

# NEWSLETTER

June 2020

Editorial.....	1
Safety Certification .....	2
ERTMS_Trackside Approval .....	3
Vehicle Authorisation .....	4
ESG Task Force .....	5
News and Announcements .....	6

## Editorial



Dear Reader,

Today, we look back upon the first year of authorisation, certification and approval as European authority according to the Technical Pillar of the 4<sup>th</sup> Railway Package. As of 16 June 2020, the transposition of this legal package should have been completed in all concerned Member States – if it was not for COVID-19.

The long-term impact of the Corona crisis on rail transport will remain on top of our collective agendas for quite some time. The immediate impact for our operations has been, among others, the impediment of operations of the Notified Bodies (NoBos), for which ERA adopted a set of [relief measures for vehicle authorisation processes](#).

In order to coordinate an EU-wide set of measures to restore

passenger's confidence in rail transport, the European Commission has asked us to put together the COVID-19 information platform for rail stakeholders.

In this platform, we bring together National Safety Authorities (NSAs), rail representative bodies, and of course colleagues from DG MOVE in order to promote safe and efficient recovery across the EU – with proposed guidelines for health and safety, and a flexible framework in order to accommodate regulatory differences in different Member States.

Part of this process are fruitful exchanges with sister EU agencies such as the European Centre for Disease Prevention and Control (ECDC), but also other transport agencies such as the European Union Aviation Safety Agency (EASA).

While coordinating measures in response to the Corona situation, the focus of the Agency shifts back to its core business, namely assuming its role as European authority for railways. While five Member States kept the original deadline of transposing the package on 16 June 2020 (Croatia, Denmark, Germany, Latvia, and Slovakia), the remaining nine countries took advantage of the extension granted by the European legislators due to COVID-19. ([transposition map](#))

Looking back on our experience so far, we can already confirm two positive developments. Firstly, the

Europeanisation of these processes has brought the involved parties closer together – NSAs, applicants, and ERA, and created something that can only be described as a true European spirit. Secondly, we can testify that the harmonisation of authorisation/certification processes already spills over into other technical sub-categories, which means that we have taken a huge step towards reaching our ultimate goal – a technically integrated Single European Railway Area (SERA) that produces scalable, efficient, and affordable products.

If you wish to learn more on the return of experience of our first year as European authority, please sign up to our [Certification-Authorisation-Approval Webinar](#), which will be held on the (almost) historic date of 16 June 2020.

As public life resumes with deconfinement across the European continent, it is important not to forget the urgent issues we were set to tackle before the crisis – first and foremost the European Green Deal, and the indispensable [decarbonisation of European transport](#). Challenging times are ahead, and important decisions about the future of our continent will be taken. The Agency, as European authority for railways, with our combined competency and experience, will demonstrate how railways can be part of the solution.

*Josef Doppelbauer*  
Executive Director

Vehicle Authorisations	Single Safety Certificates	ERTMS Trackside Approvals
<p><b>638</b> delivered* representing in total <b>7800</b> vehicles</p>	<p><b>11</b> delivered</p>	<p><b>6</b> applications</p>
<p><b>56</b> projects ongoing</p>	<p><b>7</b> projects ongoing</p>	<p><b>13</b> initial engagements from which 5 closed</p>
<p>Delivery of conformity-to-type authorisations within an average time of 9,5 calendar days</p>		<p>One initial engagement can end in several approvals</p>
<p>* 599 conformity-to-type decisions; 18 pre-engagement baseline opinions; 16 decisions on vehicle type authorisation; 5 rejected applications.</p>		

## One year of Safety Certification by ERA

Interview with Mathieu Schittekatte, Team Leader Single Safety Certificate (SSC)

### With your team you have been designing and implementing the new process. How do you feel after the first year?

We have issued so far 11 single safety certificates for cross-border and domestic rail operations with different types of operations ranging from high-speed passenger transport to freight transport with dangerous goods.

Our experience is quite positive and confirmed that our process is sufficiently robust to process the applications and to deliver the single safety certificates in accordance with the railway undertakings' expectations. Collaboration with national safety authorities responsible for assessing the national part of applications went smoothly, without any need for arbitration.

