



INF. 11

22 November 2019

(English only)

RID: 11th Session of the RID Committee of Experts' standing working group
(Vienna, 25 to 29 November 2019)

Subject: Information from the European Union Agency for Railways

Introduction

1. Following a request of the European Commission (see CE/2009/INF. 10) at the 47th session of the RID Committee of Experts, it was decided (see report OTIF/RID/CE/2009-A, paragraph 110) to add a permanent item "Information from the Agency" in RID sessions' agenda. The Agency was invited by OTIF to continue providing information in the framework of the RID Committee of Experts' standing working group.
2. Hereinafter, the Agency reports information which has the potential to facilitate the coordination of tasks performed at EU and RID Committee of Experts levels. The selected information points are the following:
 - Vehicle authorisations – some feedbacks for discussion
 - Inland TDG Risk Management Framework
 - List of accidents notified to ERA
 - New texts concerning EU railways legislation

Information points

Vehicle authorisations / Vehicles specialised for the transport of dangerous goods

3. Following the experience gained on the practical implementation of the authorisation process during this period, the Agency would like to provide information on the following points:
 - The validity of the tank approval certificate and tank initial inspection certificate is checked by ERA during the process of issuing vehicle authorization.

ERA verifies that there are certificates for the tank-wagon in the file accompanying the application for authorisation (tank approval for the type, initial inspection for each vehicle), and that they are valid (expiry date, issued by a valid entity), but it does not assess the content or validity of the certificates from a technical point of view. This is left to the responsible entities

(authorities/bodies) in the framework of RID / certification / inspection. In case of need, ERA may ask the applicant to clarify issues but do not re-assess the certificates.

- The relationship between the country to which belongs the entity granting the tank approval/initial inspection and the area of use of the vehicle is not taken into account by ERA at the moment of issuing the authorisation. Unless the certificate(s) explicitly mention some kind of restriction, the tank approval / initial inspection certificates(s) are considered as “valid all throughout EU”.
- To define the area of use, ERA takes into account the area requested by the applicant in the application form in the One Stop Shop (OSS), and the evidence that support the request.
- The MS for the registration of a vehicle can be chosen by the keeper amongst the MSs which are part of the area of use of the vehicle (it’s not a complete free choice). The registration of vehicles is independent from the authorisation process and is consecutive to the completion of the authorisation process. A vehicle needs to be registered before entering into service, and in order to be registered needs to be authorised before.
- The Registration Entity registering the vehicles in the NVR / ECVVR / EVR has nothing to do with the tank certificates. It just registers the authorised vehicle(s) upon request of the keeper, no further (retro-active) checks are to be done in relation with vehicle authorisation. Please notice that ERA cannot register vehicles, so even if ERA is the authorising entity for a vehicle, the registration still needs to be done by a registration entity in a MS within the area of use.
- The ‘entry into service verification’ step proposed for inclusion in RID 2021 concerns, notably, the conditions to be applied for the use of the tanks. It is considered to be out of the scope of the authorisation process (no influence) as it is applied to already authorised vehicles. It is a step which must be considered by the configuration management of each vehicle in relation with their foreseen use. The responsibility of performing the configuration management of vehicles lies with the keeper or the entity entrusted by the keeper (e.g. ECM or RU).
- The limits and conditions for use (reported in the technical file of the vehicle / tank record of each tank) must be taken into account under the Safety Management System of the railway undertakings and the management system of the ECMs.
- At authorisation step, ERA does not enter into maintenance-related issues/restrictions linked to the geographic approval regime of the entities performing the inspections/maintenance.

Inland TDG Risk Management Framework

Publication and reference to the guides

4. After the publication of the guides and after the positive feedback of the Joint Meeting delegates at its autumn session, the Agency believes that the guides should be referred to in the footnotes of the Chapter 1.9 of RID/ADR/ADN.
5. The Agency would wish knowing the views to the RID Standing Group delegates on this action, and if positive, a formal proposal would be submitted at the next session of the Joint Meeting.

