cohesion.

An efficient ticketing system is essential for the functioning of the railway passenger market. The suboptimal functioning of the railway ticketing market in the EU has been noted among others in: (i) the Commission Communication action plan to boost long-distance and

¹ Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions (The European Green Deal), COM/2019/640 final, https://commission.europa.eu/publications/communication-european-green-deal_en.

² Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 (‘European Climate Law’), OJ L 243, 9.7.2021, p. 1.

³ Council of the EU, 2040 climate target: Council gives final green light, Press release, 5 March, 5 March 2026, <https://www.consilium.europa.eu/en/press/press-releases/2026/03/05/2040-climate-target-council-gives-final-green-light/>.

⁴ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, Pathway to a Healthy Planet for All EU Action Plan: ‘Towards Zero Pollution for Air, Water and Soil’, COM/2021/400 final, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52021DC0400&qid=1623311742827>.

⁵ European Parliamentary Research Service, Briefing - Improving Use of Rail Infrastructure Capacity, PE 754.599, https://www.europarl.europa.eu/RegData/etudes/BRIE/2023/754599/EPRS_BRI%282023%29754599_EN.pdf.

⁶ Report from the Commission to the European Parliament and the Council, Ninth monitoring report on the development of the rail market under Article 15(4) of Directive 2012/34/EU of the European Parliament and of the Council, COM(2025) 439 final, https://transport.ec.europa.eu/document/download/49ed336c-86ea-461c-b20c-1397fab497f5_en?filename=COM_2025_439_F1_REPORT_FROM_COMMISSION_EN_V2_P1_4191768.PDF.

cross-border passenger rail of 2021⁷, (ii) the political guidelines for the European Commission 2024–2029⁸; and (iii) the Commission Communication on Connecting Europe through high-speed rail of 2025⁹.

After four legislative railway packages, the single European railway area has been opened to competition, resulting in a better, more diverse and more affordable offering to passengers. In 2024, kilometres travelled by passengers on EU railways grew by 5.8%¹⁰, driven by strong consumer demand and the launch of new services, including by new operators. However, although significant progress has been made on other fundamental elements of the single European railway area (such as common infrastructure development, improved interoperability and better capacity management), rail ticketing remains a significant structural weakness. The digital revolution in retail experienced in other sectors (hotels and air travel) has not materialised for rail. The slower pace of market opening in rail compared with, for example, air travel services, has resulted in considerable differences in the corresponding markets for online ticketing.

Incumbent companies act as gatekeepers, and they operate the vast majority of passenger rail transport services while also owning their online ticketing service provider. These companies can both: (i) use their incumbency to disadvantage competing online ticketing service providers by sharing data and offers selectively; and (ii) exclude competing railway operators by refusing to sell on their main online ticketing service the tickets offered by these competing operators. This situation limits price transparency and reduces the visibility of new operators to consumers, undermining the business case for new rail services that would otherwise drive affordability and induce a modal shift. For new operators, efficient online ticketing is key to reaching customers. For consumers, buying rail tickets is too difficult, especially when travelling cross-border or when the trip involves the use of trains from multiple operators. This was recognised in the political guidelines for 2024-2029¹¹, which states that people should be able to use open booking systems to purchase trans-European journeys with several providers. This challenge is further confirmed in both the Letta report on the future of the single market¹² and the Draghi report on the future of

⁷ Communication from the Commission to the European Parliament and the Council, Action Plan to Boost Long Distance and Cross-border Passenger Rail, COM/2021/810 final, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52021DC0810>.

⁸ Ursula von der Leyen, Europe's Choice – Political guidelines for the next European Commission 2024-2029, https://commission.europa.eu/document/download/e6cd4328-673c-4e7a-8683-f63ffb2cf648_en?filename=Political%20Guidelines%202024-2029_EN.pdf.

⁹ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, Connecting Europe through High-Speed Rail, COM(2025) 903 final, https://transport.ec.europa.eu/document/download/774e79c9-1ece-4514-8f16-a2b98049c82e_en?filename=COM_2025_903_HSR.pdf.

¹⁰ Eurostat, Rail passenger transport increased by 5.8% in 2024, News article, 31 October 2025, <https://ec.europa.eu/eurostat/web/products-eurostat-news/w/ddn-20251031-1>.

¹¹ Ursula von der Leyen, Europe's Choice – Political Guidelines for the Next European Commission 2024-2029, https://commission.europa.eu/document/download/e6cd4328-673c-4e7a-8683-f63ffb2cf648_en?filename=Political%20Guidelines%202024-2029_EN.pdf.

¹² Enrico Letta, Much More Than a Market - Speed, Security, Solidarity - Empowering the Single Market to Deliver a Sustainable Future and Prosperity for All EU Citizens, <https://www.consilium.europa.eu/media/ny3j24sm/much-more-than-a-market-report-by-enrico-letta.pdf>.

European competitiveness¹³. It has also been confirmed by the outcomes of flash Eurobarometer 551¹⁴.

The Treaty on the Functioning of the European Union (TFEU, Article 102) prohibits abusive behaviour by companies holding a dominant position on any given market. The Commission, as well as national courts and competition authorities across the EU, initiated proceedings on the basis of Article 102 TFEU that revealed practices by incumbent companies such as favouring direct distribution channels, restricting access to ticketing content and data, and imposing unreasonable fees and unreasonable technical requirements on third-party online ticketing service providers.

Independent online ticketing service providers are emerging but their growth in the ticketing market is still modest. With a growing number of rail operators and a risk of fragmentation of the ticketing offer, it is becoming all the more important for passengers to be able to find, compare, combine and book tickets in one place.

This proposal addresses the above-mentioned issues in the ticketing market. First, it obliges operators and organisers of rail services to share their rail products with online ticketing service providers, when requested.

Second, this proposal obliges railway operators with a market share of 50% or above of national railway services to open their online ticketing service to any requesting operator or organiser of railway services. Currently, only incumbent state-owned operators have market shares of 50% or above of the passenger rail services market and, as explained above, with their inherited brand recognition and established online ticketing service, they also have a significant presence in national railway ticketing markets. This 50% threshold is based on relevant case-law and Commission decision-making practice in the application of EU competition rules. The notion of ‘significant market presence’ is in line with the notion of ‘significant market power’ in the Communication from the Commission – Guidelines on market analysis and the assessment of significant market power under the EU regulatory framework for electronic communications networks and services (C/2018/2374) (EUR-Lex - 52018XC0507(01) - EN - EUR-Lex), which recalls that according to established case-law¹⁵, very large market share held by an undertaking for some time – in excess of 50 % — is in itself, save in exceptional circumstances, evidence of the existence of a dominant position.

This proposal attaches certain conditions to the agreements that are to be concluded following these obligations. These conditions ensure that parties that have an obligation or a right to enter into a commercial agreement do not suffer or impose unreasonable conditions.

This initiative was included in both the Commission 2022 work programme and in actions 37 and 65 of the sustainable and smart mobility strategy. The initiative has been developed in close relation with the proposal for a Regulation on Multimodal Booking (RMB), which uses the same impact assessment as this initiative.

¹³ Mario Draghi, The Draghi Report on EU Competitiveness, https://commission.europa.eu/topics/competitiveness/draghi-report_en#paragraph_47059.

¹⁴ Directorate General for Communication, Flash Eurobarometer FL551 : Multimodal Digital Mobility Service, https://data.europa.eu/data/datasets/s3178_fl551_eng?locale=en.

¹⁵ Judgment of 13 February 1979, Hoffmann-La Roche v Commission, 85/76, EU:C:1979:36, paragraph 41; judgment of 3 July 1991, Akzo v Commission, C-62/86, EU:C:1991:286, paragraph 60; and judgment of 12 December 1991, Hilti v Commission, T-30/89, EU:T:1991:70.

- **Consistency with existing policy provisions in the policy area**

Directive 2012/34/EU of the European Parliament and of the Council¹⁶ establishing the single European railway area recognises the importance of market-developed common information and through-ticketing systems. The Directive says that these systems should be interoperable and non-discriminatory and enable passengers to plan journeys and book tickets across the EU. The Directive states that Member States may require operators of domestic passenger services to participate in common information and integrated ticketing schemes for the supply of tickets, through-tickets and reservations, provided these schemes do not distort the market or discriminate between railway undertakings. The Directive requires the Commission to report to the European Parliament and the Council on the availability of common information and through-ticketing systems, and provides that this report should be accompanied, if appropriate, by legislative proposals. In previous documents, the Commission has determined that the availability of through-tickets is limited at present. With the current proposal, the Commission plans to create the framework conditions that would enable online ticketing service providers to have a complete offering of railway products, as well as the right to combine these at will at the request of the consumer (provided minimum connecting times are respected for the stations where a change of trains is required).

Under the rail interoperability Directive (EU) 2016/797 of the European Parliament and of the Council¹⁷ the Commission developed functional and technical specifications for telematics applications (Commission Implementing Regulation (EU) 2026/253¹⁸ or Technical Specification for Interoperability (TSI) Telematics), supporting the interoperability of data sharing in rail transport. This requires timetable data for rail services to be shared via national access points deployed by Member States for EU-wide multimodal transport information systems. It also lays down the data format to be applied based on European standards as well as the licences to be used when sharing such data for rail travel.

- **Consistency with other Union policies**

The European Green Deal Communication confirmed the EU's goal of achieving climate neutrality by 2050 and the need to reduce transport emissions by 90% by 2050 compared with 1990 levels. The sustainable and smart mobility strategy further elaborated on the Communication's goals for transport. The strategy called for stronger measures to incentivise the use of multimodal transport. The milestones set by the sustainable and smart mobility strategy included making scheduled collective travel for journeys under 500 km carbon neutral, as well as doubling high-speed passenger traffic by 2030 and tripling it by 2050 compared to 2015 levels.

