Annual report of the Federal Minister for Transport, Innovation and Technology for the reference year 2017

pursuant to Section 13a of the Railways Act 1957 (EisbG) in implementation of Article 18 of Directive 2004/49/EC on safety on the Community’s railways

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# Objective of the annual report

Pursuant to Section 13a of the Railways Act 1957, the Federal Law on railways, rail vehicles on railways and traffic on railways [Bundesgesetz über Eisenbahnen, Schienenfahrzeuge auf Eisenbahnen und den Verkehr auf Eisenbahnen (Eisenbahngesetz 1957 – EisbG), Federal Law Gazette [Bundesgesetzblatt (BGBl.)] No 60/1957, as last amended by BGBl. I No 137/2015, this annual report

* has been drawn up by the Federal Minister for Transport, Innovation and Technology as the national safety authority,
* published on the website of the Federal Ministry of Transport, Innovation and Technology,
* sent to the European Railway Agency,
* and covers the activities of the national safety authority as the supervision, licensing and railway safety authority for railway infrastructure and railway undertakings
* in respect of the operation of main line railways and the secondary railways connected to them, the operation of rail vehicles on such railways and traffic on such railways in the Republic of Austria in the reference year 2017.

# Scope of the annual report

## Introduction

Pursuant to Section 13a EisbG, the Federal Minister for Transport, Innovation and Technology must prepare a report every year on his activities during the previous year in respect of the operation of main line railways and the secondary railways connected to them, the operation of rail vehicles on such railways and traffic on such railways.

* Section 13a EisbG is based on Article 18 of Directive 2004/49/EC of the European Parliament and of the Council on safety on the Community’s railways and amending Council Directive 95/18/EC on the licensing of railway undertakings and Directive 2001 /14/EC on the allocation of railway infrastructure capacity and the levying of charges for the use of railway infrastructure and safety certification, OJ L 164, 30.4.2004, p. 44.
* Pursuant thereto, the national safety authority is to publish a report concerning the activities in the preceding year and send it to the European Railway Agency.
* The report should contain information on the development of railway safety, including an aggregation at Member State level of the common safety indicators (Common Safety Indicators - CSI) laid down in Annex I, important changes in legislation and regulation concerning railway safety, the development of safety certification and safety authorisation, and results of and experience relating to the supervision of infrastructure managers and railway undertakings.

Pursuant to Section 13a(2) EisbG, the annual report must contain

* an aggregation of the common safety indicators in accordance with Annex I to Directive 2004/49/EC;
* important changes in federal legislation and regulations adopted on the basis of federal law which relate to the construction or operation of the railways listed in paragraph 1, the operation of rail vehicles on such railways and traffic on railways;
* the development of safety certification and safety authorisation; and
* results of and experience relating to the supervision of railway infrastructure managers and railway undertakings.

The data of the Federal Safety Investigation Authority is used as a basis for the annual report. Pursuant to Section 13a(3) EisbG, it must make available the data necessary for aggregating the common safety indicators for the year to the Federal Minister for Transport, Innovation and Technology at the latest by 30 June of the calendar year following the year to which the report refers in an electronic form.

The railway undertakings’ safety reports pursuant to Section 39d EisbG, which must be sent to the Federal Minister for Transport, Innovation and Technology by 30 June for the previous calendar year, form a further basis for the annual report. The safety reports contain

* information on how the organisation’s corporate safety targets were met;
* the Austrian and common safety indicators insofar as they are relevant to the railway undertaking in question;
* the results of internal safety auditing; and
* observations on deficiencies and malfunctions which have compromised the safety of railway operations, the operation of rail vehicles on the railway or traffic on the railway.

In addition, pursuant to Article 18(2) Commission Implementing Regulation (EU) No 402/2013 on the common safety method for risk evaluation and assessment and repealing Regulation (EC) No 352/2009, OJ L 121, 3.5.2013, p. 8, as last amended by Commission Implementing Regulation (EU) 2015/1136 amending Implementing Regulation (EU) No 402/2013 on the common safety method for risk evaluation and assessment, OJ L 185, 14.7.2015, p. 6, the Federal Minister for Transport, Innovation and Technology must report on the experience of the proposers with the application of the common safety methods (CSMs) for risk evaluation and assessment, and, where appropriate, his own experience.

