

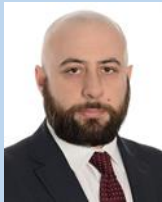
## NEWS IN BRIEF

### NEW MEMBERS OF THE ERFA BOARD:



**Bruno Silva**, CEO at MEDWAY, a Portuguese private rail freight operator has taken up the position of Director in ERFA's Board. MEDWAY offers its services in Portugal as well as in Spain and between Portugal/Spain.

**Maciej Gladyga**, Office Director of IGTL, a Polish self-government rail industry organisation has taken up the position of ERFA Board of Director. The association IGTL gathers over seventy companies operating in railway industry.



### ZESNAD: WELCOME TO ERFA!

ZESNAD is the association representing rail freight transporters in **Czech Republic**. Promoting the development and prosperity of rail freight transport represents their main goal.

### TEN-T DAYS IN LJUBLJANA

**Michal LITWIN**, ERFA Member, presenting the ERFA views in the panel discussion on "ERTMS: how to fund?" at the TEN-T Days Conference in Ljubljana.

During the Conference ERFA together with 40 European transport organisations signed the **LJUBLJANA declaration** highlighting the need for more budget for the next **EU Multiannual Financial Framework (MFF) 2021-2027**.

The transport sector plays a very important role in our day to day lives. It employs over 20 million people, which represents 10% of total EU employment. Every day the sector faces new challenges. To keep up with the times we need to continue the process of innovation we have begun. High EU financial resources are so important for the future!

## ERFA ANNUAL EVENT: let's give modal shift a chance!



ERFA's Annual event, focussed on the actions needed to **improve the competitive offer** of rail through **reducing track access charges** and **improving the reliability of the train services**. Enrico Pujia, General Director for Transport and Rail

Infrastructure at the Italian Ministry of Transport, and Joe Quill, Senior Economist at UK Office of Rail and Road (ORR) presented two **interesting tools** based on EU Regulation, which have improved the **quality** of the rail freight offering.

**Dirk Stahl**, CEO of BLS Cargo and **Michail Stahlhut**, CEO of SBB Cargo International, presented about the **consequences of Rastatt on the economy and customer confidence**, anticipating the results of a Study conducted by Hanseatic Transport Consultancy.

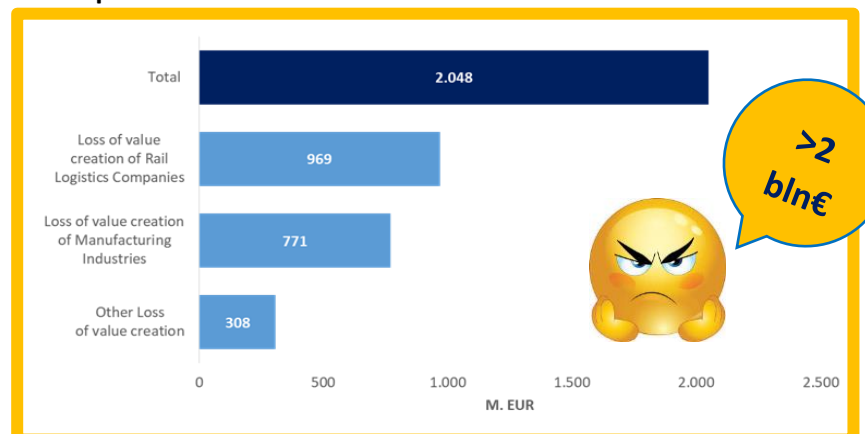
Highly appreciated was the detailed overview of the Recast directive regarding the **track access charges** shared with the audience by **Sian Prout**, Head of Unit Single European Railway Area at the **European Commission**.

All the presentations can be consulted on [line](#).



### THE ECONOMIC CONSEQUENCES OF THE RASTATT INTERRUPTION

ERFA, NEE and UIRR published the results of the study carried out by HTC (Hanseatic Transport Consultancy) which estimates the **economic damage of the Rastatt interruption from a rail logistic point of view**. The graph below clearly demonstrates the total amount of value-added losses caused by the **51 days of interruption**.



### SAVE THE DATE:

- 15<sup>th</sup> May: SERAC
- 16<sup>th</sup> May: the future of intermodal

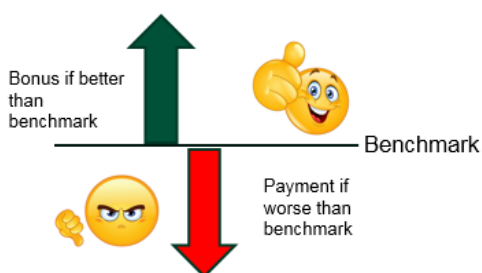
The figure includes the losses of added value on the expense and on the income side of rail logistics companies, their customers and other loss of value creation (process risks, disturbed added value for the infrastructure managers such as railway tracks and terminals).

The interruption undermined the trust of the shippers in the rail logistics for a long time, **now it is time to regain it.**

### WHAT ARE PERFORMANCE SCHEMES?

The ERFA Annual Event offered an opportunity to debate with Regulators (UK and Belgium) about performance schemes, which represent one of the ERFA priorities.

