

European Railway Agency: new tasks

2006/0274(COD) - 16/12/2008 - Final act

PURPOSE: to amend Regulation (EC) No 881/2004 in order to include new tasks in the aim of facilitating the free movement of trains.

LEGISLATIVE ACT: Regulation (EC) No 1335/2008 of the European Parliament and of the Council amending Regulation (EC) No 881/2004 establishing a European Railway Agency (Agency Regulation).

CONTENT: the Council adopted this Regulation amending the Regulation establishing a European Railway Agency by approving the European Parliament's amendments at second reading.

The main aim of the Regulation is to adapt the legislative framework of the European Railway Agency to the new tasks arising from the amendments made to the Directive on Railway Safety and the Directive on interoperability of the rail system.

New tasks for the Agency will include the following:

- a) to develop a reference document cross-referencing all the national rules applied by the Member States for putting rolling stock into service;
- b) to organise the systems work of the national safety authorities so as gradually to reduce the number of national rules imposed by each Member State and to identify those which can be deemed to be equivalent;
- c) to produce technical opinions if requested by the national safety authorities or the Commission.

In addition, the Regulation clarifies a number of different tasks based on the experience acquired following the establishment of the Agency, particularly in the context of setting up the ERTMS (European Rail Traffic Management System) system and the registers of rolling stock.

Parliament and Council introduced the following points into the Regulation:

- the Agency may issue technical opinions in the case of a negative decision by a National Safety Agency or on the equivalence of national rules for the technical parameters established in the Rail Interoperability Directive. The Agency may also be requested to deliver an opinion on urgent modifications of Technical Specifications of Interoperability (TSIs);
- the Agency is tasked with preparing a report setting out, if necessary, recommendations on the implementation of a system of voluntary certification of vehicle maintenance as set out in the rail safety Directive;
- the tasks and responsibilities of the Agency with regard to train drivers, other crew members performing safety related tasks and staff involved in the operation and maintenance of the rail system are specified;
- the provisions on registers have been adapted in the light of the changes introduced in the rail safety directive and the rail interoperability Directive and the regime for accessibility of documents and registers is specified;
- the conditions under which the Commission can request the Agency's assistance with regard to implementation of the Community's legislative framework on interoperability and safety are specified.

ENTRY INTO FORCE: 01/01/2009.