This annual report is structured as recommended by the European Railway Agency. The primary target group is the rail sector in Austria and Europe, though it is also aimed at politicians, representatives of business and the press from other sectors, as well as interested members of the general public.

## English summary

In Austria general duties for railway undertakings and infrastructure managers are laid down in the Austrian Railway Act: ‘Eisenbahngesetz 1957’, published in ‘Bundesgesetzblatt BGBl No. 60/1957’, as last amended by ‘BGBl. I No. 137/2015’. The detailed regulations of railway undertakings concerning the training, behaviour of staff concerned with safety critical tasks are subject of authorisation by the Railway Authority.

Beginning from 01.01.2006, the National Investigation Body (‘Sicherheitsuntersuchungsstelle (SUB)’) according to the regulations in the Austrian Accident Investigation Act (‘Bundesgesetz über die unabhängige Sicherheitsuntersuchung von Unfällen und Störungen (Unfalluntersuchungsgesetz – UUG 2005))’, published in ‘Bundesgesetzblatt BGBl I No. 123/2005’ as last amended by ‘BGBl. I No. 102/2017’ started its work as an independent body according to Article 21 of the Safety Directive concerned with the investigation of accidents/incidents.

Safety indicators relating to accidents, incidents and near-misses, to technical safety of infrastructure and its implementation are collected by the SUB.

Safety performance on member state level is controlled on different levels: eg by approval process of subsystems, supervision of the railway undertakings und infrastructur managers, maintenance rules and by accident and incident investigation. Railway undertakings and infrastructure managers have to fulfil obligations for periodical checking, reviewing and inspections. Furthermore safety performance is individually checked on the occasion of certain incidents within the context of supervision and investigation.

## Safety record and strategy

1. Main conclusions for the reporting year

The safety level of rail transport in Austria has improved in comparison with the previous year. This safety level is evident primarily from the development of the accident figures, which, taking account of the annually increasing volume of transport operated by the railway undertakings, are generally falling. It was not possible to identify any significant structural weaknesses in the railway undertakings or significant defects relevant or detrimental to safety in the context of the monitoring activities carried out.

Overall, an increase in the number of signals passed without authorisation was observed in 2017. The Federal Minister for Transport, Innovation and Technology undertook investigations in this regard in the reporting year 2017, and they should start to produce results in the coming years. Chapter 2.3.4. contains further information on the passing of signals without authorisation.

There were also several incidents involving runaway freight wagons within the space of a few months in 2017, presumably caused by defects in the securing of railway vehicles and in hand brake securing mechanisms. Investigations into this were conducted and a recommendation was issued by the Federal Minister for Transport, Innovation and Technology.

1. National safety strategies, programmes and initiatives

Significant restructuring took place in the Federal Ministry of Transport, Innovation and Technology in the reporting year 2017. In the context of this restructuring, a separate department was created to perform the supervisory tasks of the Federal Minister for Transport, Innovation and Technology. The issuing of the safety certificates and safety approvals and the performance of supervisory activities are now carried out by two different departments.

The new internal structure of the Federal Ministry of Transport, Innovation and Technology as at 31 December 2017 is presented in Annex B.

1. Assessment of the previous year

Routine monitoring visits at the registered office of the undertaking as well as non-routine monitoring procedures were conducted in the reporting year 2017.

The monitoring visits at the registered office of the undertakings focused on the procedures established in the safety management system by means of random inspections.

On the basis of specific cases that gave cause for investigation (for example safety recommendations by the Federal Safety Investigation Authority, findings made in the context of proactive monitoring activities, information provided by, for example, staff representatives), the Federal Minister for Transport, Innovation and Technology conducted non-routine supervisory procedures (investigative procedures involving, for example, document inspection, the obtaining of expert opinions, and on-the-spot checks of operations).

