



The **4th**  
**Railway Package** -  
What does it mean  
for me?

## The 4th Railway Package - What does it mean for me?

### The 4th Railway Package and its technical pillar

The 4th Railway Package (4RP) is a set of legislative texts designed to complete the single market for rail services (Single European Railway Area). It should revitalise the rail sector and make it more efficient and more competitive vis-à-vis other modes of transport. The 4RP comprises a technical pillar and a market pillar. This brochure highlights the new tasks arising from the 'technical pillar' of the 4RP.

The 'technical pillar', which was adopted by the European Parliament and the Council in April 2016, enhances the role of the EU Agency for Railways ('the Agency') by introducing new tasks to ensure a uniform implementation of the EU framework. Further information on the legislation can be found in all EU languages on EUR-LEX website: <https://eur-lex.europa.eu>

### 4RP Technical Pillar

Regulation (EU) 2016/796 ('The Agency' Regulation)

Directive (EU) 2016/797 (Recast Interoperability Directive)

Directive (EU) 2016/798 (Recast Safety Directive)

### What are the benefits of the 4RP technical pillar?

The technical pillar is designed to boost the competitiveness of the European railway sector by significantly reducing the costs and the administrative burden for cross-border rail services. In particular, it will:

- save businesses from having to file costly multiple applications for vehicle authorisations and safety certificates in the case of operations beyond one single member state
- create a 'one-stop shop' IT tool which will act as a single entry point for all such applications, using easy, transparent and consistent procedures
- ensure that European Rail Traffic Management System (ERTMS) equipment is interoperable
- reduce the large number of remaining national rules, which create a risk of insufficient transparency and disguised discrimination against new railway undertakings.

### What are the main changes?

- A renewed framework for railway safety aiming at promoting safety culture
- A harmonised approach to safety certification where single safety certificates are granted to railway undertakings for the whole area of operation rather than having Part A and Part B certificates
- A new harmonised framework for vehicle authorisation
- A harmonised implementation of ERTMS in the Union with a prior check that the ERTMS trackside technical solutions envisaged are fully compliant with the relevant Technical Specifications for Interoperability (TSIs) and are therefore fully interoperable
- An enhanced role for the Agency in the EU rail system:
  - > The Agency will issue vehicle authorisations and safety certificates, and approve ERTMS trackside technical solutions
  - > The Agency will also be responsible for managing the 'one-stop shop' IT tool through which all application files for vehicle authorisations, safety certificates and ERTMS trackside approvals shall be submitted
- New approach for checking the technical compatibility of the vehicle with the route
- Clearer safety responsibilities for the different actors of the railway system
- More transparent identification of national rules.



## Who will be affected by the changes?

The changes brought by the technical pillar of the 4RP will affect anyone who:



## When do the new processes apply?

The member states shall transpose the 4th Railway Package by the 16th of June 2019 or, if notified to the Commission and the Agency, by the 16th of June 2020. During the period between these two dates, it is possible that different legal regimes will be

in place in adjacent countries. This will affect the arrangements for the assessment of applications for vehicle authorisations or safety certificates. Please contact your national safety authority or the Agency to request more information about your options.



## Practical arrangements: streamlining the processes of vehicle authorisation, safety certification and ERTMS trackside approval

In order to reduce the complexity, length and cost of the vehicle authorisation and safety certification processes, and foster collaboration among all the parties involved in these processes, both the recast Interoperability Directive and the recast Safety Directive have identified the need for practical arrangements harmonising the approach to vehicle authorisation and safety certification. These practical arrangements have materialised into new EU Regulations applicable to all parties involved in the vehicle authorisation and safety certification processes, respectively:

- **Commission Implementing Regulation (EU) 2018/545** of 4 April 2018 establishing practical arrangements for the railway vehicle

authorisation and railway vehicle type authorisation process

- **Commission Implementing Regulation (EU) 2018/763** of 9 April 2018 establishing practical arrangements for issuing single safety certificates to railway undertakings

To ensure the harmonised implementation and interoperability of ERTMS, the recast Interoperability Directive requires that the Agency checks the compliance of the technical solutions envisaged with the relevant Technical Specifications for Interoperability (TSI) and gives its approval by means of a decision. The approval process to be followed by the Agency and the applicants is described in an EC Recommendation.