On digital transport policies, the ITS Directive¹⁹ lays down a framework for both the deployment of intelligent transport systems in the road sector and interfaces between these road systems and systems for other modes of transport. Commission Delegated Regulation

¹⁶ Directive 2012/34/EU of the European Parliament and of the Council of 21 November 2012 establishing a single European rail area (recast), OJ L 343, 14.12.2012, p. 32.

¹⁷ Directive (EU) 2016/797 of the European Parliament and of the Council of 11 May 2016 on the interoperability of the rail system within the European Union (recast), OJ L 138, 26.5.2016, p. 44.

¹⁸ Commission Implementing Regulation (EU) 2026/253 of 6 February 2026 on a technical specification relating to the telematics subsystem of the rail system in the European Union for interoperability of data sharing in rail transport ('TEL TSI') and repealing Regulations (EU) No 454/2011 ('TAP TSI') and (EU) No 1305/2014 ('TAF TSI'), OJ L, 2026/253, 10.2.2026.

¹⁹ 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 transports, OJ L 207, 6.8.2010, p. 1.

(EU) 2017/1926²⁰, on EU-wide multimodal travel information services requires Member States to set up national access points for passenger information, including real-time data for all modes, but only for information purposes.

As announced in the European data strategy, the Commission is developing actions to build a common European mobility data space that can facilitate access to, pool and share data on transport and mobility. These actions will take into account data-sharing mechanisms developed in transport fora and relevant legislation, including the RMB and this proposal.

On general data policies, by setting sectorial measures in relation to online ticketing service providers, this proposal complements and does not affect the application of the Platform to business Regulation²¹, the Digital Services Act (DSA)²², the Digital Markets Act (DMA)²³ and the Data Act (DA)²⁴. In particular, the DA also has particular relevance through harmonised rules on data sharing including rules on unfair contractual agreement terms.

The Directive on Unfair Commercial Practices²⁵ and its revision both prohibit undisclosed advertising and paid promotion that result in higher rankings for products within search results. This proposal is linked to the RMB proposal, which complements the above acts through measures that: (i) ensure that search results on multimodal ticketing services are displayed in a neutral way; (ii) prohibit self-preferencing and paid prominence, allowing advertised content only under certain conditions; and (iii) set out a list of mandatory ranking criteria.

On policies dealing with the rights of rail passengers, this proposal is closely linked to Regulation (EU) 2021/782 on rail passengers' rights and obligations (RPRR)²⁶. The RPRR entered into force in June 2021 and applies from June 2023. It replaces the initial EU rules in the domain that applied since 2009. Among other things, the Regulation: (i) improves the provision of real-time travel information; (ii) introduces data-sharing rules for operators and third parties (including ticket vendors and other railway undertakings) when they have an agreement; (iii) adds a self-rerouting right; and (iv) requires operators under the same ownership to offer through-tickets. A targeted revision of this Regulation is being undertaken in parallel to this proposal to increase rights for rail passengers with a single ticket for a single journey with multiple rail operators, booked on a single online ticketing service in a single transaction. This initiative complements this revision by creating the conditions that would enable rail travellers to book these single tickets. In addition, the Commission adopted a proposal in 2023 for passenger rights in the context of multimodal journeys that imposes rules to protect passengers when they transfer between different transport modes.

²⁰ Commission Delegated Regulation (EU) 2017/1926 of 31 May 2017 supplementing Directive 2010/40/EU of the European Parliament and of the Council with regard to the provision of EU-wide multimodal travel information services, OJ L 272, 21.10.2017, p. 1.

²¹ Regulation (EU) 2019/1150 of the European Parliament and of the Council of 20 June 2019 on promoting fairness and transparency for business users of online intermediation services, OJ L 186, 11.7.2019, p. 57.

²² OJ L 277, 27.10.2022, p. 1.

²³ Regulation (EU) 2022/1925 of the European Parliament and of the Council of 14 September 2022 on contestable and fair markets in the digital sector and amending Directives (EU) 2019/1937 and (EU) 2020/1828 (Digital Markets Act), OJ L 265, 12.10.2022, p. 1.

²⁴ Regulation (EU) 2023/2854 of the European Parliament and of the Council of 13 December 2023 on harmonised rules on fair access to and use of data and amending Regulation (EU) 2017/2394 and Directive (EU) 2020/1828 (Data Act), OJ L, 2023/2854, 22.12.2023.

²⁵ OJ L 149, 11.6.2005, p. 22.

²⁶ Regulation (EU) 2021/782 of the European Parliament and of the Council of 29 April 2021 on rail passengers' rights and obligations (recast), OJ L 172, 17.5.2021, p. 1.

2. LEGAL BASIS, SUBSIDIARITY AND PROPORTIONALITY

• Legal basis

The legal basis for the proposal is Article 91(1), point (d) of the Title VI of the Treaty on the Functioning of the EU (TFEU). Article 91 establishes the EU's prerogative to pursue the objectives of the Treaties within the framework of a common transport policy and to set the appropriate rules to that end. By contributing to the functioning of the transport ticket distribution market in conformity with the objectives set out in the sustainable and smart mobility strategy, this initiative forms part of the common transport policy. The transport ticket distribution market encompasses services inherently linked to transport services. The initiative thus takes into account the distinctive features of transport. The application of this initiative will not seriously affect the standard of living and level of employment in certain regions, and the operation of transport facilities.

• Subsidiarity (for non-exclusive competence)

In some Member States, legislation is in place that already addresses railway ticketing or aspects of railway ticketing. However, cross-border and long-distance intra-EU travel requires an EU-wide approach to ensure harmonised rules for operators, public authorities and ticket vendors alike. Furthermore, EU-level legislation ensures that citizens in all Member States can take advantage of improved accessibility and bookability for railway tickets, thereby benefitting from the opportunity to choose a sustainable mode of transport for their trips, including cross-border. With progress being made in the process of market-opening and the appearance of additional companies on the railway market, EU-level legislation helps to make these new-entrants visible on ticketing websites acting in the EU. This is especially relevant for cross-border services, so that equal levels of access to railway products for citizens on both sides of the border is ensured. Discrepancies between Member States and local authorities in implementing new rules for online ticketing could further fragment the market. This could result in higher costs and reduce the benefits for online ticketing service providers, authorities, operators and transport users. EU-level intervention is needed to prevent divergent strategies with unintended effects.

• Proportionality

This proposal will enable consumers to benefit from a greater and easier choice of railway products. In parallel, it strengthens the position of railway online ticketing service providers and it widens access to indispensable railway ticketing channels for smaller and new-entrant railway operators. In doing so, this proposal will improve the functioning of the single European railway area (and the functioning of the single market more generally), and support the EU's objective of economic, social and territorial cohesion. Action at EU level with clear and harmonised rules will remove obstacles for railway operators and online ticketing service providers, and will make rail travel more attractive. This in turn will support EU level objectives to green the transport sector.

• Choice of the instrument

By laying down a harmonised, directly applicable framework for the obligatory 'sharing' of railway products, as well as for the obligatory 'hosting' of railway products on incumbent's online ticketing services, a Regulation is a better way to achieve the initiative's objectives than a Directive. A regulation will avoid any differences in national rules and practices, that could create obstacles for online ticketing service providers and railway undertakings that operate cross-border. With the ongoing process of market opening in rail, the number of railway undertakings active in the single European railway area is expected to grow. It is

therefore important that equal rights and obligations apply to these undertakings, so that they can operate in an equal legal framework, especially when they compete with each other.

3. RESULTS OF *EX-POST* EVALUATIONS, STAKEHOLDER CONSULTATIONS AND IMPACT ASSESSMENTS

- ***Ex-post* evaluations/fitness checks of existing legislation**

Not Applicable

- **Stakeholder consultations**

This proposal, and the legal proposal on multimodal digital mobility services, are based on the same impact assessment.

As part of the preparation of that impact assessment, various stakeholder consultation activities were carried out, seeking both qualitative (opinions, views, suggestions) and quantitative (data, statistics) information. These activities stretched from 2020 to 2025, during the review of the CRS Code of Conduct in December 2020 and later during the impact assessment supporting the multimodal digital mobility services and this proposal. Citizens were asked for their views on five occasions, the two Inception Impact Assessments (IIA), two Online Public Consultations (OPC) and a Eurobarometer survey.

For the CRS Code of Conduct, an IIA asking feedback to all interested stakeholders ran from 09 July 2020 until 04 September 2020. It received 13 responses. For the multimodal digital mobility service proposal, an IIA asking feedback to all interested stakeholders ran from 05 October 2021 until 02 November 2021. It received 40 responses. An OPC for CRS was launched, on the Commission's centralised 'Have your say' platform, on 23 February 2021 and remained open until 18 May 2021, receiving 23 responses from citizens and organisations on the potential revision of the CRS Code of Conduct. For multimodal digital mobility service an OPC was launched²⁷ on the Commission's centralised 'Have your say' platform, on 1 December 2021 and remained open until 23 February 2022, receiving 336 responses from citizens and organisations on the new multimodal digital mobility service proposal.

