Introduction

1. Following a request of the European Commission at the 47th session of the RID Committee of Experts (see informal document INF.10), it was decided (see report OTIF/RID/CE/2009-A, paragraph 110) to add a permanent new item “Information from the European Railway Agency” to subsequent agendas.

2. Following the 48th session, the OTIF Secretariat informed the Agency that no particular request for information from COTIF Member States was raised, therefore the Agency has selected, and reports below, information of general interest or which might facilitate the identification of relevant work at EU level for/by the RID Committee of Experts. The selected information is the following:

- Study on freight train derailments,
- Study on methods for drafting Agency positions on safety-related issues of EU Railways,
- Telematics Task Force,
- Entities in Charge of Maintenance,
- List of accidents notified to the Agency,
- Texts concerning EU Railways legislation.
Information points

Status of Agency's tasks concerning freight train derailments

3. The "Study on assessment of existing technical and operational measures against freight train derailments on European Union's railways" started on August 2010 (more information on the study specification is available at http://www.era.europa.eu/The-Agency/Procurement/Pages/ERA-2010-SAF-OP-01.aspx).

4. Currently the selected contractor has started to analyse past derailment accidents and to survey the safety measures implemented or experienced by Railway Undertakings (RUs) and Infrastructure Managers (IMs).

5. The contractor is also collecting market information concerning existing products and technologies used for preventing the occurrence or mitigating the consequences of freight train derailments. Relevant suppliers and manufacturers will be also surveyed. In parallel, the contractor has started processing the collected data.

Study on methods for drafting Agency positions on safety-related issues of EU Railways

6. The Agency has selected and commissioned a consortium to study "Methods for drafting Agency positions on safety-related issues of the Community's Railways".

7. The final report will be delivered to the Agency by the end of 2010 and will be used by the Agency, amongst other inputs, to further develop the Agency's practices for analysing safety-related issues of the EU Railways.

Telematics task force

8. At the 51st meeting of the Rail Interoperability and Safety Committee (RISC), Member States agreed to set up a task force which should examine current developments and future needs for telematics applications in the railway sector, in particular in the context of meeting the legal requirements (from primary and secondary legislation) for stakeholders.

9. The Agency takes part in this task force, which has started to identify the needs for telematics data exchanges. As part of its contributions to this task force, the Agency has reported the list of specific needs, established by the OTIF/UNECE Joint Meeting Working Group on Telematics for the transport of dangerous goods.

10. These exchanges of information should enable consideration of all the relevant needs for the current revision of the TAF-TSI by the Agency and for the future developments of telematics applications.

Entities in Charge of Maintenance (ECM)

11. According to the Safety Directive the Agency addressed a recommendation to the European Commission in July 2010 concerning a system of certification of ECM for freight wagons, including a project for a European Regulation.

12. On that basis, the European Commission addressed a formal proposal for a European Regulation to the Railway Interoperability and Safety Committee. A vote is expected in December 2010 for an entry into force of the Regulation beginning in 2011.

13. The Regulation will contain mainly:
   - The certification scheme, i.e. rules for application by the ECM, assessment and award, revocation of certificates,
The basic requirements for the certification bodies, including the reference to a sectoral accreditation scheme as defined in European regulation 765/2008,

The requirements for certification, in particular:

1. a list of 35 procedures to be met by the ECM,
2. obligations for RUs and ECMs for exchanging information,
3. specific requirements concerning the certification of maintenance workshops,
4. rules governing the provision of information to the Agency.

14. The rules proposed for the transitional period and the entry into force of the regulation are the following:

- Transitional period: certificates delivered against the MoU related to voluntary certification of ECMs, initiated by the European Commission and signed by 10 Member States and Switzerland, remain valid until their dates of expiry.
- Entry into force of the regulation: within 2 years after adoption, all ECMs for freight wagons must be certified.

15. With regard to the dissemination of and guidance on the certification of ECMs, the following activities will be managed by the Agency in collaboration with sector organisations and National Safety Authorities (NSA):

- Dissemination from 2011.
- Development and validation of the sectoral accreditation scheme by spring 2011.
- Development of the ECM certification guidelines by mid 2011.
- Development of an Agency database of certificates available to interested parties such as ECMs, RUs, keepers, NSAs by end 2011.