## What should be done now?

The implementation of the 4RP brings significant changes to the railway sector. Make sure that you are prepared for these changes:

- Understand what impact these changes have on you and your business
- Check what your member state is doing to get ready for the changes

- Familiarise yourself with the applicable EU Directives and Regulations
- Read the Agency's guidance available on our website: [www.era.europa.eu](http://www.era.europa.eu)
- If you have any questions, contact the Agency by e-mail via the 'contact us' form on our website

## Safety Certification



- Introduction of the notion of 'single safety certificate' valid within the area of operation of the concerned railway undertaking to reduce administrative burdens (Part A and Part B safety certificates will no longer exist)
- The new 'single safety certificate' covers one or several member states. In the former case, the applicant can choose the safety certification body between the Agency and the national safety authority of the member state concerned. In the latter case, the Agency is the safety certification body
- Single harmonised EU process for safety certification

- All applications for a single safety certificate are submitted through the 'one-stop shop' IT tool
- The Agency acting as safety certification body is responsible for assessing the part of the application related to the EU requirements (i.e. the safety management system requirements). It coordinates with the national safety authority or authorities concerned with the intended area of operation for the assessment of compliance with the national rules notified by the relevant member state(s)
- Single safety certificates can be updated with restrictions or conditions of use, renewed or revoked
- The applicant can request pre-engagement with the concerned authorities before the submission of its application for a single safety certificate. Such pre-engagement should help clarify how the safety assessment process will be conducted, including the process of decision-making, and verify that the applicant has received sufficient information to know what is expected of it.

## ERTMS Trackside Approval

- ERTMS trackside approval is part of the application file for an authorisation for placing in service trackside control-command and signalling subsystems, involving the European Train Control System (ETCS) and/or the Global System for Mobile Communications – Railway (GSM-R) equipment
- Following a request for approval, the applicant provides the complete application file that describes the envisaged technical solution
- The Agency evaluates the application file to make a positive decision on the technical solution envisaged and issue an approval when appropriate

- The approval decision is based on the demonstration of controlling issues identified in previous ERTMS projects that may hinder interoperability
- National safety authorities may be involved in this process by issuing an opinion at any stage (but are still responsible for the authorisation of the placing into service of the trackside equipment) and will have full visibility through the 'one-stop shop' IT tool
- Prospective applicants are invited to engage with the Agency as soon as possible and provide information on any possible ERTMS (including GSM-R only) project that may be subject to the approval process.



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## Vehicle Authorisation

- Introduction of the notion of 'vehicle authorisation for placing on the market' to allow for commercial transactions of vehicles anywhere in the Union and to reduce administrative burdens
- The new notion of 'vehicle authorisation for placing on the market' covers one or several member states. In the former case, the applicant can choose the authorising entity between the Agency and the national safety authority of the member state concerned. In the latter case, the Agency is the authorising entity
- Single harmonised EU process for vehicle authorisation for placing on the market and vehicle type authorisation
- All applications for a vehicle type authorisation are submitted through the 'one-stop shop' IT tool
- The Agency acting as authorising entity is responsible for assessing the part of the application related to the EU requirements (i.e. TSIs). It coordinates with the national safety authority or authorities concerned with the intended area of use for the assessment of compliance with the national rules notified by the relevant member state(s)
- National safety authorities may issue a temporary authorisation to use the vehicle for tests on the network

- The applicant is responsible, as part of its application for a vehicle type authorisation, for capturing the applicable requirements and ensuring that they are met
- Clarification of the definition of 'vehicle type version' and introduction of a new definition for 'vehicle type variant' to accommodate the concept of 'platforms' in vehicle type authorisations
- Vehicles already authorised under a previous regime remain authorised until a change is made that makes it necessary to apply for a new authorisation. When a new authorisation is required, only the change and the interface with the unchanged parts are assessed
- Vehicle type authorisation and/or vehicle authorisation for placing on the market can be suspended, revoked or amended
- The applicant can request pre-engagement with the concerned authorities before the submission of its application for a vehicle type authorisation. Such pre-engagement should help clarify how the vehicle authorisation process will be conducted, including the process of decision-making, and verify that the applicant has received sufficient information to know what is expected of it.

What are the key changes brought by the new processes?



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