A Eurobarometer survey²⁸ has been conducted during the summer of 2024 and published by Commission services on 1 April 2025. This survey collected the booking and ticketing practices and experiences of a representative sample of the EU population, aged 15 and over, in each of the 27 Member States of the EU. In total, 25 805 interviews were conducted via an online survey. This survey provides insights on EU citizens' travel habits, preferences and experiences, particularly for regional and long-distance journeys. It examines key aspects, such as: (1) frequency of travel for leisure and work, (2) factors influencing travel planning and booking decisions, (3) attitudes towards environmentally friendly travel, (4) usage of different transport modes and multimodal journeys, (5) ease of booking multimodal and multi-operator journeys, and (6) barriers to combining different transport modes or operators. The results notably highlight the obstacles encountered by citizens when looking for sustainable travel options online, as well as their willingness to book such journeys. It outlines the difficulty for citizens to book multimodal and multi-operator journeys, and the extra burden citizens face when booking multi-operator rail journeys.

²⁷ See https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13133-Multimodal-Digital-Mobility-Services/public-consultation_en.

²⁸ See <https://europa.eu/eurobarometer/surveys/detail/3178>.

- **Collection and use of expertise**

The impact assessment accompanying this proposal is informed by an external support study carried out by a consultant.

Stakeholders provided a significant amount of additional information in the context of the targeted consultation activities (surveys, interviews and workshops). This included detailed information on the market structure of the transport market, market structure and business practices in the different multimodal digital mobility service segments (B2C and B2B), which helped confirm available information from previous studies and inform the modelling assumptions and analysis.

The information included aspects such as: typical provisions in commercial agreements offered by multimodal digital mobility online ticketing service providers to operators, in particular as regard distribution fees; display practices on multimodal digital mobility online ticketing service providers; trends in the online ticketing market and evolution of the B2B ticketing market; interactions between CRS, travel agents and carriers; and SME's share and role in different types of multimodal digital mobility service.

Overall, the sources used to draft the impact assessment report were numerous, exhaustive and representative of the various stakeholder groups.

- **Impact assessment**

This proposal is accompanied by an impact assessment report. A draft report on that impact assessment was submitted to the Regulatory Scrutiny Board (RSB) on 10 March 2026. The RSB issued a positive opinion with reservations on 13 April 2026. The impact assessment report was adjusted accordingly to address the RSB's comments.

The impact assessment screened a comprehensive list of possible policy measures and options, based on the likely effectiveness, efficiency and proportionality of the proposed measures in relation to the given objectives, as well as their legal and technical feasibility.

Four policy options were evaluated as part of the impact assessment, which was conducted jointly with the multimodal booking (RMB) proposal.

Policy option 1 proposed a minimalist approach. It contained policy measures common to all four policy options including measures that establish minimal requirements for ensuring fair treatment of information and data on MDMS. It also set out the key principles for all commercial agreements between indispensable MDMS providers and transport operators, and between indispensable railway undertakings (RUs) and MDMS providers.

This option fully addresses the first specific objective of improving transparency and establishing a level playing field for transport operators on MDMS by extending the rules of the CRS code of conduct to all MDMS providers. It sets thresholds for identifying MDMS providers and RUs with significant market presence, which would be designated by national enforcement bodies or the European Commission depending on the market in which they have significant market presence. The Commission would publish a list of MDMS providers with significant market presence. Such measures would be needed to ensure transport operators are protected in commercial agreements with indispensable MDMS providers, including by means of provisions that (1) safeguard commercially sensitive data of operators, (2) prohibit the inclusion of unjustified or unnecessary contract conditions that could prevent the conclusion of the agreement, and (3) ensure the remuneration received by online ticketing service providers is based on fair, reasonable and non-discriminatory criteria. Under this policy option, Member States would be required to appoint a national authority to settle possible disputes between parties. Moreover, an EU-level network of such authorities would

be set up to ensure consistent enforcement across the EU. In addition, MDMS providers would be required to display information on greenhouse gas emissions, where that information is provided by the transport operator, while B2C MDMS online ticketing service providers would have to share data with the public authorities for mobility management purposes.

To ensure the range of rail services offered on MDMS is more comprehensive, this policy option offers protection under the proposal for Regulation on rail ticketing to MDMS providers in their commercial agreements with indispensable RUs by setting rules on distribution fees and prohibiting restrictive clauses in contracts (exclusivity clauses, unfair and unjustified conditions, marketing clauses and other technical restrictions), thereby addressing imbalances in bargaining power during the negotiation of commercial agreements.

Policy options 2, 3 and 4 build on policy option 1 and were specific to the proposal for a Regulation on rail ticketing.

Policy option 2 strengthens the Rail Ticketing Regulation proposal by mandating that RUs enter into commercial agreements with requesting online ticketing service providers, provided that those providers fulfil minimum requirements. The commercial agreements between RUs and MDMS providers would have to follow fair, reasonable and non-discriminatory conditions. In particular, RUs cannot prevent their tickets from being combined with tickets from other operators, allowing online ticketing service providers to sell them as single tickets. Under this option, MDMS providers would be capable of expanding and ultimately providing a complete offer.

Policy option 3 builds on policy option 2 and includes in the Rail Ticketing Regulation proposal a provision that indispensable RU online ticketing service providers shall enter into agreements with requesting RUs operating in the same geographical area as the indispensable RU online ticketing service providers, including cross-border services to and from the Member State concerned. They must apply fair, non-discriminatory and reasonable contract conditions. PO3 would thus foster the completeness of the offer on both independent MDMS and indispensable RU online ticketing service providers, providing travellers ample choice on all online ticketing service providers, including the ones they use most.

Finally, policy option 4 proposes an alternative for the Rail Ticketing Regulation proposal by mandating the unbundling of passenger rail transport and online ticketing service providers (i.e. divesting RU online ticketing service providers), so as to remove their incentive to discriminate against their competitors.

- **Regulatory fitness and simplification**

The proposal builds on the fact that Member States already collect certain data in the framework of the Rail Market Monitoring Scheme that will be used for assessing market shares of railway undertakings per Member State. In addition, the proposal builds on Member States already having established rail regulatory bodies as enforcement authorities for the national railway market, including a mechanism for cross-border cooperation and coordination. This proposal does not contain any obligations for SMEs.

- **Fundamental rights**

The proposal has no effect on the protection of fundamental rights. The handling of personal data, both by online ticketing service providers and by railway undertakings or railway service organisers, must comply with the existing European legal framework, in particular the GDPR.

4. BUDGETARY IMPLICATIONS

Two full-time equivalent (FTE) will be required to support the designation process introduced by this proposal by the European Commission, streamline coordination with national enforcement bodies, and maintain an accurate, up-to-date list of RUs with significant market presence, ensuring market transparency and effective enforcement.

5. OTHER ELEMENTS

- **Implementation plans and monitoring, evaluation and reporting arrangements**

The Commission will monitor the implementation of these initiatives through a number of actions and a set of core indicators that will measure progress towards achieving the objectives. In addition, the national enforcement bodies will play a key role in monitoring implementation. At the latest five years after the start of implementation of the legislations, the Commission plans to carry out an evaluation to verify to what extent the objectives of these initiatives have been reached. The evaluation is to be undertaken at a point in time when sufficient data are available on actual implementation. In that way, it can be assessed *ex-post* whether the initiatives are efficient effective coherent, relevant and have EU added value. Such an analysis will include synergies with the Regulation on multimodal booking and the targeted revision of the Rail Passenger Rights Regulation.

More detail on monitoring is provided in Chapter 9 of the SWD accompanying this proposal.

- **Detailed explanation of the specific provisions of the proposal**

Article 1 defines the subject matter of the Regulation;

Article 2 sets out the scope of the Regulation;

Article 3 presents a series of definitions;

Article 4 sets out an obligation to provide content to online ticketing service providers;

Article 5 sets out an obligation for indispensable railway online ticketing service providers to host rail products;

Article 6 sets out rules on fair and non-discriminatory contract conditions;

Article 7 describes the process for identifying railway undertakings with significant market presence;

Article 8 sets out rules on booking horizons;

Article 9 identifies the competent national enforcement bodies;

Article 10 details the tasks and competencies of national enforcement bodies;

Article 11 details complaint rules;

Article 12 sets out rules on penalties for infringements of this Regulation;

Article 13 sets out the conditions for exercising of the delegation;

Article 14 sets out reporting obligations;

Article 15 sets the date of entry into force of the Regulation.

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on rail ticketing

(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 91(1), point (d) 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 Committee²⁹,

Having regard to the opinion of the Committee of the Regions³⁰,

Acting in accordance with the ordinary legislative procedure,

Whereas:

- (1) As rail transport is largely electrified and energy efficient, greater use of rail services should help to reduce transport emissions and energy consumption. In order to achieve the Union's objectives of sustainable, smart and resilient mobility, rail transport should become more attractive in particular as regards affordability, reliability, and services that better meet the needs of travellers.
- (2) An efficient online ticketing system is essential for the functioning of the railway passenger market. Various competition cases at Union and national level indicate that the railway online ticketing market is not functioning optimally. The scarce availability of tickets issued by new-entrant companies on the well-established online sales channels of incumbent railway undertakings makes it difficult for passengers to find a complete overview of available rail services. Likewise, the incomplete availability of rail products of incumbent railway undertakings offered by independent online ticketing service providers, makes them a less attractive purchasing channel for consumers.
- (3) The fragmentation of railway schedule information and ticketing across the Union constitutes an obstacle to the effective functioning of the internal market for rail passenger services. Easy access to all rail products, starting from the information on alternatives operated by competing railway undertakings, is key to making the railway system accessible, attractive and affordable for consumers. Passengers should be able to find, compare, combine and purchase tickets for railway journeys on a single ticketing channel of their choice, saving time and effort in finding the offer that best matches their needs. Online ticketing service providers and railway undertakings

²⁹ OJ C , , p. .

³⁰ OJ C , , p. .

should be able to offer customers ever more integrated and competitive services, including single tickets combining the services of different operators, so that passengers can make full use of potential of the European railway system.