To reach the full benefits of the 4<sup>th</sup> Railway Package, there is still room for further improvement when it comes to the cleaning of the national (safety) rules, the applicable national procedural rules and the conclusion of cooperation agreements on border stations (or sections). All actors concerned with this new process, including the Agency, have still to gain more experience and maturity.

### Could you tell us a bit more from your experiences?

Of course, the expectations from the applicants were high, sometimes requesting minimal time for the assessment. I'm proud that my team, with the support of our internal experts, managed to largely meet those expectations, even within a deadline much shorter than the legal requirement. This was possible thanks to a good reactivity

and a collaboration of true partnership between all parties involved.

The one-stop shop (OSS) is an important pillar to support our process, built upon requirements captured from all the actors across the railway sector and from all over the Union. In general, the applicants found the OSS easy to use, but from experience, paradoxically, we observe that some functionalities are too complex and need to be simplified to make the process even easier for the applicants.

There were, of course, difficulties encountered at the beginning by the applicants for updating their application files but in the meantime, the system has been improved and tutorials have also been made available to applicants. We are also developing video

tutorials for both the applicants and the authorities, which should facilitate even more the use of the OSS in the future.

During the course of the assessments, we were pleasantly surprised by the initiatives taken by the railway undertakings to improve their safety culture and to take into further consideration the human and organisational factors. Our objective is, as far as possible, to help applicants improve their safety management system, which is the cornerstone for ensuring the safety of rail operations. This positive approach by ERA was highly valued by the applicants. Most of them were very positive about the assessment experience with the Agency and appreciated how professional our staff were with them as well as the time taken to

help them understand what was required and to assist them in resolving technical or other issues.

Based on the lessons learned from the first year ERA is now simplifying the process. We are also enhancing our communication about the concept of (positive) safety culture and we will soon publish more training materials and guidelines, based on the European railway safety culture model. In addition we are updating our existing guides and providing additional clarification notes to assist our stakeholders, all available on our website.

**Any advice for future applicants?**

The different transposition dates of the 4<sup>th</sup> Railway Package in the Member States make the situation quite complex for the railway undertakings with an area of

operation in more than one Member State. That’s why my main advice to those applicants would be to contact ERA or the National Safety Authority or Authorities concerned as early as possible before submitting their application for a single safety certificate.

Being well prepared and knowing which evidence is required is essential for a smooth certification process. This is particularly true for whatever concerns the area of operation, including the operations to border stations, and the applicable national rules. Moreover, after submission, each applicant is invited to regularly check the status of its application in the OSS. This should contribute to facilitate the exchanges between the different parties.

## One year of ERTMS Trackside Approvals

Interview with Maria Angeles Bueno Cobos, Team Leader Trackside Approval (TA)

**The European legislation introduced ERTMS trackside approval as a totally new process in the railway sector. It is quite different from the SSC and VA processes. Could you share with us your experiences?**

Before the 4<sup>th</sup> Railway Package, the safety certifications and vehicle authorisations where responsibilities of the National Safety Authorities (NSAs). The main difference with the ERTMS trackside approval is that it is a new process. The applicants need to demonstrate that they control interoperability issues with the envisaged technical solutions’ details.

