

## Summary of 2024

### Development of the Austrian railway market

In 2024, passenger rail transport continued its positive growth trend: the number of passengers, as well as the passenger and train kilometers traveled, reached new record levels. Only the average journey length per passenger decreased slightly to 42.9 kilometers – a decline primarily attributable to above-average growth in regional and local services. Nevertheless, this figure remains among the highest in Europe.

The increase in passenger numbers was significantly supported by service expansions, increased frequency, and new connections. Noteworthy developments include the commissioning of the Carinthian section of the Koralm Railway and additional services in the Vienna area. Long-distance services also expanded, with new connections between Linz and Graz, Vienna and Villach, as well as additional night train services and extended WESTbahn routes (e.g., to Bregenz, St. Johann, and Stuttgart). Overall, a record level of 138.5 million passenger train kilometers was reached. Compared to the previous year, passenger numbers rose by six percent to 348.7 million. The total number of passenger kilometers traveled amounted to 15 billion.

In contrast, rail freight transport showed stagnation in terms of train kilometers. Only slight increases in the low single-digit range were recorded for net and gross ton-kilometers.

Market data in the rail freight sector indicate that both net and gross ton-kilometers experienced growth in the low single-digit range. Following a sharp decline in 2023, the volume of net tons transported saw a slight increase again. Rail Cargo Austria remained the market leader in 2024, with a 57.3 percent share of net ton-kilometers – a decrease of 0.3 percentage points. Private rail companies (including Ecco-Rail, Lokomotion, CargoServ) followed in second place with a combined market share of 27.6 percent. Among non-ÖBB companies, Ecco-Rail had the highest individual share at 5.56 percent. The market share of competitors to Rail Cargo Austria generally increased. On the main transit corridors (Western Axis, Brenner), they already dominated rail freight transport. On one hand, growing competition invigorated the market; on the other hand, freight rail performance did not improve in the long-term comparison. In addition to the economic situation, track closures due to construction and poor operational quality (e.g., signal and switch malfunctions) slowed freight transport in 2024. International construction sites (particularly in Germany), as well as works on the Tauern Railway and the Western Axis (flooding), led to widespread rerouting.

Almost one-third of the total freight transport performance in 2024 was carried out via short-term, ad hoc train paths – over 40 percent in the case of private competitors. The volatility of rail freight transport and its demand for train routes outside the annual timetable increased. It is evident that freight transport urgently needs adequate train routes instead of long detours and improved planning reliability – particularly in relation to construction site communication. Future infrastructure projects must also give greater consideration to the role of freight transport.

By the end of 2024, 92 railway companies were operating in Austria – five more than the previous year. New additions included:

- boxXpress (DE, freight transport)
- dispo-Tf Rail Austria (AT, services)
- Europe Express (FR, passenger transport)
- Austrian Society for Railway History (AT, heritage trains)

- Rail & Sea Traction (AT, freight transport)

In July 2024, the infrastructure division of Graz-Köflacher Bahn (GKB) was integrated into ÖBB-Infrastruktur – a step towards the electrification of regional lines in western Styria. As a result, GKB formally became a pure railway transport company. Also new: in October 2024, the Styrian Provincial Railways received a safety certificate for transfer runs.

In total, 68 companies were authorized to use the ÖBB network in the reporting year. Of these, four belong to the ÖBB Group, nine are majority-controlled by foreign market leaders, 44 are privately owned, and eleven are in public ownership.

Since 2006, Schienen-Control has annually surveyed railway companies on their subjective assessment of 41 factors influencing market access and the development of new services. While Austria continues to achieve top rankings in many areas of rail transport compared to other European countries, key challenges for competition are becoming more pronounced. The Schienen-Control analysis shows that domestic framework conditions are rated more favorably than those abroad in almost all categories – especially regarding network condition, training facilities, and timetable quality. Train path allocation, which is particularly crucial for freight transport, is still rated as good, but with a clear downward trend. Once again, companies identified competition from other modes of transport – especially road – as the greatest obstacle to new services. Poor ratings were also given to factors related to technical requirements and new technologies, such as the evaluation of safety systems (ETCS) and country-specific exceptions to EU technical standards (TSI).

## Legislative Developments

On July 20, 2024, an amendment to the Railway Act (Bundesgesetzblatt I 2024/115) came into force. The previously granted access rights for freight railway undertakings based in Switzerland were repealed by this amendment. The new regulations require railway infrastructure companies to develop a capacity model for highly congested lines and to give priority to train path requests that align with this capacity model. The criteria for developing the capacity model are defined by the Federal Minister for Innovation, Mobility and Infrastructure in the strategic framework for the expansion and effective use of railway infrastructure.