- (4) Railway undertakings may not have an interest in distributing the tickets for their products through online ticketing service providers that they do not control or where competitors are also present. That may deprive customers from the possibility of having access to a single ticket offering. Accordingly, online ticketing service providers should be able to sell and combine railway products offered by railway service providers and have the right to enter into commercial agreements with railway service providers for the display, re-linking, reselling and distribution of their rail products.
- (5) Specific regulatory requirements should be introduced to avoid possible market distortions caused by shareholding or controlling links between online ticketing service providers and railway undertakings with significant market presence in the railway service market. Significant market presence should be assumed to exist where a railway undertaking holds a market share of 50% or above, as supported by relevant case law and Commission decision-making practice in the application of Union competition rules³¹.
- (6) Online ticketing service providers owned or controlled by a railway undertaking with significant market presence in a Member State have inherited quasi-monopolistic positions in the rail ticketing market and are the standard reference for rail passengers. Even after the entrance in the market of independent online ticketing service providers or rail undertakings, their customer base remains by far the largest, due to brand recognition, persisting purchasing habits, and difficulties faced by alternative online ticketing service providers in gaining passengers' confidence. Because of their large market share, online ticketing service providers owned or controlled by a railway undertaking with significant market presence in a Member State are indispensable railway online ticketing service providers for any railway undertaking offering transport services in the respective national market, but they are often unwilling to host the rail products of railway service providers that compete with their vertically integrated railway undertaking. This prevents the customers of those indispensable railway online ticketing service providers from having access to a complete ticketing offering. To ensure broader choice for consumers and avoid penalising other railway undertakings, such indispensable railway online ticketing service providers should offer their services on non-discriminatory terms to any requesting party and always provide the information about the schedule of services offered by competing railway undertakings. Accordingly, railway undertakings active in those national markets should have the right to enter into commercial agreements with those providers for the re-linking, reselling and distribution of rail products.
- (7) While commercial agreements are the basis for establishing respective obligations and benefits, the market processes may be incapable of ensuring fair economic outcomes with regard to the rail ticketing market. Although Articles 101 and 102 of the Treaty on the Functioning of the European Union (TFEU) apply to the conduct of online ticketing service providers, the scope of those provisions is limited to certain instances

³¹ Judgments of the Court of Justice of 13 February 1979, *Hoffmann-La Roche v Commission*, 85/76, EU:C:1979:36, paragraph 41 and of 3 July 1991, *Akzo v Commission*, C-62/86, EU:C:1991:286, paragraph 60; and judgment of the Court of First Instance of 12 December 1991, *Hilti v Commission*, T-30/89, EU:T:1991:70,

of market power, for example dominance on specific markets and of anti-competitive behaviour, and enforcement occurs *ex-post* and requires an extensive investigation of often very complex facts on a case by case basis. Moreover, existing Union law does not address, or does not address effectively, the challenges to the effective functioning of the internal market posed by the conduct of online ticketing service providers that are not necessarily dominant in competition-law terms.

- (8) To ensure that online ticketing service providers and railway undertakings are not confronted with unreasonable obligations, parties to those agreements should be required to accept fair, reasonable and non-discriminatory conditions. In particular, the remuneration of third-party online ticketing service providers by railway undertakings and the pricing by indispensable online railway ticketing service providers should be considered unfair if it confers an advantage on those providers or the railway undertakings which is disproportionate to the cost of the service provided to the railway undertakings. The following benchmarks can serve as a yardstick to determine the fairness of the pricing and other general conditions: prices charged or conditions imposed for the same or similar services by other providers; prices charged or conditions imposed by the provider for different related or similar services or to different types of users; prices charged or conditions imposed by the provider for the same service in different geographic regions; prices charged or conditions imposed by the provider for the same service that it provides to the railway undertaking vertically integrated with it.
- (9) In order to promote rail as an attractive alternative to less sustainable travel options, tickets for railway services should be made available by the railway undertaking sufficiently in advance to allow passengers to plan journeys effectively and online ticketing and other railway service providers to be able to provide their services such as single tickets, particularly when coordinating connections across multiple operators. The [new Regulation on the use of infrastructure capacity] requires infrastructure managers to publish the working timetable 5.25 months ahead of the start of the timetable period. Accordingly, as soon as services have been allocated infrastructure capacity in the working timetable the related tickets should become available and railway undertakings and ticket service providers should be able to sell tickets for the related railway services at least five months in advance.
- (10) In order to provide customers with a full overview of available railway connections and ensure the same visibility to all service providers, the indispensable railway online ticketing service providers should, independently of receiving any request from railway service providers, display on their website the full railway transport offer across service providers, and include them in the result of searches conducted by customers. For that purpose, they should use the information available through the national access points established under Commission Delegated Regulation (EU) 2017/1926³² and Directive 2010/40/EU of the European Parliament and of the Council³³, which constitute a single point of access for data users to the static, historic,

³² Commission Delegated Regulation (EU) 2017/1926 of 31 May 2017 supplementing Directive 2010/40/EU of the European Parliament and of the Council with regard to the provision of EU-wide multimodal travel information services (OJ L 272, 21.10.2017, p. 1, ELI: http://data.europa.eu/eli/reg_del/2017/1926/oj).

³³ 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 transports, OJ L 207, 6.8.2010, p. 1, ELI: <http://data.europa.eu/eli/dir/2010/40/oj>).

observed and dynamic travel and traffic data of different transport modes, and are essential to support fair competition and consumer choice.

- (11) In accordance with Directive (EU) 2016/797 of the European Parliament and of the Council³⁴, Commission Implementing Regulation (EU) 2026/253³⁵ laid down a technical specification for interoperability (TSI) relating to the ‘telematics applications for passenger and freight services’ subsystem of the rail system in the Union. It lays down common, specific and interface requirements for data sharing in rail transport, including obligations on data sharing and re-linking. This includes timetables, connection times, station accessibility, tariffs, condition of carriage, as well as real-time and forecast train traffic data. For rail, those datasets are required to be comprehensive, regularly updated by railway undertakings and accessible at least via national access points and can also be used for distribution purposes. When data remains incomplete and fragmented, this complicates the formation of single tickets, notably for journeys across borders. A single entry point for consulting data across all 27 national access points would simplify access to relevant data in the whole EU and promote the provision of trans-European rail services.
- (12) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission to set out detailed requirements for the harmonised interpretation of fair and non-discriminatory contract conditions between railway service providers and online ticketing service providers. Implementing powers should also be conferred on the Commission to allow it to designate railway undertakings having significant market presence and remove them from the list. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council³⁶.
- (13) Since the objectives of this Regulation, which include the promotion of cross-border rail-travel offering as a sustainable way of mobility and the subsequent need for rules that uniformly apply to cross-border tickets, cannot be sufficiently achieved by the Member States, but can rather, by reason of the cross-border aspects of online ticketing services, 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 set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.
- (14) Regulation (EU) 2022/2065 of the European Parliament and of the Council³⁷ lays down fully harmonised horizontal rules on the provision of intermediary services,

³⁴ Directive (EU) 2016/797 of the European Parliament and of the Council of 11 May 2016 on the interoperability of the rail system within the European Union (OJ L 138, 26.5.2016, p. 44, ELI: <http://data.europa.eu/eli/dir/2016/797/oj>).

³⁵ Commission Implementing Regulation (EU) 2026/253 of 6 February 2026 on a technical specification relating to the telematics subsystem of the rail system in the European Union for interoperability of data sharing in rail transport (‘TEL TSI’) and repealing Regulations (EU) No 454/2011 (‘TAP TSI’) and (EU) No 1305/2014 (‘TAF TSI’) (OJ L 2026/253, 10.2.2026, ELI: http://data.europa.eu/eli/reg_impl/2026/253/oj).

³⁶ 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 the Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13, ELI: <http://data.europa.eu/eli/reg/2011/182/oj>).

³⁷ Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market for Digital Services and amending Directive 2000/31/EC (Digital Services Act) (OJ L 277, 27.10.2022, p. 1, ELI: <http://data.europa.eu/eli/reg/2022/2065/oj>).

including online platforms and online search engines, in the Union. This Regulation should not amend or in any way alter the scope of that Regulation.

- (15) To the extent railway services providers, online ticketing service providers and indispensable railway online ticketing service providers need to exchange personal data to provide display, re-linking, reselling or distribution of rail products, such exchange should be in line with Regulation (EU) 2016/679 of the European Parliament and of the Council³⁸. Where those parties agree to implement specific cybersecurity measures as part of the contractual conditions, such measures should also ensure a level of security appropriate to the risk to personal data protection.
- (16) The obligations imposed on railway service providers and certain online railway ticketing service providers under this Regulation should be without prejudice to Articles 101 and 102 TFEU and to the application of national competition rules. This Regulation aims to protect a different legal interest from that protected by Union competition rules.

HAVE ADOPTED THIS REGULATION:

Article 1

Subject matter

This Regulation lays down the obligations of railway service providers and of certain online railway ticketing service providers regarding the provision of railway service's information and the conclusion of commercial agreements for the display, re-linking, resale or distribution of rail products.

Article 2

Scope

1. This Regulation applies to:
 - (a) railway service providers;
 - (b) online ticketing service providers.It applies to railway services partly or fully operated in the Union.
2. This Regulation is without prejudice to the application of Regulation (EU) **XX** [RMB]³⁹ and other Union legal acts regulating other aspects of the provision of information society services.
3. This Regulation is without prejudice to the application of Articles 101 and 102 of the Treaty on the Functioning of the European Union and to the application of national competition rules.
4. This Regulation does not apply to:
 - (a) metro and tram services;

³⁸ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1, ELI: <http://data.europa.eu/eli/reg/2016/679/oj>).