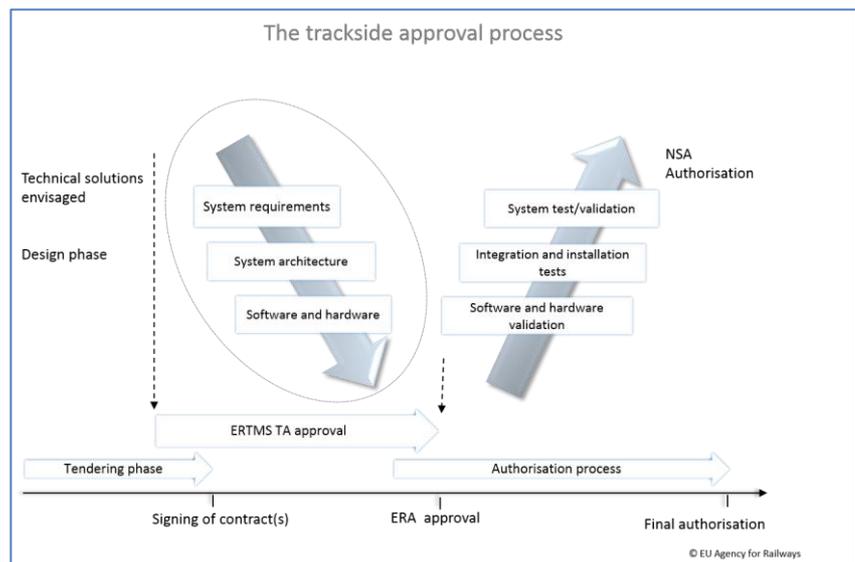
Our experiences with this new process highlighted that the envisaged technical solutions in current tenders do not have enough details to demonstrate interoperability. The approval process then goes beyond tender, during the design phase, and may take two years or more depending on the time for gathering the design requirements to build the envisaged

technical solution before it is implemented.

Contacting the Agency at the very beginning, before the tender is launched, is a legal must, but also of paramount importance for the success and timely implementation of new ERTMS trackside projects. The NSAs are automatically

informed by the OSS about new applications providing the opportunity to influence the process.

By involving the Agency in an early stage applicants receive detailed expert feedback on the relevant updates of technical design that prevents late corrections in the



projects. For example, tenders have been changed or are being adapted to install Baseline 3 instead of Baseline 2 (to be withdrawn in new on-boards) and to consider on-board from different suppliers to obtain certification.

### Why is involving ERA at an early stage so important?

As system authority for ERTMS the Agency is the body having all experience and competence to accompany applicants to avoid future interoperability issues which arise from different technical solutions in the Member States.

In addition since 2017 ERA and the sector have gained valuable experience during the learning

cases. ERA experts can anticipate issues based on lessons learned from other applications. Issues include latest detected interoperability issues on technical opinions, applicable relevant backward compatibility mitigations and issues detected in projects. Safety alerts that include compatibility issues are integrated in the issues list preventing interoperability problems in trackside projects in the design phase.

### How do you expect the coming months to be?

We will continue our excellent collaboration with applicants and National Safety Authorities. In addition, the Agency continues enhancing its efforts to inform the

sector and coming applicants by conferences, specific workshops, initial engagements, and conference calls during approvals, etc.

We provide the necessary information on our [website](#): legal references, application guide, clarifications if needed, and which documents are needed to describe the envisaged solutions as well as the two only templates of the documents specific to the approval process: function list and issue list. Except these two templates, all necessary documents of the application file for approval are existing project documents to be followed for the implementation of ERTMS.

## Is ERA prepared for a 'second wave' of Vehicle Authorisations from 16 June 2020 onwards?

Interview with Hugues Delsoir, Team Leader Vehicle Authorisation (VA)

### Applying new processes and despite COVID-19 crisis your team managed to authorise 7.800 vehicles till end of May 2020. Are you satisfied?

More important than the number of vehicles we authorised is that my team managed, together with the sector and the National Safety Authorities, to deliver all authorisations within the legal deadline required, and most of them even considerably earlier. None of our decisions have been reviewed or submitted to the Board of Appeal and we received no complaints or negative headlines.

The benefit of having a unified process across the EU supported by a unified tool, the OSS, has rendered the VA process smoother. From the perspective of distant working in a collaborative way with our NSA colleagues, the OSS has even shown to be an asset to continue delivering during the period of COVID-19 crisis.

