Cross – Acceptance and Safety

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Vice-President Eisenbahn-Bundesamt
UNECE Group of Experts on Unified Railway Law
Second Session; St. Petersburg
I. Short introduction to Eisenbahn-Bundesamt (EBA)

II. EU Railway Policy and EU Legal Framework

III. Safety Responsibility in the Railway Sector

IV. The EU – Railway House
   I. Technical Interoperability,
   II. Licensing,
   III. Operational Interoperability,
   IV. Maintenance,

V. Supervision, Monitoring
## Content

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#### iv. Maintenance,

#### v. Supervision, Monitoring
EBA = German National Safety Authority since 1994

Responsibilities

Art. 16 (2) Safety Directive, e.g.:
- Safety certification / Authorisation
- Authorisation for placing in service
- Supervision
- Market surveillance

Other tasks, e.g.:
- Licensing
- Financing infrastructure investment
- Planning approval
EBA Key figures

Staff 1,255 (incl. apprenticeship etc)
Expenditures 65 m € (thereof approx. 80 % for staff)
Revenues 42 m €

Budget managed approx. 3.9 bn € (for infrastructure investment)

Authorisations for placing in service
Locos/trainsets 508
Passenger coaches 182
Freight wagons 4106
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EU Railway policy

Equal conditions for fair intermodal competition

+ Liberalisation incl. Regulation

+ Harmonisation

of the railway market
Liberalisation

Freight Traffic
- Cross Border
  - Access to the transeuropean Railfreight network (TERFN)
  - Whole network
- Cabotage

Passenger Traffic
- Cross Border including Cabotage

In Force!
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Safety Responsibility in the Railway Sector

National Safety Authorities

Certification, Supervision

Keeper, Entities in Charge of Maintenance

Railway Undertakings Infrastructure Manager

Maintenance Workshops

Keeping in safe condition

Safe building, safe operation, keeping in safe condition

Staff, Rolling Stock, Infrastructure

Authorisation, Supervision including market surveillance

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= safety relevant
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<th>COTIF</th>
<th>National Part</th>
</tr>
</thead>
<tbody>
<tr>
<td>TSI RST HS</td>
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Introduction, Circulation of Vehicles

Objective: mutual acceptance of authorisations

1. Within OTIF Member States only
2. From an EC Member State to an OTIF Member State
2a. From an OTIF Member State to an EC Member State
3. Between an OTIF Member State and a State which is a Member of OSJD only
4. Within OSJD Member States only
5. Between an OTIF Member State and States outside OTIF/OSJD
6. Between States outside OTIF/OSJD
7. Between EU and OSJD

EU
Basis for the technical regulations is the standard gauge 1435 mm

OTIF

OSJD
Basis is the Russian broad gauge
Art. 3 a, § 3

1. Authorisation for placing in service on the basis of EU – Law*

2. Authorisation for placing in service on the basis of EU – Law*

Operation, maintenance acc. to ATMF, APTU

§ 1

Operation, maintenance acc. to EU-Law

§ 2

3. Admission to operation on the basis of ATMF, APTU *

§ 4

4. ATMF, APTU *

* = + assessment of national requirements for the applicable networks (compatibility)
# = + safety certificate for RUs operating trains, but not for being keeper of vehicles
Two methods: TSI

Guideline for Cross Acceptance

very long and time and cost concerning progress for technical harmonisation

“A” items are realised today on the basis of the approval of the same rules

- Reduction of “B” items
- Acceleration of the European cross acceptance process is possible

Cross Acceptance, example: Rolling Stock
## EU “Railway House”

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**Part A:**

- SMS,
  - Common Requirements: Dir. 2004/49/EC, Art. 9, Annex 3, CSM on conformity assessment (2011)
  - COM paper 04/49 DV 28 EN 02, european interim solution (maintenance of freight wagons of other keeper)
- TSI OPERATION HS&CR

**Conclusion:** appropriate way is support of cross acceptance by further harmonisation of operational requirements independent of certifying body!

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**Part B:**

- National Requirements
  - (esp. Operation)
- Common Requirements: Dir. 2004/49/EC, Art. 9, Annex 4, CSM on conformity assessment (ERA is developing)
State of the Art:

- DE: VDV 753 (license + certificate) by RU, IM
- FR: analogue solution

Dir. 2007/59/EC:

- License („related to the driver“):
  - NSA or certifying body
  - XA in Europe
- Certificate (Infrastructure, RST – knowledge):
  - by RU, IM, no XA
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**Organisation:**

- MoU ECM: signed by DE and FR:
  - voluntary ECM – certification,
  - Cross Acceptance by signatories
- Dir. 2004/49/EC (as amended by Dir. 2008/110/EC)
  - mandatory ECM obligation for maintenance,
  - mandatory ECM – certification for ECM of freight wagons
  - Mandatory cross acceptance
  - ERA draft include MW!

ECM = entity in charge of maintenance

**Technical Requirements**

- No harmonisation,
- First discussion about XA of maintenance requirements
- Different level
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Distinguish between:

- **Internal** (second party: by RU, IM, ECM...)
- **External** (third party: by NSA)

Relevance:

- Common requirements and common procedures are the basis for equal conditions for manufacturers and operators

**Market Surveillance** (interoperability constituents):

- harmonised procedure
- Practical experience (-)

**External supervision:**

Dir. 2004/49/EC, Art. 16 Par. 2 a), e)

- no common requirements, no common procedures up to now
- CSM on conformity assessment: framework principles (proportionality, consistency targeting, transparency, accountability, co-operation arrangements between NSA),
- Future requirements in CSM for monitoring
Thank you for your kind attendance!

New website:
www.eisenbahn-bundesamt.de