³⁹ Regulation (EU) **XX** on multimodal booking.

- (b) railway services which are operated for strictly historical reasons or touristic use that do not usually serve normal transport needs;
- (c) railway services on standalone networks intended only for the operation of urban or suburban railway services;
- (d) online search engines, as defined in Article 2, point (5), of Regulation (EU) 2019/1150 of the European Parliament and of the Council⁴⁰.

Article 3

Definitions

For the purposes of this Regulation, the following definitions apply:

- (1) ‘railway undertaking’ means a railway undertaking as defined in Article 3, point (1), of Directive 2012/34/EU of the European Parliament and of the Council⁴⁰;
- (2) ‘ticket’ means a ticket as defined in Article 3, point (7), of Regulation (EU) 2021/782 of the European Parliament and of the Council⁴¹;
- (3) ‘online ticketing service’ means an information society service consisting, in addition to displaying, in re-linking, reselling or distributing rail products, in either a business-to-consumer (B2C) or a business-to-business (B2B) relationship;
- (4) ‘railway service provider’ means a railway undertaking, a competent authority responsible for a public service railway contract or any other legal entity operating or organising rail passenger services;
- (5) ‘re-linking’ means the redirection of an end user to the relevant online ticketing service where the availability of one or more displayed rail products can be checked and the rail products selected by the end user can be purchased;
- (6) ‘reselling’ means a service, associated to one or more rail products, provided by a retailer as defined in Article 3, point (42), of Implementing Regulation (EU) 2026/253;
- (7) ‘distributing’ means a service, associated to one or more rail products, provided by a distributor as defined in Article 3, point (38), of Implementing Regulation (EU) 2026/253;
- (8) ‘commercial agreement’ means a written agreement between a railway service provider and an online ticketing service provider on the display, re-linking, resale or distribution of rail products;
- (9) ‘look-to-book ratio’ means the ratio between the number of requests related to the sale of tickets (‘look’) made to a railway service provider’s online ticketing service and the number of actual sales (‘book’) made during a given period of time;
- (10) ‘rail product’ means rail product as defined in Article 3, point (4), of Implementing Regulation (EU) 2026/253;

⁴⁰ Directive 2012/34/EU of the European Parliament and of the Council of 21 November 2012 establishing a single European railway area (OJ L 343, 14.12.2012, p. 32, ELI: <http://data.europa.eu/eli/dir/2012/34/oj>).

⁴¹ Regulation (EU) 2021/782 of the European Parliament and of the Council of 29 April 2021 on rail passengers’ rights and obligations (OJ L 172, 17.5.2021, p. 1, ELI: <http://data.europa.eu/eli/reg/2021/782/oj>).

- (11) ‘reservation’ means a reservation as defined in Article 3, point (8), of Regulation (EU) 2021/782;
- (12) ‘vertically integrated’ means the organisational, financial and administrative integration of the entities concerned under conditions that allow one of them to control the other directly or indirectly within the meaning of Article 3 of Council Regulation (EC) No 139/2004⁴²;
- (13) ‘single ticket’ means a single ticket as defined in Article 3, point (9a), of Regulation (EU) 2021/782;
- (14) ‘content’ means all rail products, as well as associated discounts and functionalities, including real-time data, that relate to the railway passenger services of a railway service provider and that are displayed on the railway service provider’s own online interface or on any other digital channel in agreement with the railway service provider;
- (15) ‘online interface’ means an online interface as defined in Article 3, point (m), of Regulation (EU) 2022/2065.

Article 4

Obligation to provide content to online ticketing service providers (sharing obligation)

1. A railway service provider shall conclude a commercial agreement with a requesting online ticketing service provider for the purpose of providing content for the display, re-linking, resale or distribution of its rail products.

The agreement referred to in the first subparagraph shall not cover tickets that allow their holders to travel on multiple transport modes, provided that tickets for the relevant railway service are made available and can be purchased as a stand-alone rail product.

A railway service provider shall enter into negotiations for the conclusion of the agreement referred to in the first subparagraph within two months of receiving the request of the online ticketing service provider. Unless otherwise agreed between the parties, the agreement shall be concluded within eight months from receiving the request.
2. Subject to any decision pursuant to Article 11(5), paragraph 1 of this Article shall not apply where the requesting online ticketing service provider refuses to comply with the conditions required by the railway service provider in accordance with Article 6(2).

Article 5

Obligation for indispensable railway online ticketing service providers to host rail products (hosting obligation)

1. An online ticketing service provider shall be deemed an ‘indispensable railway online ticketing service provider’ if it is vertically integrated with a railway undertaking that is designated under Article 7 as having a significant market presence in any given Member State.

⁴² Council Regulation (EC) No 139/2004 of 20 January 2004 on the control of concentrations between undertakings (the EC Merger Regulation) (OJ L 24, 29.1.2004, p. 1, ELI: <http://data.europa.eu/eli/reg/2004/139/oj>).

2. An indispensable railway online ticketing service provider shall conclude a commercial agreement with a requesting railway service provider for the purpose of displaying, re-linking, reselling or distributing the rail products of that provider for rail passenger services that are operated, or have their origin or destination, in the Member State in which the railway undertaking that is vertically integrated with the online ticketing service provider has significant railway market presence within the meaning of Article 7.

An indispensable railway online ticketing service provider shall enter into negotiations for the conclusion of the agreement referred to in the first subparagraph within two months of receiving the request of the railway service provider. Unless otherwise agreed between the parties, the agreement shall be concluded within eight months from receiving the request.

3. Subject to any decision pursuant to Article 11(5), paragraph 2, of this Article shall not apply where the requesting railway service provider refuses to comply with the conditions required by the indispensable railway online ticketing service provider in accordance with Article 6(4).
4. Independently of any request, and not later than [Publications Office, please insert the date 12 months of the entering into force of this Regulation], an indispensable railway online ticketing service shall display and include in relevant search results, all available railway services that are operated or have their origin or destination, in the Member State in which the railway undertaking that is vertically integrated with the online ticketing service provider has significant railway market presence within the meaning of Article 7 of this Regulation. The schedule of available services shall be provided on the basis of the information available through the national access points established by Delegated Regulation (EU) 2017/1926.

Article 6

Fair and non-discriminatory conditions

1. Railway service providers entering into commercial agreements pursuant to Article 4(1) shall:
 - (a) not attach any unfair conditions to the commercial agreement or require the acceptance of any supplementary conditions that are not necessary for the display, re-linking, resale, or distribution of their rail products;
 - (b) upon request, make all content related to their rail products available to the online ticketing service provider, including those subject to availability and reservations or yielded prices within the meaning of Article 3, point (45), of Implementing Regulation (EU) 2026/253;
 - (c) upon request, supply to the online ticketing service provider all the real time data for the related railway passenger services which those railway service providers make available to consumers through any of their own online interfaces, digital ticketing channels or communication channels;
 - (d) ensure that all data, including content, provided in the context of the implementation of the commercial agreement is accurate, complete and up-to-date;
 - (e) allow the online ticketing service provider to combine any rail products, including those of different railway service providers, provided minimum

connection times laid down in accordance with Article 15 of Implementing Regulation (EU) 2026/253 are applied;

- (f) allow the online ticketing service provider, when it combines rail products, to sell that combination as a single ticket;
- (g) ensure, where it is agreed that remuneration shall be applied, that such remuneration is fair, reasonable and non-discriminatory;
- (h) ensure that requirements on look-to-book ratios are fair, reasonable and non-discriminatory, and in particular that, where relevant, those requirements are at least the same as those agreed with their own, vertically integrated, online ticketing service provider;
- (i) not engage in any behaviour that undermines effective compliance with the obligations laid down in points (a) to (h) regardless of whether that behaviour is of a contractual, commercial or technical nature, or of any other nature.

2. Railway service providers may require online ticketing service providers entering into commercial agreements pursuant to Article 4(1) to accept reasonable conditions, including the following:

- (a) transmission of data related to queries and transactions taking place on the online ticketing service;
- (b) compliance with minimal technical capabilities in accordance with Articles 4, 6, 7, 9, 10, 11, 13, 14, 15 and 18 of Implementing Regulation (EU) 2026/253 and the Annex thereto;
- (c) demonstrating financial stability and solvency, including compliance with applicable accounting regulations, and demonstration of sufficient financial resources to fulfil obligations under the commercial agreement;
- (d) providing business continuity plans;
- (e) the implementation and maintenance of cybersecurity measures to protect against unauthorised access, data breaches and other cyber-threats;
- (f) requiring guarantees that harmful or indecent advertising content will not be displayed alongside their rail products;
- (g) the timeliness of data exchange and payments.

Reasonable one-off costs incurred for the connection to the respective operational systems of the railway service provider shall be borne by the requesting online ticketing service.

