

Railway transport: certification of train crews and drivers. 3rd package

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This report from the Commission relates **to the profile and tasks of other train crew members.**

Legislative framework and purpose of report: Directive 2007/59/EC on the certification of train drivers operating locomotives and trains on the railway system in the Community establishes the minimum requirements an applicant must meet to obtain a train driver's licence or a harmonised complementary certificate. Since its entry into force, the Commission has already adopted additional legislation, in accordance with the provisions set out in the Directive.

While Directive 2007/59/EC does not cover other train crew members performing safety-critical tasks, it states that the Commission shall present a report and, if appropriate, bring forward a legislative proposal on a certification system for the other crew members **on the basis of a report prepared by the European Railways Agency (ERA).**

This Communication focuses on other crew members for passenger trains, **a professional group that plays an important role for a safe railway system with respect to operational safety and to passenger safety and security.** It takes into account the report prepared ERA, after consulting stakeholders, which was delivered to the Commission in 2010. Before adopting this communication, the Commission services discussed the results of the ERA report with the social partners in the context of the sectoral Social Dialogue Committee.

Current situation: in its report, ERA collected data on the number of other crew members, provided by several railway undertakings in 11 Member States. By extrapolation, **the number of other crew members for passenger trains is estimated at 70 000 in Europe**, including Switzerland and Norway. Nearly all Member States (20 out of 22) regulate the profession, although in different ways and with different levels of detail. Of these 20 Member States, 14 also regulate profiles and tasks at national level.

Two profile patterns (PP1 and PP2): have been introduced as the common core tasks of different job profiles from different Member States; they are detailed in the Annex of this report. While PP1 includes almost all the tasks related to train preparation, only one train preparation task is assigned to PP2.

Within these two profile patterns, common safety-critical tasks have been identified such as: the door closure procedure, train departure and passenger evacuation in the event of degraded and emergency situations. **Most of the railway undertakings have implemented a certification system for PP1, but not for PP2.**

Attestation of training: in the context of the opening of the national markets for passenger transport proposed in the framework of the [fourth railway package](#), the Commission intends to develop **at European level an attestation of the risks and passenger assistance training** awarded to the job holder in compliance with all the minimum basic requirements concerning other crew members from the TSI OPE. (*Commission Decision of 11 August 2006 concerning the Technical Specification for Interoperability relating to the subsystem Traffic Operation and Management of the trans-European conventional rail system*). This attestation should be valid **throughout the European Union** and must be taken into account by the railway undertakings when they recruit staff.

The Commission will request the European Railway Agency to develop for other crew members the necessary provisions for an attestation focused on passenger safety issues. An amendment in Annex III to the Railway Safety Directive will make a provision for this attestation process to be part of the Railway Undertaking Safety Management System. **ERA** will:

- **identify the common safety-critical tasks** of other crew members not related to vehicle design /rolling stock and will define the content of the training attestation and the scope of Annex J of TSI OPE;
- develop a **model** of attestation training in safety-critical tasks, to be delivered to the job holder.

Regulation at national level: those national binding rules, which have been established by the national authorities or have been transferred from the national company to the national level, must be applied by all railway undertakings operating in those Member States. Generally speaking, **these regulations seem not to be fully compliant with European legislation.**

The Commission will ask ERA to include in its analysis of the National Safety rules **a specific chapter on the national binding rules** related to other crew members and to what extent they go beyond their scope. Should these rules be incompatible with EU legislation, the Commission could take appropriate measures to ensure their correct application.

The Commission believes that its proposals will reinforce the safety performances and improve the quality of this important railway profession as well as supporting the mobility of its workers.