Survey of prevailing national legislations and/or legal arrangements

*Programme of work – item d*

Vojtech EKSLER (ERA)
For: Poland, Russia, ERA
Main issues

• Legal responsibility for various aspects of safety at LC (maintenance, accident investigation, ...)
• Legal requirements on installation of different types of LC
• Rail technical regulations
• Road traffic signs and signals
• Road traffic regulations
Q1: Does the national legislation regulate the following aspects of LCs?

- Reimbursement of costs incurred in an accident [Y/N]
- Installation requirements - types of level crossings as a function of individual conditions
- Responsibility for the maintenance
- Legal responsibility (for safety of LC)
Q2: Does the national legislation explicitly attribute the responsibility for the state of level crossings?

- To both at the same time: 65%
- To railway infrastructure manager: 25%
- To road infrastructure manager: 10%
- Other responsible entity: 0%
Q3+Q4: In your country, is one of the warning signs below placed in the immediate vicinity of a LC?

YES
In all countries but one (India)

HOWEVER...
Q5: In your country, is one of the warning signs below placed in the immediate vicinity of a LC?

- [ ] Yes
- [x] No

- [ ]
- [ ]
- [ ]

82% Yes
18% No
Q6+Q7: Are the active level crossings WITH and WITHOUT barriers in your country equipped with the following warning lights?

<table>
<thead>
<tr>
<th>Light Type</th>
<th>Without barriers</th>
<th>With barriers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Constant red light (indicating that crossing is forbidden)</td>
<td>1 4</td>
<td>14 10</td>
</tr>
<tr>
<td>Flashing white light (indicating free passage)</td>
<td>5 5</td>
<td>11 9</td>
</tr>
<tr>
<td>Constant white light (indicating free passage)</td>
<td>1 9</td>
<td>11 10</td>
</tr>
<tr>
<td>Sound warning (indicating that crossing is forbidden)</td>
<td>11 11</td>
<td>21 14</td>
</tr>
<tr>
<td>Flashing red lights (two) (indicating that crossing is forbidden)</td>
<td>11 11</td>
<td>18 14</td>
</tr>
<tr>
<td>Flashing red light (single) (indicating that crossing is forbidden)</td>
<td>8 11</td>
<td>11 10</td>
</tr>
<tr>
<td>Constant red light (indicating that crossing is forbidden)</td>
<td>6 11</td>
<td>6 10</td>
</tr>
</tbody>
</table>
Proposed next steps

1. Consider enquiring about specific technical requirements for protection of different types of level crossings as used in different countries.

2. A specific survey to be made with countries indicating that they have legal provisions in place enabling to collect costs incurred in level crossing accidents. This may include questions about recent court decisions.

3. A specific survey to be made among countries indicating that they do not use the St Andrew traffic sign to indicate the presence of a level crossing.

4. Prepare an overview of possible approaches to establishing common (recommended) requirements on the aspects described above.