

Railway safety. Recast. 4th Railway Package

2013/0016(COD) - 17/03/2016 - Committee recommendation tabled for plenary, 2nd reading

The Committee on Transport and Tourism adopted the recommendation for second reading contained in the report by Michael CRAMER (Greens/EFA, DE) on the Council position at first reading with a view to the adoption of a directive of the European Parliament and of the Council on railway safety (recast).

As Council's first reading position is in conformity with the agreement reached in the trilogues, **the committee recommended accepting it without further amendment.**

The committee also took note of a Commission statement annexed to this resolution **on explanatory documents**. In this statement, the Commission recalled that the European Parliament, the Council and the Commission that the information Member States supply to the Commission as regards the transposition of directives in national law 'must be clear and precise' in order to facilitate the achievement by the Commission of its task overseeing the application of Union law. In the present case, explanatory documents could have been useful to this end. It regretted that the final text does not contain provisions to this effect.

At the end of informal negotiations between Parliament and Council, an agreement was reached. The main achievements of the European Parliament are as follows:

- **the European Railway Agency (ERA) will play a key role in issuing safety certificates for railway undertakings:** the ERA will be competent to issue safety certificates for railway undertakings operating in more than one Member State. Railway undertaking operating within one Member State can choose to be certified either by the ERA or a national safety authority;
- **improved safety culture and occurrence reporting in railway undertakings and infrastructure managers:** this will encourage staff to report occurrences under conditions of confidentiality and enable railway industry to learn lessons and to improve the work practices. Moreover, there will be training programmes for staff, including arrangements on the physical and psychological fitness;
- Member States will be obliged to monitor compliance of train drivers with rules on **working, driving and rest periods**;
- the ERA may establish a **tool for exchange of information** on safety risks among relevant actors. This will further facilitate cross-border exchange of information in case there is a safety risk, e.g. if the same type of rolling stock is used in more than one Member State;
- improve **information policy** towards relatives of victims and improved coordination of emergency services;
- **the ERA will provide to investigative bodies with technical assistance** and secretariat for cooperation of investigating bodies. Investigating bodies would do "peer reviews" with the aim to monitor their effectiveness and independence. However, since ERA issues authorisations, it can't be directly involved in investigation due to potential conflicts of interest.