

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

2004/0048(COD) - 03/03/2004 - Legislative proposal

**PURPOSE** : to lay down the conditions and procedures for the certification of train crews operating locomotives and trains on the Community's rail network, and to specify the tasks for which the competent authorities of the Member States, the train drivers and other stakeholders in the sector, in particular the railway undertakings, infrastructure managers and training centres, are responsible. **PROPOSED ACT** : Directive of the European Parliament and of the Council. **CONTENT** : The Commission states in its proposal that it has rapidly become clear that common rules should be adopted on certification of train drivers to facilitate their interoperability and improve management. This should eventually make it easier to certify railway undertakings while maintaining a high level of safety and guaranteeing conditions for free movement of workers in the railway sector. Examination of the proposals of the second railway package has highlighted the importance of this aspect of interoperability for establishing an integrated railway market. The Commission goes on to discuss the contributions emanating from the social dialogue and the results of the Commission's own study, as well as the pre-legislative consultation that it has undertaken. The main points are as follows: -the scope of the directive is limited to train drivers in cross-border services who effectively work in the framework of interoperability. Implementation will be in two stages. The main aim is swiftly to apply provisions on the certification of drivers who are most directly affected by the opening-up of the railway market and who have to operate in the territory of other Member States. In the second phase, the Commission intends, on the basis of a report covering the first phase, to extend the implementation of the European licence to all train drivers, taking account of exceptions which were already provided for in the scope of the proposal for a directive on safety and which form part of the second railway package. Similarly, other members of the train crew who are indirectly involved in traffic safety will be dealt with later on. - a single model for the certification of train drivers: In order to ensure that the documents certifying a person's ability to drive trains are standardised in terms of form and content, the Community defines a Community model for certification, in which the validity of the various component parts will be recognised by each of the Member States. The measure be implemented in two phases: - in the short term, certification will produce two sections: (a) the licence itself, a card in the same format as the European driving licence, issued by the competent authority on the basis of Community-wide criteria and recognised reciprocally, and (b) a harmonised certificate, issued by the railway undertaking which employs the driver, confirming that the driver has the specific knowledge required (rolling stock, infrastructure, periodic checks); - in the longer term, the two component parts will be incorporated into a smart card, which meets operational and technical specifications to be defined through the comitology procedure. - the authority responsible for issuing the licence will be the national safety authority which is to be established in accordance with Article 15 of the draft rail safety directive. This authority will also be responsible for setting up a national register of licences, which must make it possible to find the key data relating to a driver's actions to gain and upgrade skills. -Member States' reciprocal recognition of the licences should facilitate drivers' ability to move both from one Member State to another and from one railway undertaking to another; - definition of minimum requirements to obtain a driver's certificate: The requirements include at least the minimum age for train drivers, criteria related to the medical and psychological fitness of candidates, their professional experience and knowledge in a number of fields related to train driving, as well as their knowledge of the infrastructure on which they will have to operate. Drivers must have knowledge of the languages indicated by the relevant infrastructure manager to enable them to communicate effectively in routine, abnormal and emergency situations. - Annex V defines a general training programme covering the professional knowledge required in order to obtain the licence. This programme is supplemented by training objectives relating more specifically to rolling stock and infrastructure; this is the knowledge required in order to obtain the

harmonised complementary certificate, as described in Annexes VI and VII of the proposal. - there are provisions on inspections of the validity and content of the licence and a procedure to object to the certification.