

All railway players should bear responsibility for railway safety

[by Elena Ilie]

At the middle of last December, the Committee for Transport and Tourism of the European Parliament (TRAN) gave green light to the six law proposals composing the Fourth Railway Package. This month, the European deputies meet for the final vote on the law packages. All are equally important for a better operation of the European railway market and for the consolidation of the Single European Railway Area, an ambitious dream of the decision factors in the European forums.

Prior to the vote of the TRAN Committee, a series of amendments referring to the review proposal of the Directive of the European Parliament and of the Council on Railway Safety has been brought. Next to the publication of the new Guidelines regarding the TEN-T network, the establishment of the international freight corridors which compose the core TEN-T network and the adoption of the Technological Initiative SHIFT2-RAIL, the Fourth Railway Package has been one of the most debated topics of last year. That is why it is important to find out several of the amendments brought to the review proposal of the Directive on Railway Safety. This law package will define a

series of measures for the good operation of the railway transport system, for the organization of infrastructure management and the main players involved in the management of railway infrastructure might consider these measures useful.

Club Feroviar and the Romanian Railway Industry Association (AIF) open the series of this year's conferences with the session dedicated to railway infrastructure and therefore, the account of the amendments brought to the Directive on Railway Safety can support infrastructure managers and the industry, the latter playing a major role in the research and development of performing technologies which brings added value to railways.

Safety levels in the Union's rail system are generally high, in particular compared to road transport. In line with technical and scientific progress, safety should be further improved, when reasonably practicable and taking into account the expected improvement in the competitiveness of rail transport following the emergence of new railway players or new operational problems.

All the actors in the rail system should bear full responsibility for the safety of the system, each for their own part. Member States should make a clear distinction between this immediate responsibility for safety and the national safety authorities' task of providing a national regulatory



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framework and supervising the performance of all operators.

“The responsibility of infrastructure managers and railway undertakings for operating the rail system does not preclude other actors such as manufacturers, carriers, consignors, fillers, loaders entities in charge of maintenance, maintenance suppliers, wagon keepers, service providers and procurement entities from assuming responsibility for their products or services. To avoid the risk that the responsibilities are not properly assumed, each relevant actor should be made responsible for its particular process through contractual agreements”, state the proposed amendments.

In view of the gradual approach to eliminating obstacles to the interoperability of the rail system while maintaining a high level of railway safety and of the time consequently required for the adoption of TSIs, steps should be taken to avoid a situation where Member States adopt new national rules or undertake projects that increase the diversity of the present system.

“Train control and signalling systems play a critical role for railway safety. The harmonised development and deployment of the ‘European Rail Traffic Management System’ (ERTMS) on the Union railway network is an important contribution to improving safety levels”, notes another amendment to the text proposed by the European Commission.

Regarding the safety certificate, the amendments say it should provide evidence that the railway undertaking has established its safety management system and is able to comply with the relevant safety standards and rules. For international transport services, it should be enough to approve the safety management system only once at Union level or for the territory the rail infrastructure of which the railway undertaking will use. Regarding international transport services, it should be enough that the safety management system would only be approved once within the Union. The safety certificate should be a proof that the railway undertaking understands the safety system and the internal rules specific to the territory

the rail infrastructure of which the railway undertaking will use.

Each infrastructure manager should have a key responsibility for the safe design, maintenance and operation of its rail network. The infrastructure manager should be subject to safety authorisation by the national safety authority concerning its safety management system and other provisions to meet safety requirements. The European Railway Agency should be in charge of delivering the safety authorisation in the case of cross-border infrastructures.

Another aspect included in the amendments proposes that the European Railway Agency should develop with the sector experts a common safety method for identifying the critical components for safety taking in account the experience of aviation sector.

The European Rapporteur Michael Cramer, in charge of this draft report, also proposes a new aspect. Therefore, “in order to create a Single European Railway Area and to improve railway safety, the introduction of a single safety certificate is essential. This requires a clear distribution of tasks and responsibilities between the Agency and the national safety authorities.”

ERA should become a one-stop shop for safety certificates in the Union, using the valuable expertise, local knowledge and experience of national safety authorities. It should delegate specific tasks and responsibilities to national safety authorities on the basis of contractual agreements referred to in Regulation on the European Railway Agency, but have the exclusive competence to issue, renew, amend or revoke safety certificates for both railway undertakings and infrastructure managers.

Safety must be underpinned not by arrangements or forms of cooperation but by clear, contractual safety-management procedures.

Thus, a “safety management system” means the organisation and procedures established by an infrastructure manager or a railway undertaking to ensure the safe management of its operations.

In application of this Directive, member

states shall establish binding higher national safety rules. If member state intends to introduce a new national rule which requires a higher safety level than the CSTs, or if a member state intends to introduce a new national safety rule which may affect operations of railway undertakings from other member states on the territory of the member state concerned, the member state should consult all interested parties in due time and inform ERA.

The progressive establishment of a European railway area without frontiers requires Union action in the field of the technical regulations applicable to railways with regard to the technical aspects (interoperability) and the safety aspects, the two being inextricably linked and both requiring higher level of harmonisation at the Union level.

Promoting innovation and research in railway transport is an important responsibility that should be encouraged by ERA. ■

Все действующие лица железнодорожной системы должны нести ответственность железнодорожной безопасности

В середине декабря месяца прошлого года, Комитет по Транспорту и Туризму Европейского Парламента принял решение пустить в ход шесть законопроектов, составляющих 4-ый Железнодорожный Пакет. В этом месяце, евро-депутаты встречаются с целью выразить окончательное голосование в связи с законодательными пакетами.

Club Feroviar и Ассоциация Железнодорожной Промышленности Румынии (AIF) открывают серию конференций с совещанием на тему железнодорожной инфраструктуры; таким образом, изложение поправок Директивы Железнодорожной Безопасности принесёт пользу операторам инфраструктуры а также, промышленности, которая играет ключевую роль в исследовании и развитии эффективных технологий, способствуя росту качества в отрасли. ■