3. An indispensable railway online ticketing service provider entering into a commercial agreement pursuant to Article 5 shall:

- (a) not attach any unfair conditions to the commercial agreement or require the acceptance of any supplementary conditions that are not necessary for the display, re-linking, reselling or distribution of rail products;
- (b) ensure that all data, including content, provided in the context of the implementation of the commercial agreement is accurate, complete and up-to-date;
- (c) ensure, where it is agreed that remuneration shall be applied, that such remuneration is fair, reasonable and non-discriminatory;

- (d) agree to requirements on look-to-book ratios that are fair, reasonable and non-discriminatory;
 - (e) where relevant, ensure the protection and appropriate handling of the following:
 - (i) personal data in accordance with Regulation (EU) 2016/679;
 - (ii) sensitive commercial data;
 - (f) not engage in any behaviour that undermines effective compliance with the obligations laid down in points (a) to (e) regardless of whether that behaviour is of a contractual, commercial or technical nature, or of any other nature.
4. Indispensable railway online ticketing service providers may require railway service providers entering into commercial agreements pursuant to Article 5 to accept reasonable operational and technical conditions, including the following:
- (a) compliance with minimal technical capabilities in accordance with Article 7, 10, 11 and 14 of Implementing Regulation (EU) 2026/253 and the Annex thereto;
 - (b) the implementation and maintenance of cybersecurity measures to protect against unauthorised access, data breaches and other cyber threats;
 - (c) where relevant, ensure the protection and appropriate handling of the following:
 - (i) personal data in line with Regulation (EU) 2016/679;
 - (ii) sensitive commercial data;
 - (d) the timeliness of data exchange and payments.
5. The Commission may lay down, by means of implementing acts, detailed provisions for the harmonised interpretation of fair and non-discriminatory conditions in commercial agreements between railway service providers and online ticketing service providers concluded pursuant to Articles 4 and 5. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 13(2).

Article 7

Railway undertakings with significant market presence

1. A railway undertaking shall be designated as having significant railway market presence in a given Member State where it provides 50 per cent or more of the rail passenger services in that Member State, expressed in passenger kilometres.
2. The market presence referred to in paragraph 1 of this Article shall be determined on the basis of data provided by Member States to the Commission pursuant to Commission Implementing Regulation (EU) 2015/1100⁴³.
3. The Commission shall adopt a decision designating a railway undertaking as having significant railway market presence pursuant to paragraph 1 of this Article by means of implementing acts, within six months of receiving the data referred to in

⁴³ Commission Implementing Regulation (EU) 2015/1100 of 7 July 2015 on the reporting obligations of the Member States in the framework of rail market monitoring (OJ L 181, 9.7.2015, p. 1, ELI: http://data.europa.eu/eli/reg_impl/2015/1100/oj).

paragraph 2 of this Article. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 13(2). The Commission shall, without undue delay, publish and keep up to date a list of railway undertakings having significant railway market presence on a dedicated website.

4. If the circumstances that led to the designation of a railway undertaking have changed such that the railway undertaking has had a railway passenger market share of less than 50 per cent in the Member State to which the designation relates over an uninterrupted period of one year, the railway undertaking may ask the Commission to terminate its designation as a railway undertaking having significant market presence in that Member State and remove it from the list referred to in paragraph 3 of this Article. The Commission shall assess that request on the basis of the latest available data referred to in paragraph 2 of this Article and, where the request has been assessed as well-founded, shall adopt an implementing act terminating the designation of that railway undertaking as having significant market presence and removing it from the list. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 13(2).

Article 8

Booking horizon

Railway service providers shall make tickets for a railway service available for sale at least five months before the operation of that railway service, provided it has been included in the working timetable as defined in Article 5, point (14) of [Regulation on the use of rail infrastructure capacity]. This requirement shall not limit the ability of the railway service provider to vary its fares or add new services to the working timetable over time. Tickets for added services shall be made available without delay after the inclusion in the working timetable.

Article 9

National enforcement bodies

1. Member States shall designate the regulatory body referred to in Article 55 of Directive 2012/34/EU as the national enforcement body under this Regulation.
Member States to which Article 55 of Directive 2012/34/EU does not apply shall designate as the national enforcement body the enforcement body they designated for Regulation [RMB].
2. The national enforcement body of the Member State in which a railway service provider is established shall have the power to enforce this Regulation in relation to that railway service provider.
3. The national enforcement body of the Member State in which an online railway ticketing service provider is established shall have the power to enforce this Regulation in relation to that online railway ticketing service provider.
4. Where an online railway ticketing service provider does not have establishment in the Union, the national enforcement bodies of all Member States shall have the power to enforce this Regulation in relation to that online railway ticketing service provider.

Article 10

Tasks and competences of national enforcement bodies

1. Member States shall ensure that the tasks and responsibilities of the national enforcement body are clearly defined and cover at least the following:
 - (a) monitoring compliance with this Regulation and taking measures to ensure its correct implementation;
 - (b) handling complaints of alleged breaches of this Regulation;
 - (c) acting on their own initiative to ensure compliance with this Regulation;
 - (d) imposing penalties laid down in accordance with Article 12, where the national enforcement body establishes that the provisions of this Regulation have been breached;
 - (e) cooperating with national enforcement bodies of other Member States and with the Commission to ensure the coherent enforcement of this Regulation.
2. For the purposes of paragraph 1, railway service providers, online ticketing service providers and any other entity where relevant shall provide the competent national enforcement body with relevant documents and information at their request without undue delay and, at the latest, within one month from the receipt of the request. In complex cases, the national enforcement body may, when requested, extend that period to a maximum of three months from the receipt of the request.
3. A decision of the national enforcement body shall be binding on all parties referred to in that decision. It shall not be subject to the control of another administrative instance. The national enforcement body shall be able to enforce its decisions with the appropriate penalties.
4. Member States shall ensure that decisions taken by the national enforcement body are subject to judicial review. The action challenging the decision of the national enforcement body may have suspensive effect on that decision only when the immediate effect of the decision may cause irreversible or manifestly excessive harm to the party bringing the challenge.
5. Member States shall ensure that decisions taken by the national enforcement bodies are published.
6. National enforcement bodies shall cooperate with national enforcement bodies of other Member States and with the Commission to ensure the coherent enforcement of this Regulation, mutual assistance in market monitoring tasks, enforcement, designation process and complaint handling, including through the exchange of relevant information while duly respecting the confidentiality of commercially sensitive data. The national enforcement bodies shall cooperate within the network of regulatory bodies referred to in Article 57(1) of Directive 2012/34/EU, through joint consultations and investigations, by adopting opinions or recommendations, or through other relevant activities. Where a national enforcement body is designated pursuant to Article 9(1), second subparagraph, of this Regulation, that body shall be invited to join the network for the purposes of this Regulation.
7. By [30 June 2030], and every two years thereafter, the national enforcement bodies shall publish reports with statistics on their activity under this Regulation, including on penalties applied. Those reports shall be made publicly available on their websites.

Article 11

Complaints

1. Online ticketing service providers shall have the right to lodge a complaint alleging a breach of this Regulation with the national enforcement body of the Member State where they are established.
2. Railway service providers shall have the right to lodge complaints alleging a breach of this Regulation with the national enforcement body of the Member State in which they are established.
3. An online ticketing service provider that is not established in the Union shall have the right to lodge a complaint alleging a breach of this Regulation with the competent national enforcement body of the Member State in which the party allegedly committing the infringement is established or in whose territory the railway services concerned, or a part of those services, were provided.
4. The national enforcement body that receives a complaint pursuant to paragraphs 1, 2 and 3 of this Article shall assess the complaint. Where appropriate, it shall transmit it without delay to the competent national enforcement body in accordance with Article 9.
5. The competent national enforcement body shall handle complaints within a reasonable time. Where the complaint concerns failure to conclude a commercial agreement referred to in Article 4(1) and Article 5(2) within eight months, the national enforcement body shall issue a decision within six months of receiving the complaint, setting out the terms of the agreement to be concluded.
6. National enforcement bodies shall refuse to handle a complaint if another complaint on the same subject between the same parties has already been lodged with another national enforcement body or an effective remedy has been sought before a national court of a Member State.
7. The national enforcement body of the Member State where the online ticketing service provider is established and the national enforcement body of the Member State in which the rail service concerned, or part thereof, takes place, shall cooperate in accordance with Article 10(6).
8. National enforcement bodies shall provide information on the existence of a complaint to the national enforcement bodies of the Member States:
 - (a) in which the online ticketing service provider that is subject to the complaint is established;
 - (b) in which the railway undertaking that is subject to the complaint is established;
 - (c) in whose territory the transport services were provided.

The national enforcement body handling a complaint may also request relevant information from the national enforcement bodies referred to in the first subparagraph and shall take that information into account before taking a decision.

Article 12

Penalties

1. Member States shall lay down the rules on penalties applicable to infringements of this Regulation and shall take all measures necessary to ensure that they are

implemented and enforced. Those penalties shall be effective, proportionate, dissuasive and non-discriminatory.

2. Member States shall notify those rules and measures to the Commission by [date of application of the Regulation] and shall notify the Commission without delay of any amendments to them.

Article 13

Committee procedure

1. The Commission shall be assisted by the Single European Rail Area Committee (SERAC) established by Article 62(1) of Directive 2012/34/EU. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.
2. Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply.

Article 14

Report

By [Publications Office: please insert the date 5 years after the date of application of the Regulation], the Commission shall carry out an evaluation of this Regulation and submit a report to the European Parliament and the Council on its main findings related to its implementation.

Article 15

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 from [12 months after entering into force].

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

Done at Brussels,

For the European Parliament
The President

For the Council
The President

LEGISLATIVE FINANCIAL AND DIGITAL STATEMENT

1. FRAMEWORK OF THE PROPOSAL/INITIATIVE

1.1. Title of the proposal/initiative

Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on rail ticketing.

1.2. Policy area(s) concerned

Transport, digital services.

1.3. Objective(s)

1.3.1. General objective(s)

Promote rail single ticketing for multi-operator journeys.

1.3.2. Specific objective(s)

Improve completeness of rail offer on online ticketing service providers.

1.3.3. Expected result(s) and impact

Specify the effects which the proposal/initiative should have on the beneficiaries/groups targeted.

