

Commission Directive 2014/38/EU of 10 March 2014 amending Annex III to Directive 2008/57/EC of the European Parliament and of the Council as far as noise pollution is concerned (Text with EEA relevance)

COMMISSION DIRECTIVE 2014/38/EU

of 10 March 2014

amending Annex III to Directive 2008/57/EC of the European Parliament and of the Council as far as noise pollution is concerned

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Directive 2008/57/EC of the European Parliament and of the Council of 17 June 2008 on the interoperability of the rail system within the Community⁽¹⁾, and in particular Article 30(3) thereof,

Whereas:

- (1) More stringent national requirements relating to noise of new and upgraded rolling stock should be avoided as this would negatively affect interoperability of the railway system. Therefore Commission Decisions 2008/232/EC⁽²⁾ and 2011/229/EU⁽³⁾ adopted under Directive 2008/57/EC set maximum levels of noise for new high-speed and conventional rolling stock.
- (2) Point 1.4.4 of Annex III of Directive 2008/57/EC provides that operation of the rail system must respect existing regulations on noise pollution. This essential requirement is necessary to specify the basic noise parameters as set out in points 4.2.1, 4.2.2 and 4.2.3 of the Annex to Decision 2011/229/EU and in points 4.2.6.5.2, 4.2.6.5.3, 4.2.6.5.4 and 4.2.7.6 of the Annex to Decision 2008/232/EC.
- (3) Point 1.4.4 of Annex III to Directive 2008/57/EC refers to existing regulations which are not further specified. Therefore, in order to avoid ambiguity and stipulate the intended general objective of this Directive in relation to noise, that point should be amended.
- (4) The measures provided for in this Directive are in accordance with the opinion of the Committee established pursuant to Article 29(1) of Directive 2008/57/EC,

HAS ADOPTED THIS DIRECTIVE:

Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.

- (1) [OJ L 191, 18.7.2008, p. 1.](#)
- (2) Commission Decision 2008/232/EC of 21 February 2008 concerning a technical specification for interoperability relating to the rolling stock sub-system of the trans-European high-speed rail system ([OJ L 84, 26.3.2008, p. 132](#)).
- (3) Commission Decision 2011/229/EU of 4 April 2011 concerning the technical specifications of interoperability relating to the subsystem 'rolling stock – noise' of the trans-European conventional rail system ([OJ L 99, 13.4.2011, p. 1](#)).