

PRIME Meeting no 14

13 June 2019, Bern, CH

Annex to item 7 Information points: Update on 4th Railway Package latest developments (tech pillar)

From: EC

– For Information –

1. TRANSPOSITION

The full benefits of the Fourth Railway Package can only be achieved with its complete implementation across the European Union. The commitment and cooperation of all the actors of the railway sector is crucial to remove the remaining administrative and technical barriers.

The railway sector is urgently awaiting the implementation of the technical pillar, which introduces a system of truly transparent and impartial railway rules at Union level by eliminating unnecessary national obstacles.

However, by 16 December 2018¹, eighteen Member States have notified the extension of the transposition till 16 June 2020. As a result, only eight (plus Switzerland) have committed to transpose and start the technical pillar in June 2019. This will delay the full benefits in terms of simpler system and faster authorisations for cross border operations.

2. ERA PREPAREDNESS

Concerning preparedness for the technical pillar, the Commission and the Agency are well on track. As of 16 June 2019 the European Union Agency for Railways will become European certification and authorisation body. In the last couple of years, there has been significant preparation and implementation of measures ensuring smooth transition of the Agency towards its new role. As of 16 February the key IT tool - One-Stop-Shop - for managing applications by the Agency and national safety authorities was launched.

As of now on the Agency and National Safety Authorities are able receiving applications for authorisations of vehicles through a harmonised electronic format. ERA reports 44 registered applications so far (from DE, IT, CH, FR). This number is rather low, while normally for freight wagons there should be a much higher number of applications, which raises certain concerns regarding sector's awareness of 4th railway package.

Another, closely linked essential prerequisite for implementation of the Fourth Railway Package is the reduction of the significant number of overlapping and non-transparent national rules. For years railway undertakings and manufacturers of rail products have been suffering from the

¹ Deadline when Member States had to notify extension of transposition until 16 June 2020

insufficient transparency and multiplicity of rules in the European railway area. In this respect, the Commission, ERA and Member States have made great progress in identifying redundant national legislation on vehicle authorisation (approximately 90%).

However, more effort will be required in 2019 and subsequent years in eliminating the national rules. Commission expects valuable inputs and cooperation of all Member States. Cleaning up of national rules remains Commission priority.

3. COMPLETE LEGAL FRAMEWORK

Adoption by the Commission of a big package of TSIs (NOI, PRM, WAG, ENE, INF, LOC&PAS, CCS, OPE, SRT) and COM implementing acts (ECM Regulation, Register of infrastructure (RINF), COM recommendation for safety authorisations) took place on 16 May. This completed the legal framework of the 4th railway package.

4. COOPERATION AGREEMENTS BETWEEN ERA AND NSAs

First cooperation agreement was signed on 8 April with the German NSA, followed by signature with the Dutch NSA on 25 April. An agreement with the Finnish NSA was signed on 2 May. It is planned that agreements with Romanian, Greek and French NSAs should be signed during the International Railway Conference in Budapest on the 11th of June. Finalisation of contents and negotiations with the remaining NSAs continues

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