The proposal is expected to enhance the attractiveness of rail, by making more of the existing offers easily available on online ticketing service providers and fostering combinations of those products, also for multi-operator journeys, into single tickets. This is expected to encourage modal shift and thereby contribute to the Green Deal objectives.

1.3.4. Indicators of performance

Specify the indicators for monitoring progress and achievements.

The main milestones considered for monitoring progress and achievements of the objective are to (i) increase the online offer of rail tickets, including single tickets for multi-operator journeys (ii) achieve fair and non-discriminatory commercial agreement negotiations between passenger railway service organisers and online ticketing service providers. Progress towards this objective will be monitored using two key indicators: the number of passenger railway service providers present (i) on indispensable railway online ticketing service providers; and (ii) on key online ticketing service providers.

1.4. The proposal/initiative relates to:

- a new action
- a new action following a pilot project / preparatory action⁴⁴
- the extension of an existing action
- a merger or redirection of one or more actions towards another/a new action

⁴⁴ As referred to in Article 58(2), point (a) or (b) of the Financial Regulation.

1.5. Grounds for the proposal/initiative

1.5.1. Requirement(s) to be met in the short or long term including a detailed timeline for roll-out of the implementation of the initiative

Key requirements include:

- (a) Implementation by the rail sector of the data exchange requirements set by the Technical Specification for Interoperability Telematics, that was adopted in early 2026.
- (b) Adequate enforcement by the national Railway Regulatory Bodies of the compliance to this Regulation. The Regulation is to apply from twelve months after entering into force, which would approximately be the second half of 2028.
- (c) Before the entry into force DG MOVE plans to organise information meetings with stakeholders to ensure a smooth implementation.

1.5.2. Added value of EU involvement (it may result from different factors, e.g. coordination gains, legal certainty, greater effectiveness or complementarities). For the purposes of this section 'added value of EU involvement' is the value resulting from EU action, that is additional to the value that would have been otherwise created by Member States alone.

EU level action is justified because the objectives of the proposed action cannot be sufficiently achieved by the Member States acting on their own. While legal measures addressing railway passenger service organisers and online ticketing services can be developed at regional or national level, the continuity of the EU transport system requires an EU-wide approach, particularly in rail. A fragmented ticketing offer creates barriers to seamless international travel, limits the effectiveness of multimodal transport solutions and limits the effectiveness of public funding of railway infrastructure and of PSO services. EU-level intervention can help overcome these obstacles by harmonising data-sharing practices, mandating and simplifying contract negotiations and fostering competition.

1.5.3. Lessons learned from similar experiences in the past

Lessons can be drawn from the aviation sector and more specifically from the Code of Conduct on Computerised Reservation Systems (CRS): Council Regulation No 2299/89⁴⁵ was adopted to ensure equal treatment of all airlines whose flights were included in a CRS as to promote competition between airlines in the indirect air ticket distribution sector. It introduced requirements for results to be shown on an unbiased display that did not favour the CRS's parent carriers (or any other carriers) and to ensure that parent carriers did not favour their own CRS over the others as well as to ensure that travel agents and finally consumers have access to offers without bias. The CRS Code of Conduct was evaluated in 2020. The evaluation concluded that the objectives of (i) ensuring a level playing field and (ii) increasing transparency remain relevant. The evaluation showed that the Code has not fully ensured a level playing field for all participating carriers, as regards access to, and use of CRS services, since it did not lead to better balancing of the bargaining power

⁴⁵ Council Regulation (EEC) No 2299/89 of 24 July 1989 on a code of conduct for computerized reservation systems, OJ L 220, 29.7.1989, p. 1

of different-sized air carriers *vis-à-vis* CRSs. However, the evaluation concluded that the transparency requirements, in the form of the neutral display, remain important, since travel agents, both offline and online, and travel management companies still heavily rely on CRS data especially for business travel. Finally, the evaluation concluded that while promoting rail and multimodal transport remains important, this should be pursued through broader initiatives rather than CRS-specific rules.

1.5.4. *Compatibility with the multiannual financial framework and possible synergies with other appropriate instruments*

The proposal is consistent with other EU instruments and relevant EU policies. and in particular:

Digital transport policies: Under the Delegated Regulation on multimodal travel information services (MMTIS) Member States must establish national access points constituting a single point of access for data users to the static, historic, observed and dynamic travel and traffic data of different transport modes, for the purpose of providing multimodal travel information services. Exchange between online ticketing service providers capable of reservations, bookings, or ticketing however requires additional data (e.g. real-time fares).

Horizontal data policies: To complement the general principles of the Digital Markets Act, sectorial measures are included in the Rail Ticketing Regulation proposal to enhance transparent consumer information and to enhance a level-playing field for rail ticketing among stakeholders. The Rail Ticketing Regulation proposal is complementary to the Digital Services Act (DSA) provisions as it also supports a safe, predictable, and trusted online environment. Synergies with the Data Act (DA) materialise through harmonised rules on data sharing including rules on Business to Government (B2G) data sharing and rules on unfair contractual agreement terms.

Commercial practices policies: The revised Directive on Unfair Commercial Practices prohibits undisclosed advertising and paid promotion for higher ranking of products within search results on online distribution platforms. These rules complement the Rail Ticketing Regulation proposal, which gives rail service providers the right to be present on the most important rail online ticketing service providers.

1.5.5. *Assessment of the different available financing options, including scope for redeployment*

The recurrent adjustment costs for the European Commission are related to the requirement for the European Commission to designate indispensable railway online ticketing service providers with significant market presence (SMP) and to coordinate with national regulatory bodies and to monitor the respective national markets. This is assumed to require 2 FTE per year from 2028 onwards.

1.6. Duration of the proposal/initiative and of its financial impact

limited duration

- in effect from [DD/MM]YYYY to [DD/MM]YYYY
- financial impact from YYYY to YYYY for commitment appropriations and from YYYY to YYYY for payment appropriations.

unlimited duration

Implementation with a start-up period from 2028 to 2030, followed by full-scale operation.

1.7. Method(s) of budget implementation planned

Direct management by the Commission

- by its departments, including by its staff in the Union delegations;
- by the executive agencies

Shared management with the Member States

Indirect management by entrusting budget implementation tasks to:

- third countries or the bodies they have designated
- international organisations and their agencies (to be specified)
- the European Investment Bank and the European Investment Fund
- bodies referred to in Articles 70 and 71 of the Financial Regulation
- public law bodies
- bodies governed by private law with a public service mission to the extent that they are provided with adequate financial guarantees
- bodies governed by the private law of a Member State that are entrusted with the implementation of a public-private partnership and that are provided with adequate financial guarantees
- bodies or persons entrusted with the implementation of specific actions in the common foreign and security policy pursuant to Title V of the Treaty on European Union, and identified in the relevant basic act
- bodies established in a Member State, governed by the private law of a Member State or Union law and eligible to be entrusted, in accordance with sector-specific rules, with the implementation of Union funds or budgetary guarantees, to the extent that such bodies are controlled by public law bodies or by bodies governed by private law with a public service mission, and are provided with adequate financial guarantees in the form of joint and several liability by the controlling bodies or equivalent financial guarantees and which may be, for each action, limited to the maximum amount of the Union support.

Comments

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2. MANAGEMENT MEASURES

2.1. Monitoring and reporting rules

The proposed measure is focused on policy action and monitoring and does not foresee any revenue or expenditure management, only the recruitment of additional human resources (2 FTE).

2.2. Management and control system(s)

2.2.1. Justification of the budget implementation method(s), the funding implementation mechanism(s), the payment modalities and the control strategy proposed

The expenditure corresponding to these measures will be managed in line with corporate processes.

2.2.2. Information concerning the risks identified and the internal control system(s) set up to mitigate them

The Commission applies thorough controls on the management of employment contracts and DG MOVE abides by strict ethical standards. The legislative proposal does not entail any revenue collection and does not require any additional control mechanism.

2.2.3. Estimation and justification of the cost-effectiveness of the controls (ratio between the control costs and the value of the related funds managed), and assessment of the expected levels of risk of error (at payment & at closure)

The overall risk of errors is expected to be very low and is already covered by the existing control environment. No automated controls are expected to be required.

2.3. Measures to prevent fraud and irregularities

The legislative proposal does not entail any revenue collection by DG MOVE. Regarding the expenditures, they are foreseen for the hiring of additional human resources. The risk of fraud and irregularities is considered very low and will be covered by existing controls. DG MOVE revised its antifraud strategy in line with OLAF guidelines in 2020 and plans for a subsequent update in 2026. The local strategy includes relevant actions to ensure awareness raising on fraud prevention, dedicated risk assessment actions and ensures an effective and efficient cooperation with investigative bodies. The corporate framework ensures the right of access to information, premises and staff to the external (European Court of Auditors) and internal (IAS) auditors.

3. ESTIMATED FINANCIAL IMPACT OF THE PROPOSAL/INITIATIVE

3.1. Heading(s) of the multiannual financial framework and expenditure budget line(s) affected

Existing budget lines

In order of multiannual financial framework headings and budget lines.

Heading of multiannual financial framework	Budget line	Type of expenditure	Contribution			
	Number	Diff./Non-diff. ⁴⁶	from EFTA countries ⁴⁷	from candidate countries and potential candidates ⁴⁸	From other third countries	other assigned revenue
4	<i>Budget line will be available once we have the new MFF budget structure</i>	Non-diff.	NO	NO	NO	NO

⁴⁶ Diff. = Differentiated appropriations / Non-diff. = Non-differentiated appropriations.

⁴⁷ EFTA: European Free Trade Association.

⁴⁸ Candidate countries and, where applicable, potential candidates from the Western Balkans.