List of accident investigations notified to the Agency by National Investigation Bodies

16. 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 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.

17. From 1 January 2010 to 30 September 2010 the National Investigation Bodies (NIBs) have sent the Agency:

- 157 investigation notifications and
- 110 investigation reports.

18. These notifications and reports concerned accidents and incidents which occurred from 2006 onwards.

19. By 30 September 2010, the European Railway Agency had received 18 notifications where dangerous goods trains, dangerous goods wagons, or the substance itself was involved. The following 7 concern events which occurred in 2010:
<table>
<thead>
<tr>
<th>Date</th>
<th>Country</th>
<th>Location</th>
<th>link in ERADIS</th>
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<tbody>
<tr>
<td>05/03/10</td>
<td>DE</td>
<td>Bahnhof Herlasgrün; Gleis 502</td>
<td><a href="http://pdb.era.europa.eu/safety_docs/naib/view.aspx?id=1709">http://pdb.era.europa.eu/safety_docs/naib/view.aspx?id=1709</a></td>
</tr>
<tr>
<td>22/05/10</td>
<td>FR</td>
<td>Near Neufchateau station; double track electrified line</td>
<td><a href="http://pdb.era.europa.eu/safety_docs/naib/view.aspx?id=1753">http://pdb.era.europa.eu/safety_docs/naib/view.aspx?id=1753</a></td>
</tr>
<tr>
<td>21/06/10</td>
<td>IT</td>
<td>Located in marshalling yards or stations in the Italian railway network</td>
<td><a href="http://pdb.era.europa.eu/safety_docs/naib/view.aspx?id=1836">http://pdb.era.europa.eu/safety_docs/naib/view.aspx?id=1836</a></td>
</tr>
<tr>
<td>16/07/10</td>
<td>PT</td>
<td>Site of Valega, Km 297.200 of the main line Lisbon to Porto, between stations of Ovar and Estarreja</td>
<td><a href="http://pdb.era.europa.eu/safety_docs/naib/view.aspx?id=1865">http://pdb.era.europa.eu/safety_docs/naib/view.aspx?id=1865</a></td>
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**Texts concerning EU Railways (non exhaustive)**

20. The following texts may have some relevance to the RID Committee of Experts. These texts have received a favourable opinion from the Railway Interoperability and Safety Committee (RISC) or should be discussed at forthcoming meetings.

**With regard to safety**

21. (favourable opinions)

- Draft Commission Regulation on a common safety method for assessing conformity with the requirements for obtaining railway safety certificates. [04/49-DV29EN01]

- Draft Commission Regulation on a common safety method for assessing conformity with requirements for obtaining a railway safety authorisation. [04/49-DV30EN01]

22. (for discussion at next RISC meeting)

- Draft Commission Regulation on a system of certification of the entity in charge of maintenance for freight wagons and amending Regulation (EC) No 653/2007. [04/49-DV31EN01]

**With regard to interoperability**

23. (favourable opinions)

- Draft Commission Decision concerning the technical specifications of interoperability relating to the subsystem "rolling stock – noise" of the trans-European conventional rail system and repealing Commission Decision 2006/66/EC. [08/57-ST07EN01]


- Draft Commission Decision concerning the technical specification for interoperability relating to the 'operation and traffic management' subsystem of the trans-European conventional rail system. [08/57-ST09EN01]

• Draft Commission Implementing Recommendation on the authorisation for placing in service of structural subsystem and vehicles under Directive 2008/57/EC. [08/57-DV29EN03]

Corresponding recommendations from the Agency concerning these texts can be found on the Agency website.

**Conclusion**

24. The above information has been selected by the Agency in view of the potential links between the development of EU railway law and provisions on the Transport of Dangerous Goods. For the next "Information from the European Railway Agency" at the 50\(^{th}\) session of the RID Committee of Experts, delegates are invited to propose topics of interest via the OTIF Secretariat.

\(^1\) A document cross-referencing all the national rules applied by the Member States for placing vehicles in service.