

European Railway Agency: new tasks

2006/0274(COD) - 11/09/2007

The Committee on Transport and Tourism adopted - at 1st reading of the codecision procedure and subject to amendments - the report by Paolo **COSTA** (ALDE, IT) on the proposal amending Regulation (EC) N° 881/2004 establishing a European Railway Agency.

The main amendments adopted in committee are as follows:

Working parties: the committee proposes that the Agency may, where necessary, set up horizontal working parties to cover cross-disciplinary subjects such as health and safety at work. The Agency shall ensure that its working parties are competent and representative and that they include adequate representation from those sectors of industry and of those users affected by measures which might be proposed by the Commission on the basis of the recommendations addressed to it by the Agency. The work of the working parties shall be carried out in a transparent manner. Whenever the work has a direct impact on the working conditions and the health and safety of workers in the industry, representatives from the workers' organisations shall participate in the relevant working parties.

National safety rules: as important differences between Member States exist between infrastructures and rolling stock, MEPs believe that special attention should be made on safety clearance for infrastructure and rolling stock. They propose that, initially, the Agency shall identify and compare the differences between Member States regarding safety clearance for infrastructure and rolling stock. For the purposes of such work, a working party shall be set up and the involvement of stakeholders and the social partners shall be secured.

Role of the Agency: before 1 January 2010, the Agency, after consultation with the national safety authorities, shall propose solutions to reduce the number and the scope of the national rules relating to the classification of rolling stock in Group B. This group covers requirements used in specific countries that might be fit for cross-acceptance or technical characteristics of the infrastructure for safe and interoperable operation in the country in question. Moreover, as from 2015, and in cooperation with national competent safety authorities, the Agency shall be entrusted with the task of granting authorisations for placing in service vehicles conforming to TSIs.

Technical opinions: where negative decisions are taken by the Safety Authorities in the Member States regarding granting safety certificates or safety authorisations pursuant to Directive 2004/49/EC on Safety on the Community's railways, it should be provided for the applicants the possibility of requesting a technical opinion from the Agency. This can be seen as a complementary action regarding the control of the decisions taken by the national safety authorities. In addition, the Agency may be called upon to deliver technical opinions on the application of appropriate version of ERTMS due to the existing different versions of ERTMS.

Relationship between vehicle keepers and railway undertakings: within a period of 1 year for wagons and 2 years for other vehicles, from the date on which this Regulation enters into force, the Agency shall assess the relationship between vehicle keepers and railway undertakings with regard to maintenance. Within the same period, the Agency shall send to the Commission a report setting out, if necessary, recommendations on the implementation of a mandatory system of certification for vehicle keepers. The Agency's recommendations shall

cover in particular the following aspects: i) the content and the specifications of a mandatory and mutually recognised system of certification for vehicle keepers; ii) the type of certification bodies in charge of

implementing a mandatory system with national safety authorities or notified bodies; iii) the technical and operational inspections and controls to be carried out by the authorities of Member States.

European register: MEPs call on the Agency to set up and keep a European Register of authorised types of rolling stock. This register shall include the types of rail vehicles authorised by Member States and shall be accessible electronically. Member States shall inform the Agency regularly of any authorisations granted or suspended.

Staff: believing that the limitation of temporary agent contract to 5 years disturbs the continuity of the operation of the Agency, MEPs request that these contracts be extended for another period of up to a maximum of 3 years, when required to guarantee the continuity of service.