This strategic framework was expanded in December 2024 to comply with the new regulations. According to the framework, railway infrastructure is considered highly congested when the utilization level reaches 80 percent. For freight transport on TEN-T core network routes, the framework specifies a minimum offering of one systematized train path per hour and direction. For passenger transport, the framework introduces a node-edge model.

## Key Decisions of the Schienen-Control Kommission

### Proceedings under § 68a of the Railway Act (Electricity, Stations, IBE)

The Schienen-Control Commission has been reviewing tariff-related matters for several years concerning access to railway infrastructure, service facilities, and services provided by a railway infrastructure company that also operates such facilities. The adversarial parties in these proceedings are the access-entitled parties (primarily railway undertakings) and the infrastructure operator. The main subject of the proceedings is to assess whether the cost basis for the tariffs complies with the legal cost standards.

At the beginning of 2024, the infrastructure manager informed the Schienen-Control Commission of its intention to enter negotiations under § 68a of the Railway Act with infrastructure capacity rights holders regarding tariff levels, in order to reconcile conflicting claims. Since there was no indication of violations concerning tariff-setting rules during these negotiations, the authority closed the proceedings at the end of 2024.

### **Transmission of Train and Wagon Data**

The 2025 Network Operation Guidelines, which came into effect with the timetable change on December 15, 2024, stipulates that freight railway undertakings must transmit train and wagon data either via a web application for manual input or through a standardized interface. Previously, freight railway undertakings were also permitted to submit such data via email. As of the 2024/2025 timetable change, this service – referred to as “initial registration of trains in the IT system” – was to be discontinued for freight RUs.

In November 2024, several freight RUs contacted the Schienen-Control Commission, stating that they would not be able to finalize the interface integration in time. The Commission then initiated proceedings in December 2024 and requested a statement from the infrastructure manager. In response, the infrastructure manager offered to continue accepting data transmissions via email until the respective RU fully implements the interface or until further notice (no later than June 30, 2025).

### **Approval of Markups to Track Access Charges**

In 2024, the Schienen-Control Commission continued several proceedings to assess the costs directly related to train operations and to approve surcharges on track access charges. If track access charges and other infrastructure-related revenues are insufficient to fully cover costs, the infrastructure manager may levy surcharges. Before setting such surcharges, the manager must assess their relevance to specific market segments. In the ongoing proceedings, the Commission is reviewing both full and direct costs. The surcharge-related proceedings were suspended due to a preliminary ruling request submitted by the Federal Administrative Court (BVwG) to the European Court of Justice (Case C-538/23). A decision from the ECJ is still pending.

### **Prohibition of Train-Manipulation**

In the reporting year, the Schienen-Control Commission addressed a provision in the Terms of using the Railway-network regarding restrictions on locomotive manipulations and wagon-related operations. These activities were prohibited for ad-hoc train routes on weekdays at the border station Spielfeld-Straß. In a decision dated May 22, 2024, the Commission declared this restriction ineffective, instructed the infrastructure manager to remove it from the Guidelines, and prohibited it from invoking the rule. The infrastructure operator filed a complaint with the Federal Administrative Court (BVwG).

### **Flooding**

In a competition monitoring procedure, the Schienen-Control Commission examined how the infrastructure manager handled operations during the flooding disaster beginning on September 13/14, 2024. The infrastructure manager stated in the proceedings that the Vienna–St. Pölten line was not made available for freight traffic between 5:00 AM and 11:00 PM in order to establish a clear and simple rule. The risk of freight trains becoming stranded and the lack of rail replacement services were cited as reasons for separating

passenger and freight operations. All decisions during the crisis management were made solely by the infrastructure manager; railway undertakings present in the task force played only a passive role.

One railway undertaking filed a complaint regarding train path allocation during the flood-related restrictions, claiming it was disadvantaged in the allocation process. The infrastructure manager had applied a first-come, first-served principle, which, according to the complainant, did not comply with legal requirements. After discussions with the complainant about whether it still felt disadvantaged, the complaint was withdrawn following a period of consideration.

### **Further Proceedings**

Other proceedings included complaints regarding the electronic order system, registration of new services, access to a service facility, network statements issued by facility operators, pricing for the use of a container terminal, traction power, and regulations concerning processing and cancellation fees.

### **Decisions of BVwG and VwGH**

On April 19, 2021, the Schienen-Control Commission issued decisions regarding the infrastructure manager's tariffs for the years 2019 (SCK-18-005) and 2020 (SCK-20-004) as part of competition monitoring procedures. Both the infrastructure manager and a railway undertaking filed complaints against these decisions with the Federal Administrative Court (BVwG). As both complainants withdrew their complaints in 2024, the BVwG discontinued both proceedings by decisions dated December 3, 2024. As a result, the Schienen-Control Commission's rulings (SCK-18-005 and SCK-20-004) became legally binding.