### Could you share some of your experiences?

An aspect that all members of my team fully endorse and that makes our work very rewarding, regardless of any numbers, is the excellent

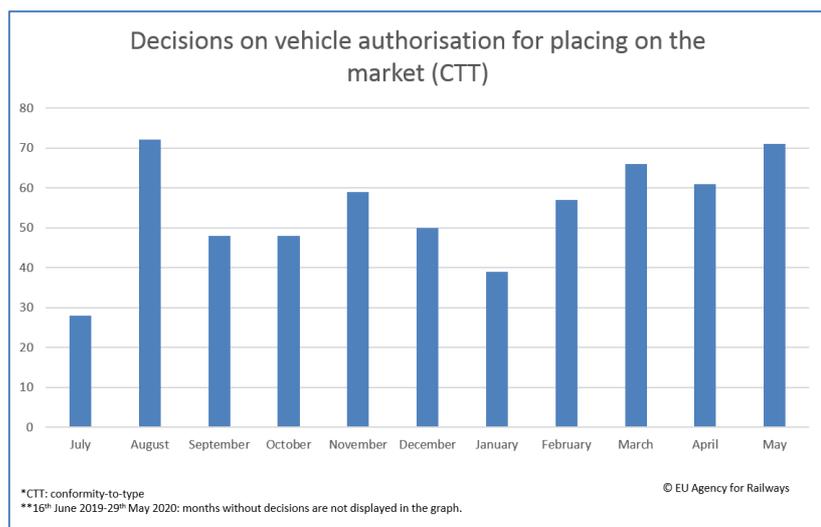
teamwork between everybody involved. Having been initially approached by some applicants with a serious dose of scepticism about the new processes and the capabilities of the Agency, we were quickly recognised for our competence and treated as 'colleagues' contributing to the success of a common project.

Having for the first time in Europe a single unified process to deliver vehicle authorisation cannot be demonstrated yet as beneficial as expected by the makers of the 4RP legislation, but it has already shown

its relevance through the generally good application of all actors from both the sector and the NSAs.

Of course, the expectancies of the applicants towards us as authority are high, which motivates us every day anew to excel.

We are surprised that working together in English language has been no problem at all, most applicants being fluent enough in English, or French or German. Also ERA staff was able to manage all other languages requested in the applications so far.



**We are expecting many more applications from 16 June 2020 onwards. Are you confident you will be able to manage?**

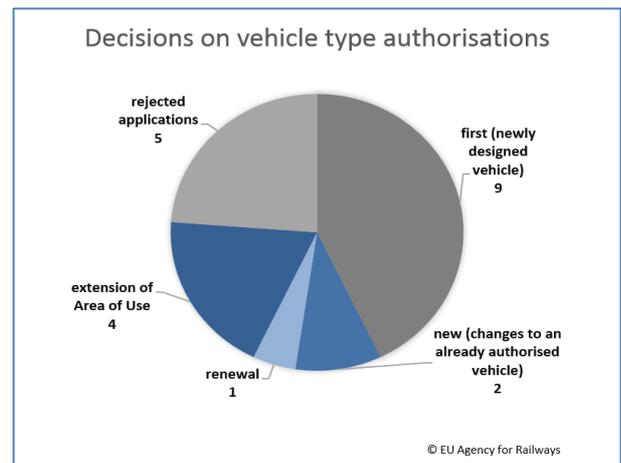
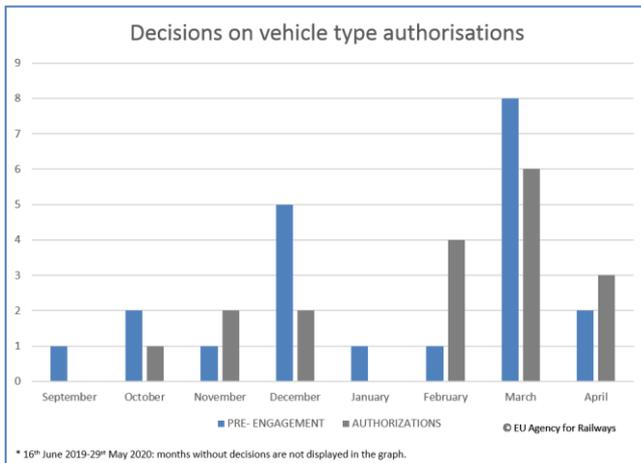
Every experienced project manager knows that good preparation and precise planning are key to make a project successful. Submitting VA applications is no exception. For instance: checking well in advance before filing the application in the OSS if the ERADIS database contains all necessary EC declarations or – certificates for interoperable components as well as organising efficient collaboration with certification bodies and NSAs from the very beginning may substantially contribute to a smooth assessment.

