

**OTIF**



**ORGANISATION INTERGOUVERNEMENTALE POUR  
LES TRANSPORTS INTERNATIONAUX FERROVIAIRES**

**ZWISCHENSTAATLICHE ORGANISATION FÜR DEN  
INTERNATIONALEN EISENBAHNVERKEHR**

**INTERGOVERNMENTAL ORGANISATION FOR INTER-  
NATIONAL CARRIAGE BY RAIL**

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**RID:** 10<sup>th</sup> Session of the Working Group on Tank and Vehicle Technology  
(Brussels, 11 and 12 June 2009)

**Subject:** Information on the status of negotiations with the European Commission's Interoperability Committee and the European Railway Agency (ERA)

**Information transmitted by Germany**

**Introduction**

1. At its 44<sup>th</sup> session (Zagreb, 19 – 23 November 2007), the RID Committee of Experts decided provisionally to prescribe derailment detectors from 1 January 2011 for tank-wagons and battery-wagons for the carriage of certain dangerous goods. This late date of entry into force was chosen so that the European Railway Agency (ERA) would have time to check whether this proposal was coherent with European Community interoperability legislation and carry out an impact assessment (see also the report of the 44<sup>th</sup> session of the RID Committee of Experts (Zagreb, 19 – 23 November 2007), paragraphs 88 to 105).

**Draft report by ERA entitled "Impact Assessment on the Use of Derailment Detection Devices in the EU Railway System"**

2. ERA's 20 January 2009 draft report on the impact assessment on the use of derailment detection devices in the EU railway system was submitted to the European Commission's Interoperability Committee. Basically, the draft says that the RID Committee of Experts' provisional decision to introduce derailment detectors would only be of minor benefit because only a limited number of vehicles would be thus equipped. Nevertheless, depending on the level of equipment fitted, and bearing in mind the costs that would be avoided for destroyed infrastructure, a positive cost/benefit ratio could also result from the analysis. In the end though, ERA intends to propose to the European Commission that it reject the introduction of derailment de-

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tectors as planned by the RID Committee of Experts.

### **Meeting of the Interoperability Committee on 5 March 2009**

3. ERA presented its draft report at the meeting of the Interoperability Committee on 5 March 2009. As chairman of the RID Committee of Experts, Mr Rein then had the opportunity of commenting on the draft report.
4. As a result, it was noted that some corrections needed to be made to ERA's draft report. Among other things, it was agreed to discuss this draft report at a special meeting with interested members of the RID Committee of Experts.

### **Special meeting to discuss the draft report on 2 April 2009 at ERA in Lille**

5. At the special meeting attended by interested members of the RID Committee of Experts, in addition to a whole range of shortcomings in the ERA report, the procedure used by ERA to produce its draft report was particularly called into question. In particular, it was pointed out that ERA's basic tenet (carriage by rail is safe per se – any change must be examined by ERA in a complex procedure before it is introduced) does not take account of the requirements of dangerous goods law. In the carriage of dangerous goods by rail, despite all the precautions, all those involved have to deal with catastrophic accidents, including in the future. That is why it must continue to be possible to react to this situation in the short term in order to avoid further damage.
6. ERA agreed to correct its draft report along these lines. Unfortunately, this corrected version is not yet available.
7. It was also pointed out that this issue should not just be discussed in the Interoperability Committee, but also in the Commission's Committee on the Transport of Dangerous Goods.

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