3.2. Estimated financial impact of the proposal on appropriations

3.2.1. Summary of estimated impact on operational appropriations

- The proposal/initiative does not require the use of operational appropriations
- The proposal/initiative requires the use of operational appropriations, as explained below

EUR million (to three decimal places)

Heading of multiannual financial framework	4			'Administrative expenditure' ⁴⁹			TOTAL MFF 2028
	Year 2028	Year 2029	Year 2030	Year 2028	Year 2029	Year 2030	
DG: MOVE							- 203

⁴⁹ The necessary appropriations should be determined using the annual average cost figures available on the appropriate BUDGpedia webpage.

									4
Human resources	0.388	.388	.338	.338	.338	.338	.338	.338	2.716
Other administrative expenditure	0.010	.010	.011	.011	.011	.011	.011	.011	.070
TOTAL DG MOVE	0.398	.398	.339	.339	.339	.339	.339	.339	2.786

TOTAL appropriations under HEADING 4 of the multiannual financial framework	(Total committed)	0.398	.339	.339	.339	.339	.339	.339	2.786
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3.2.3. Summary of estimated impact on administrative appropriations

- The proposal/initiative does not require the use of appropriations of an administrative nature
- The proposal/initiative requires the use of appropriations of an administrative nature, as explained below

3.2.3.1. Appropriations from voted budget

VOTED APPROPRIATIONS	Year	Year	Year	Year	Year	Year	Year	TOTAL 2028 - 2034
	2028	2029	2030	2031	2032	2033	2034	
HEADING 4								
Human resources	0.388	0.388	0.388	0.388	0.388	0.388	0.388	2.716
Other administrative expenditure	0.010	0.010	0.010	0.010	0.010	0.010	0.010	0.070
Subtotal HEADING 4	0.398	0.398	0.398	0.398	0.398	0.398	0.398	2.786
Outside HEADING 4								
Human resources	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
Other expenditure of an administrative nature	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
Subtotal outside HEADING 4	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
TOTAL	0.398	0.398	0.398	0.398	0.398	0.398	0.398	2.786

The estimated impact on expenditure and staffing for 2028 and beyond is added for illustrative purposes only and does not pre-judge the next Multiannual Financial Framework. The source of financing and scope of Union financial commitment in the post-2027 period remain subject to the outcome of interinstitutional negotiations on the MFF 2028-2034 and thereafter shall be determined through the annual budgetary procedure. All appropriations and staffing allocations as of 2028 are indicative.

3.2.4. Estimated requirements of human resources

- The proposal/initiative does not require the use of human resources
- The proposal/initiative requires the use of human resources, as explained below

3.2.4.1. Financed from voted budget

Estimate to be expressed in full-time equivalent units (FTEs)

VOTED APPROPRIATIONS	Year 2028	Year 2029	Year 2030	Year 2031	Year 2032	Year 2033	Year 2034
• Establishment plan posts (officials and temporary staff)							
20 01 02 01 (Headquarters and Commission's Representation Offices)	2	2	2	2	2	2	2
20 01 02 03 (EU Delegations)	0	0	0	0	0	0	0
(Indirect research)	0	0	0	0	0	0	0
(Direct research)	0	0	0	0	0	0	0
Other budget lines (specify)	0	0	0	0	0	0	0

VOTED APPROPRIATIONS	Year 2028	Year 2029	Year 2030	Year 2031	Year 2032	Year 2033	Year 2034
• External staff (inFTEs)							
20 02 01 (AC, END from the 'global envelope')	0	0	0	0	0	0	0
20 02 03 (AC, AL, END and JPD in the EU Delegations)	0	0	0	0	0	0	0
Admin. Support line [XX.01.YY.YY]	• at Headquarters	0	0	0	0	0	0
	• in EU Delegations	0	0	0	0	0	0
(AC, END - Indirect research)	0	0	0	0	0	0	0
(AC, END - Direct research)	0	0	0	0	0	0	0
Other budget lines (specify) - Heading 4	0	0	0	0	0	0	0
Other budget lines (specify) - Outside Heading 4	0	0	0	0	0	0	0
TOTAL	2	2	2	2	2	2	2

The staff required to implement the proposal (in FTEs):

	To be covered by current staff available in the Commission services	Exceptional additional staff*		
		To be financed under Heading 7 or Research	To be financed from BA line	To be financed from fees
Establishment plan posts	2		N/A	0
External staff (CA, SNEs, INT)		0	0	0

Description of tasks to be carried out by:

Officials and temporary staff	The additional work on implementing the Regulation will require an internal redeployment of 2 establishment plan posts as from the adoption of the Regulation. The additional work relates to: designation of indispensable railway online ticketing service provider at Member State level: The Regulation introduces a requirement for the EC to designate indispensable railway online ticketing service provider – this
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	<p>will require EC to deal with notifications received from Member States, monitor developments and monitor the market to ensure that all relevant service providers notify. EC might also need to deal with complaints/further investigations related to the designation process. Over time, EC will need to monitor developments and manage the list of designated entities (with potential additions or removals from the list). Further, coordination with national regulatory bodies is needed: the EC needs to verify notifications from Member States, coordinate with national enforcement bodies, publish and update dynamic lists on the EC website. The recurrent process of assessing notifications received, monitoring the EU market and the coordination with national regulatory bodies requires dedicated, highly specialised capacity, especially in view of the specific railway requirements.</p> <p>Two FTE are therefore foreseen to streamline coordination, reduce delays in designations, and maintain an accurate, up-to-date public register, ensuring market transparency and effective enforcement under the new regulatory framework. Given the required very specialised knowledge and the combination of competences (specialised competition background combined with legal drafting skills), the needs could be fulfilled by 2 AD posts.</p>
External staff	

3.2.5. Overview of estimated impact on digital technology-related investments

Compulsory: the best estimate of the digital technology-related investments entailed by the proposal/initiative should be included in the table below.

Exceptionally, when required for the implementation of the proposal/initiative, the appropriations under Heading 7 should be presented in the designated line.

The appropriations under Headings 1-6 should be reflected as “Policy IT expenditure on operational programmes”. This expenditure refers to the operational budget to be used to re-use/ buy/ develop IT platforms/ tools directly linked to the implementation of the initiative and their associated investments (e.g. licences, studies, data storage etc). The information provided in this table should be consistent with details presented under Section 4 “Digital dimensions”.

TOTAL Digital and IT appropriations	Year 2024	Year 2025	Year 2026	Year 2027	TOTAL MFF 2021-2027
HEADING 7					
IT expenditure (corporate)	0.000	0.000	0.000	0.000	0.000

TOTAL Digital and IT appropriations	Year 2024	Year 2025	Year 2026	Year 2027	TOTAL MFF 2021-2027
Subtotal HEADING 7	0.000	0.000	0.000	0.000	0.000
Outside HEADING 7					
Policy IT expenditure on operational programmes	0.000	0.000	0.000	0.000	0.000
Subtotal outside HEADING 7	0.000	0.000	0.000	0.000	0.000
TOTAL					
	0.000	0.000	0.000	0.000	0.000

3.2.6. *Compatibility with the current multiannual financial framework*

The proposal/initiative:

- can be fully financed through redeployment within the relevant heading of the multiannual financial framework (MFF)
- requires use of the unallocated margin under the relevant heading of the MFF and/or use of the special instruments as defined in the MFF Regulation
- requires a revision of the MFF

3.2.7. *Third-party contributions*

The proposal/initiative:

- does not provide for co-financing by third parties
- provides for the co-financing by third parties estimated below:

Appropriations in EUR million (to three decimal places)

	Year 2024	Year 2025	Year 2026	Year 2027	Total
Specify the co-financing body					
TOTAL appropriations co-financed					

3.3. **Estimated impact on revenue**

- The proposal/initiative has no financial impact on revenue.
- The proposal/initiative has the following financial impact:
 - on own resources
 - on other revenue

please indicate, if the revenue is assigned to expenditure lines

EUR million (to three decimal places)

Budget revenue line:	Appropriations available for the current financial year	Impact of the proposal/initiative ⁵⁰			
		Year 2024	Year 2025	Year 2026	Year 2027
Article					

For assigned revenue, specify the budget expenditure line(s) affected.

Other remarks (e.g. method/formula used for calculating the impact on revenue or any other information).

4. DIGITAL DIMENSIONS

4.1. Requirements of digital relevance

If the policy initiative is assessed as having no requirement of digital relevance, provide an explanation as to why digital means are not used.

This initiative has no requirements of digital relevance: It does not concern a delivery of a public service. It imposes obligations on certain market players in the area of online train ticketing. Data exchange as a result of these obligations is to be structured in compliance with existing legislation, notably the Technical Specification for Interoperability Telematics (TSI TEL), Commission Implementing Regulation (EU) 2026/253, adopted in February 2026.

Otherwise, please list the requirements of digital relevance in the table below:

Reference to the requirement	Requirement description	Actor(s) affected or by the requirement	High-level Processes	Categories

⁵⁰ As regards traditional own resources (customs duties, sugar levies), the amounts indicated must be net amounts, i.e. gross amounts after deduction of 20% for collection costs.

4.2. Data

This initiative does not introduce a new reporting obligation, as it makes use of existing obligations under Commission Implementing Regulation (EU) 2015/1100. Any data exchange that would be needed between stakeholders, will be based on a commercial agreement, and will be governed by Commission Implementing Regulation (EU) 2026/253 (TSI Telematics).

4.3. Digital solutions

No digital solution is introduced by this initiative.

4.4. Interoperability assessment

The initiative does not introduce digital public services.

4.5. Measures to support digital implementation

No requirements of digital relevance identified in section 4.1.