I advise all future applicants to contact ERA as early as possible. In addition to the pre-engagement ERA offers chargeable services where applicants get detailed expert advice on how to prepare their application file.

The return on investment of such advice is guaranteed in terms of considerable time- and cost savings during the assessment process. Based on this collaboration with the sector, sharing with us the same level of visibility as in the past 12 months, I'm confident that we will continue to manage very well, also after 16 June 2020.

My team continues to inform the sector about the new processes either through online meetings, conference participations, or dedicated trainings. We foster a flexible approach to optimally adapt to the applicant's needs and publish clarification notes on our [website](#) when questions or issues arise.

Together with the dedicated staff from the NSAs we will do our utmost to optimally accompany the applicants to ensure the success of their project and to attain the objectives set forward by the legislation.



## Spotlight on the business aspects of the 2022 TSI revision package

In our newsletter from April 2020 we informed about the new procedure applied to the revision of TSIs (Technical Specifications for Interoperability). Applying this new procedure should enable to react more rapidly on emerging technologies to considerably shorten their time-to-market.

Those new technologies may however trigger additional vehicle requirements. Examples of such innovations are ERTMS-functions (GPRS; TMS for ETCS L3; ATO GoA1/GoA2); battery powered trains TSI ENE); and auto-couplers (TSI WAG).

Even if there is no doubt about the benefits of such innovations, some of them may entail costly vehicle requirements which could negatively impact the business case of railway undertakings and other stakeholders.

Currently a few balancing mechanisms exist to cushion this impact for the concerned railway undertakings, however without guaranteeing a fair distribution of costs and benefits between those involved. In addition, different mechanisms (e.g. funding or differentiated network access charges) are applied for different

types of innovations or for the same innovation in different Member States.

As a consequence, there is a risk that the successful implementation of technically and economically feasible innovations in railways is hampered due to the lack of appropriate balancing schemes. In addition transition criteria still vary considerably between TSIs and a variety in types of transition arrangements exist. This may cause problems in future vehicle authorisation processes.

For these reasons ERA has set up a specific task force on Migration and Transition in December 2019 to

investigate cost compensation mechanisms for innovations and new functionalities as well as potential options for a better alignment of transition provisions between TSIs.

This task force, managed by the Analysis and Monitoring Unit, acts as a topical workgroup for the revision of TSIs as well. It addresses a number of change requests for the TSI 2022 package dealing with migration and transition (e.g. CR236).

On 2nd June 2020 the kick-off meeting of the task force on Migration and Transition took place.

A final report which covers proposals for CRs including solutions in the field of transition and migration is expected by mid 2021 so that the

output can be taken into account in the TSI 2022 package. For more information please contact Mitchell

van Balen, Wouter Malfait and Martin Schroeder.



## News from ERA



### Dates and announcements

Free webinar 16 June 2020: **“Certification, authorisation, approval”**, by our Executive Director Josef Doppelbauer and Thierry Breyne, Head of Planning and Approvals Delivery Unit.

Save the date: 2 - 3 December 2020, 9h30-13h: Remote seminar on the **Integration of Human and Organisational Factors (HOF) in Railway Automation**. Format: presentations and Q&A.

Save the date: the two weeks ETCR Summer Course on EU Transport Policy and Railway Affairs, which is jointly organised by College of Europe, the European Training Centre for Railways and ERA, will take place from 28 June to 9 July 2021.

Making the railway system work better for society.

© 2020, European Union Agency for Railways. All rights reserved.

**European Union Agency for Railways**  
120 rue Marc Lefrancq  
FR-59307 Valenciennes Cedex  
Tel. +33 (0) 327 09 65 00  
e-mail: [communication@era.europa.eu](mailto:communication@era.europa.eu)



[era.europa.eu](http://era.europa.eu)



[@ERA\\_railways](https://twitter.com/ERA_railways)



[linkedin.com/company/81030/](https://linkedin.com/company/81030/)