The UK performance scheme is the most elaborated one in Europe and foresees the **compensation to railway undertakings for planned as well as for unplanned disruptions.**



The railway undertakings can also be held responsible for unplanned disruptions caused (e.g. break-down of loco en route). The system can bring a financial risk for railway undertakings as well as for infrastructure managers.

The UK performance scheme has resulted in more trains on time, what is highly appreciated by ERFA. **Quality improvement is the priority number one** for the sector and a well-functioning performance scheme is one key element.

Developing a performance scheme is a positive way for Member States to **support modal shift** if the scheme is transparent, not too complicated and is conceived following a similar structure from country to country.

ERFA considers that the UK performance scheme is a best practice that can be used in Europe as a model in continuous progress. The **key success factor** for a performance scheme is: achieving **higher quality** improvement rather than extra administrative and legal work.

### Latest News on the REVISION OF COMBINED TRANSPORT DIRECTIVE

The amendments proposed by the MEP in charge of the legislative changes, Italian D. Aiuto, have been presented. She highlights the need of more **investments in combined transport terminals**, as well as more commitment to **reduce the burden of bureaucracy** and **increase digitalisation**.

The draft of European public and the rail freight transport sector should view the Combined Transport Directive not as a Member State level affair, but as a **solution to an important component of transport decarbonization, road congestion and pollution reduction**, as well as **road accident prevention**. It is increasingly important that every stakeholder of the intermodal sector **raise their voice** especially towards their national politicians, governments and ministries of transport with this message. ERFA supports UIRR position. The Combined Transport Directive must be presented as a progressive tool **to achieve the transformation of freight transport in Europe for Europe**. The vote in the Committee is expected to be in September 2018.

### 4<sup>th</sup> RAILWAY PACKAGE – Overview and available documents

With regard to (legal) documents “produced” so far in the context of the implementation of the 4<sup>th</sup> Railway Package’s Technical Pillar the table below provides useful information as well as the links or the respective documents.

Language versions other than English – if available, yet - can be found here:

[https://ec.europa.eu/info/law/law-making-process/types-eu-law\\_en](https://ec.europa.eu/info/law/law-making-process/types-eu-law_en)

4 <sup>th</sup> Railway Package's Technical Pillar – Documents		
Document	Where to find the document	Available language(s)
<b>Cluster: Safety Directive and Interoperability Directive</b>		
<b>New Safety</b> Directive Directive (EU) 2016/798 of the European Parliament and of the Council of 11 May 2016 on railway safety (recast)	<a href="http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2016.138.01.0102.01.ENG">http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2016.138.01.0102.01.ENG</a>	All languages
<b>“Old” Safety</b> Directive Directive 2004/49/EC on safety on the Community's railways (Railway Safety Directive)	<a href="http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1405504560784&amp;uri=CELEX:02004L0049-20091218">http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1405504560784&amp;uri=CELEX:02004L0049-20091218</a> v	All languages
<b>New Interoperability</b> Directive DIRECTIVE (EU) 2016/797 of the European Parliament and of the Council of 11 May 2016 on the interoperability of the rail system within the European Union	<a href="http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2016.138.01.0044.01.ENG">http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2016.138.01.0044.01.ENG</a>	All languages
<b>“Old” Interoperability</b> Directive Directive 2008/57/EC on the interoperability of the rail system within the Community (repealing Directives 96/48/EC and 2001/16/EC from 19 July 2010);	<a href="http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2008.191.01.0001.01.ENG">http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2008.191.01.0001.01.ENG</a>	All languages
<b>Cluster: ERA Regulation</b>		
Regulation (EU) 2016/796 of the European Parliament and of the Council of 11 May 2016 on the <b>European Union Agency for Railways</b> and repealing Regulation (EC) No 881/2004	<a href="http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2016.138.01.0001.01.ENG">http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2016.138.01.0001.01.ENG</a>	All languages
<b>Cluster: TSIs</b>		
<b>TSIs in force</b> (+ Application Guides)	<a href="http://www.era.europa.eu/Core-Activities/Interoperability/Pages/TechnicalSpecifications.aspx">http://www.era.europa.eu/Core-Activities/Interoperability/Pages/TechnicalSpecifications.aspx</a>	All languages
<b>Mandate</b> for the TSI revision	<a href="http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32017D1474">http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32017D1474</a>	All languages
<b>Cluster: Vehicle Authorisation</b>		
COMMISSION IMPLEMENTING REGULATION (EU) 2018/545 on practical arrangements for the <b>railway vehicle authorisation</b> and railway vehicle type authorisation process	<a href="http://ec.europa.eu/info/law/better-regulation/initiatives/c-2018-1866_en">http://ec.europa.eu/info/law/better-regulation/initiatives/c-2018-1866_en</a>	All languages
Application Guide	(Final document not yet available) Work in progress	-/-

