

Making the railway system
work better for society.

RECOMMENDATION N° 007REC1004 OF THE EUROPEAN UNION AGENCY FOR RAILWAYS

on

*Extension/Revision of Commission Regulation (EU) No 445/2011 on
a system of certification of entities in charge of maintenance for
freight wagons.*

THE EXECUTIVE DIRECTOR

HAVING REGARD TO Regulation (EU) 2016/796 of the European Parliament and of the Council of 11 May 2016 on the European Union Agency for Railways and repealing Regulation (EC) No 881/2004, hereafter referred to as the 'Agency Regulation', in particular Articles 4, 5 and 15 thereof,

HAVING REGARD TO Directive (EU) 2016/798 of the European Parliament and of the Council of 11 May 2016 on railway safety (Recast), hereafter referred to as the 'Railway Safety Directive', in particular Article 14 and 28 thereof .

Whereas

- (1) The Safety Directive (Article 14.7) provides for that: *'by 16 June 2018, the Agency shall evaluate the system of certification of the entity in charge of maintenance for freight wagons, consider the expediency of extending that system to all vehicles and the mandatory certification of maintenance workshops and submit its report to the Commission'*.
- (2) The European Commission requested to European Agency for Railway, via a mandate ref MOVE/B.2/GR/jt Ares (2016)977873, to prepare the recommendation provision for the extension/revision of the regulation 445/2011
- (3) In accordance with Article 5 of the Agency Regulation and with the work programme of the Agency, a working party has been established for supporting the Agency in making a proposal for a recommendation.
- (4) An impact assessment in accordance with Article 8 of the Agency Regulation has been carried out during the revision of the regulation.

HAS ADOPTED the following recommendation:

- › Proposal of a draft implementing act on a system of certification of entities in charge of maintenance for vehicles and repealing Regulation (EU° N) 445/2011
- › Full Impact Assessment on the Extension/Revision of the Commission Regulation (EU) No 445/2011 of 10 May on a system of certification of entities in charge of maintenance for freight wagons
- › Accompanying report on Extension/Revision of Commission Regulation (EU) No 445/2011 on a system of certification of entities in charge of maintenance for freight wagons.
- › The Agency considers that its proposal on safety critical components in the implementing act is an initial necessary step but that improvements have to be performed to accompany effectively the railway sector and the authorities to understand and manage the concept of safety critical components. The agency recommends that it should be mandated for further developments.

This recommendation is addressed to the European Commission.

Valenciennes, 27.09.2018


Josef DOPPELBAUER
Executive Director