Dissemination workshops

6. In 2020, the Agency has budgeted dissemination activities of the Risk Management Framework, including outside the EU, as several non-EU MS have indicated their interest.
7. A workshop will be organised in Serbia beginning of March 2020. Two other workshops may be organised in June and in October, if confirmed by interested hosting delegations.

8. Interested delegations are kindly requested to approach the ERA representative in case they would like to host an event in the future.

Risk Management Platform

9. The Agency informed the Joint Meeting at its autumn session as well as the 6th meeting of the EUDG members on the starting collaborative development of the Risk Management Platform (prototyping phase).
10. Interested delegations are kindly invited to inform ERA in case they would like to contribute to these collaborative developments.

List of accidents notified to ERA

11. In accordance with article 19.1 of the Railway Safety Directive (RSD) the National Investigation Bodies (NIBs) are required to notify the Agency of each serious accident, to carry out an investigation and to provide the Agency with an investigation report, normally within one year. In accordance with article 19.2 of RSD the NIBs may also decide to investigate other railway accidents or incidents of particular interest.
12. All investigation notifications and reports submitted by the NIBs to the Agency are publicly available in the ERAIL database: <http://erail.era.europa.eu/investigations.aspx>. These notifications and reports concern accidents and incidents that have occurred from 2007 onwards.
13. Between 1 November 2018 and 31 October 2019 the NIBs sent the Agency:
- 188 investigation notifications of opened investigation
 - 177 final investigation reports.

Up to 31 October 2019, the European Union Agency for Railways had received a total of 72 notifications or reports where dangerous goods or tank-wagons were involved. In the review period, three such events were notified. This is shown in the table hereinafter.

Date	Country	Type of event, Location	Link in ERAIL
7 July 2018	Switzerland	Train derailment, empty tank car, Eglisau	CH-5783
19 Sep 2018	Switzerland	Other event: loss of metal formwork from tank container in a tunnel, Claro	CH-5782
26 Dec 2018	Romania	Train derailment on an open line, Rapa de Jos - Monor Gledin,	RO-5882

New texts concerning EU railways legislation (non-exhaustive)

14. On 13 February 2019, the Commission Implementing Regulation (EU) 2019/250 of 12 February 2019 on the templates for EC declarations and certificates for railway interoperability constituents and subsystems, on the model of declaration of conformity to an authorised railway vehicle type and on the EC verification procedures for subsystems in accordance with Directive (EU) 2016/797 of the European Parliament and of the Council and repealing Commission Regulation (EU) No 201/2011 (Text with EEA relevance) was published.
15. Several other non-legislative acts on railway interoperability were published in the [Official Journal \(L 139 I\)](#), on 27 May 2019, notably:
- Commission Implementing Regulation (EU) 2019/773 of 16 May 2019 on the technical specification for interoperability relating to the operation and traffic management subsystem of the rail system within the European Union and repealing Decision 2012/757/EU.

- Commission Implementing Regulation (EU) 2019/774 of 16 May 2019 amending Regulation (EU) No 1304/2014 as regards application of the technical specification for interoperability relating to the subsystem ‘rolling stock — noise’ to the existing freight wagons.
- Commission Implementing Regulation (EU) 2019/779 of 16 May 2019 laying down detailed provisions on a system of certification of entities in charge of maintenance of vehicles pursuant to Directive (EU) 2016/798 of the European Parliament and of the Council and repealing Commission Regulation (EU) No 445/2011, as well as
- Commission Recommendation (EU) 2019/780 of 16 May 2019 on practical arrangements for issuing safety authorisations to infrastructure managers.

Conclusion

16. The above information has been prepared by the Agency in regards to the potential links between the development of EU railway laws and provisions on Transport of Dangerous Goods. Delegates are kindly invited to suggest future topics of interest to be considered by the Agency.
-