

UNIFE Fact Sheet for applicability of EU Machinery Directives and Regulations to Turnout Systems

EU Directive/Regulation

Applicability for turnout systems in railways, metros and tramways

Not applicable

Article 1(2)(e) excludes “means of transport by air, on water and on rail networks with the exclusion of machinery mounted on these means of transport”.

As turnouts are not “mounted on means of transport” but are categorized as **rail infrastructure** or **fixed transport systems**, **MD does not apply**.

Furthermore, Article 3 refers to the *lex specialis* defined for rail infrastructure by the **Interoperability Directive** (current 2016/797). According to its Recital (5) it is defined how EU and local regulations shall be applied.

This is further supported by guidance from the **EU Machinery Working Group**, which clarifies that turnouts are not covered by the MD and are subject to the railway infrastructure laws such as the Interoperability Directive (current 2016/797).

Directive 2006/42/EC – Machinery Directive (MD)

Excerpt Article 57 of the Guide to application of the Machinery Directive Edition 2.3 from April 2024

The exclusion of means of transport on rail networks concerns machinery intended for the transport of persons and/or goods on international, national, regional, suburban or urban rail networks or on rail systems connected to such networks. Railway turnouts (also known as points or switches) are not covered by the Machinery Directive²³ and they are subject to Directive 2008/57/EC²⁴ on the interoperability of the rail system.

On the other hand, machinery intended for use on rail systems not connected to such networks such as, for example, self-propelled machinery running on rails for underground work, are in the scope of the Machinery Directive.

Machinery intended for use on rail networks that is not intended for the transport of persons and/or goods such as, for example, railbound machinery for the construction, maintenance and inspection of the rail track and structures, is also in the scope of the Machinery Directive. The same goes for machinery mounted on railbound vehicles, such as, for example, loader cranes and mobile elevating work platforms.

Note: However, subsystems like motors, hydraulic units, actuators, or control devices may apply to MD when marketed as standalone machinery for different use as within rail infrastructure, as indicated in Article 2(g). (=partly completed machines).

**Regulation (EU)
2023/1230 –
Machinery
Regulation (MR)**

Not applicable

Recital (17) in the same way as Article 1(2)(e) excludes “*means of transport by air, on water and on rail networks except for machinery mounted on those means of transport*”.

As turnouts are not “*mounted on means of transport*” but are categorized as **rail infrastructure** or **fixed transport systems**, **MD does not apply**.

Furthermore, Article 9 refers to the *lex specialis* defined for rail infrastructure by the **Interoperability Directive** (current 2016/797). According to its Recital (5) it is defined how EU and local regulations shall be applied.

Thus, the same situation as for MD described above

Note: However, subsystems like motors, hydraulic units, actuators, or control devices may apply to MR when marketed as standalone machinery for different use as within rail infrastructure, as indicated in Article 8 resp Annex III. (=partly completed machines).

Partly applicable

Generally Applicable to railways in Europe

**Directive (EU)
2016/797 -
Interoperability
Directive**

Not applicable to exclusions from Interoperability Directive as defined in

- **Article 1(3)**
 - a) **metros**
 - b) **trams and light rail vehicles, and infrastructure used exclusively by those vehicles**
 - c) **networks that are functionally separate from the rest of the Union rail system and intended only for the operation of local, urban or suburban passenger services, as well as undertakings operating solely on those networks**
 - **As well as Article 1(4) enabling Member States to define further exclusions from the scope of the measures implementing this Directive**
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