Cluster: Safety Certification		
COMMISSION IMPLEMENTING REGULATION (EU) establishing practical arrangements for issuing <b>single safety certificates</b> to railway undertakings	<a href="http://eur-lex.europa.eu/legal-content/NL/ALL/?uri=pi_com%3AAres%282017%292424315">http://eur-lex.europa.eu/legal-content/NL/ALL/?uri=pi_com%3AAres%282017%292424315</a>	English
Application Guide	(Final document not yet available) Work in progress	-/-
Cluster Safety Authorisation		
Draft COMMISSION RECOMMENDATION on practical arrangements for issuing <b>safety authorisations</b> to infrastructure managers	Draft (Final document not yet available)  Work in progress (see attached draft documents for your information)	English
Cluster: ERTMS		
Draft Commission Recommendation on guidance for the harmonised implementation of the <b>European Rail Traffic Management System in the Union</b>	Draft (Final document not yet available)  Work in progress (see attached draft documents for your information)	English
Cluster: Board(s) of Appeal		
Commission Implementing Regulation laying down the rules of procedure of the <b>Board(s) of Appeal</b> of the European Union Agency for Railways	(Final document not yet available)  Written procedure (still) on-going	-/-
Cluster: Fees and Charges		
Commission Implementing Regulation on the <b>fees and charges</b> payable to the European Union Agency for railways and their conditions of payment	<a href="http://ec.europa.eu/transparency/regcomitology/index.cfm?do=search.documentdetail&amp;Dos_ID=15549&amp;DS_ID=55195&amp;Version=2">http://ec.europa.eu/transparency/regcomitology/index.cfm?do=search.documentdetail&amp;Dos_ID=15549&amp;DS_ID=55195&amp;Version=2</a>  (Comitology Register)	English
Cluster: European Vehicle Register (EVR)		
COMMISSION IMPLEMENTING ACT on the specification for the <b>European Vehicle Register</b> referred to in Article 47 of Directive (EU) 2016/797 and repealing Decision 2007/756/EC	(Final document not yet available)  To be voted by RISC in June 2018	-/-
Cluster: Revision of ECM Regulation		
Revision of <b>Regulation 445/2011</b> and scope extension	(Final document not yet available)  To be voted by RISC in January 2019	-/-

In addition the following table provides brief descriptions for the various EU Legal Acts:

Legal Act	Description
<b>Regulation</b>	A "regulation" is a <b>binding legislative act</b> . It must be applied in its entirety across the EU. No transposition
<b>Directive</b>	A "directive" is a <b>legislative act</b> that sets out a goal that all EU countries must achieve. However, it is up to the individual countries to devise their own laws on how to reach these goals. Transposition necessary
<b>Decisions</b>	A "decision" is <b>binding</b> on those <b>to whom it is addressed</b> (e.g. an EU country or an individual company) and is directly applicable.
<b>Recommendations</b>	A "recommendation" is <b>not binding</b> but allows the institutions to make their views known and to suggest a line of action without imposing any legal obligation on those to whom it is addressed.
<b>Implementing Act</b>	Before the Commission can adopt an implementing act, it must usually consult a committee in which every EU country is represented. The committee enables EU countries to oversee the Commission's work as it adopts an implementing act – a procedure referred to in EU jargon as ' <b>comitology</b> '.
<b>Delegated Act</b>	The Commission prepares and adopts delegated acts after consulting expert groups, composed of representatives from each EU country, which meet on a regular or occasional basis.

The following table provides an overview of the schedule for the **Revision of the NOI TSI, WAG TSI, ECM-Regulation and the European Vehicle Register**. Prior voting in RISC (Railway Interoperability and Safety Committee) the European Union Agency for Railways (ERA) send their recommendation to the European Commission which then is presented (P) in **RISC**. A final vote normally takes place in the then following RISC-Meeting.

ITEM	RISC 82 06.2018	RISC 83 11.2018	RISC 84 01.2019	RISC 85 04.2019	RISC 86 11.2019	RISC 87 Q1.2020	RISC 88 Q2.2020
Draft Commission Implementing Act on <b>TSI NOI</b> (existing wagons); „Quieter route scheme“	P	Vote					
Draft Commission Implementing Act on <b>TSI NOI</b> (technical issues addressed in 4th RP)			P				
ERA intermediate report <b>TSI NOI</b> revision (technical issues)				P	P		Vote
ERA Recommendation for Commission Implementing Act revised <b>ECM-Regulation</b>	P	P	Vote				
Draft Commission Implementing Act on the specification for the European vehicle Register ( <b>EVR</b> )	Vote						
Draft Commission Implementing Act on amendment of <b>TSI WAG</b> ; „Basic Design Characteristics“ and „Route Compatibility Checks“		P	Vote				
Progress on transposition of <b>4th RP technical pillar</b>				P			

Finally we want to inform you that the **“Group of Representative Bodies” (GRB)**, i.e. the platform of the recognized railway associations, e.g. ERFA, established a **“Guide to the 4<sup>th</sup> Railway Package – Technical Pillar”**. Following an introduction this Guide summarizes the important elements of the **new Interoperability and Safety Directives and the Regulation** concerning the European Union Agency for Railways.

The Guide can be found here: <http://grbrail.eu/index.php/faq>