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REPUBLIC OF SLOVENIA
MINISTRY FOR INFRASTRUCTURE AND ENERGY

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Subject: **Closure of the safety investigation into occurrence ERAIL SI-888 (wrong-side signalling failure, Lesce-Bled station, 1 April 2010) without a final report**

This document sets out the reasons for which the Air, Maritime and Railway Accident and Incident Investigation Unit (hereinafter: the investigation body) closed the safety investigation into the occurrence described below without issuing a final report, and completes the information on this occurrence held by the European Union Agency for Railways (ERA).

1. The occurrence

ERAIL reference:	SI-888
Occurrence type:	Wrong-side signalling failure
Date and time:	1 April 2010, 11:54
Location:	Switch No. 13, Lesce-Bled station, single-track line Jesenice – Ljubljana, km 617+512
Train:	Freight train No. 45442
Consequences:	No fatalities or injuries

When train No. 45442 was leaving track No. 2 of Lesce-Bled station, the locomotive driver noticed that switch No. 13 was set wrongly – towards track No. 1 instead of straight. The train forcibly displaced (trailed) the switch. In a different traffic situation the occurrence could have led to a collision of trains on track No. 1 or No. 2.

2. Status of the investigation

The occurrence was notified to ERA through ERAIL on 9 April 2010 with the legal basis “(a) the seriousness of the accident or incident” (Article 19(2) of Directive 2004/49/EC). The investigation was formally opened by the then Railway Accident and Incident Investigation Division of the Ministry of Transport, the predecessor of the investigation body. After the initial assessment, the investigation body decided not to continue the investigation and closed the case without issuing a final report.

3. Legal framework

The occurrence was an incident without fatalities, injuries or significant damage and was therefore not a serious accident within the meaning of Article 3(l) of Directive 2004/49/EC. Its investigation was discretionary.

Under Article 19(2) of Directive 2004/49/EC on safety on the Community's railways, which applied at the time, the investigation body may investigate accidents and incidents other than serious accidents and decides at its discretion whether or not to investigate, taking into account (a) the seriousness of the accident or incident, (b) whether it forms part of a series of accidents or incidents relevant to the system as a whole, (c) its impact on railway safety on a Community level, and (d) requests from infrastructure managers, railway undertakings, the safety authority or the

Member States. Under Article 19(3), the investigation body decides the extent of an investigation and the procedure to be followed, taking into account the lessons it expects to draw from the investigation for the improvement of safety. The same principles are now laid down in Article 20(2) and (3) of Directive (EU) 2016/798 on railway safety.

4. Assessment

Having assessed the occurrence against the criteria of Article 19(2) and (3) of Directive 2004/49/EC, the investigation body concluded that continuing the investigation would not result in relevant safety findings that would contribute significantly to the improvement of railway safety, for the following reasons:

– The consequences were limited to the forced displacement of switch No. 13; there were no fatalities, injuries or damage to rolling stock.

– The occurrence concerned a technical fault of a single element (switch No. 13) of the station interlocking. Its rectification and the verification of the correct functioning of the interlocking fall within the maintenance obligations and the safety management system of the infrastructure manager, under the supervision of the national safety authority.

– No indication was found that the occurrence formed part of a series of similar failures relevant to the railway system as a whole or that it had an impact on railway safety at Community level (Article 19(2)(b) and (c)).

– In accordance with the rules in force at the time, the infrastructure manager, Slovenske železnice d.o.o., was required to carry out its own investigation of the occurrence and to report its findings and the measures taken to the investigation body. The infrastructure manager submitted such a report. Since the cause of the occurrence was addressed by the measures already taken by the infrastructure manager, the investigation body considered that continuing its own investigation would not add safety value.

5. Decision

On the basis of the above, the investigation into occurrence SI-888 was closed without a final report. With this document the closure is communicated to ERA, and the occurrence is reported as closed in the data submitted to ERA. This document forms part of the case file.

With Regards,

Prepared by:

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