1. Priority areas for next year

The cases in which signals were passed without authorisation prompted the Federal Minister for Transport, Innovation and Technology to look into the causes of such incidents in more depth. The main aim here is to verify the extent to which the railway undertakings have already taken the preventive measures required in the context of continuous improvement of the safety management system on the basis of the incidents that have been investigated and evaluated, and/or the extent to which they have already taken the necessary precautions within the meaning of Section 19 EisbG.

Another priority area will be the following-up of the recommendation of the Federal Minister for Transport, Innovation and Technology in relation to the securing of stationary vehicles in order to prevent them from running away. In summer 2017, the Federal Minister for Transport, Innovation and Technology sent a letter to all railway undertakings operating on the national infrastructure and to the railway infrastructure managers. The implementation work and experiences of the railway undertakings are being evaluated by the Federal Minister for Transport, Innovation and Technology in 2018.

## Developments in the safety sector

* + 1. In-depth analysis of the trends noted in the recent past

The development of the common safety indicators pursuant to Directive 2004/49/EC, as amended by Commission Directive 2014/88/EU amending Directive 2004/49/EC of the European Parliament and of the Council as regards common safety indicators and common methods of calculating accident costs, OJ L 201, 10.7.2014, p. 9, in 2016 is summarised below:

* Pursuant thereto, a ‘significant accident’ means any accident involving at least one rail vehicle in motion, resulting in at least one killed or seriously injured person, or in significant damage to stock, track, other installations or environment, or extensive disruptions to traffic, excluding accidents in workshops, warehouses and depots. ‘Significant damage to stock, track, other installations or environment’ means damage that is equivalent to EUR 150 000 or more. ‘Extensive disruptions to traffic’ mean that train services on a main railway line are suspended for six hours or more.
* 60 significant accidents within the scope of the Railway Safety Directive were reported in 2017.
* The number of significant accidents fell in comparison with 2016, from 87 to 60 in 2017. The number of other types of accidents listed in the annual report – collisions of trains and derailments of trains – remained the same. Accidents on level crossings, accidents involving a vehicle in motion and other accidents recorded a decrease in relation to 2016. There were no fires in rolling stock in 2017.
* The total number of persons killed by all types of accident fell from 31 in 2016 to 18 in 2017. The number of persons seriously injured also fell in comparison with the previous year, with 53 in 2016 and 38 in 2017.
* As regards the different groups of persons killed, the groups ‘trespassers’ with 10 fatalities and ‘level crossing users’ with 7 fatalities constitute the majority of accident victims. Among the persons seriously injured, the groups ‘level crossing users’ with 19 and ‘passengers’ with 10 make up the largest proportion.

Data on the individual common safety indicators for 2017 together with notes referring to the various common safety indicators are provided in Annex A.

* + 1. Results of safety recommendations

The following section lists the safety recommendations made in accident investigation reports in 2017:

A-2017/001

In its letter of 19 January 2017, the Federal Safety Investigation Authority sent the following safety recommendation to the Federal Minister for Transport, Innovation and Technology, as the Highest Railway Authority, and to the railway infrastructure managers, as the bodies or undertakings that are able to convert the safety recommendation into appropriate measures for preventing incidents:

‘It is recommended that the track-level platform entrances at km 43 517 and km 43 559 in Kirchstetten station be secured by barriers or other technical or structural measures.

Until the implementation of this safety recommendation, it is recommended that a suitable employee be used to secure each of the two track-level platform entrances in Kirchstetten station.

Reasoning: In Kirchstetten station, there are two track-level platform entrances which must be supervised when movements are allowed pursuant to Section 86(2) EisbBBV.

*Simultaneous supervision for both entrances cannot be guaranteed with a probability bordering on certainty by one employee.’*

The safety recommendation was examined by the Highest Railway Authority from a technical perspective, consulting experts in the fields of railway operations and railway structural engineering. This examination led to the conclusion that the considerations underlying the safety recommendation should be pursued in the scope of the monitoring activity.

Firstly, the infrastructure manager was asked to provide observations by letter of 21 January 2017. The two sets of observations submitted by the infrastructure manager referred to the measures taken by the infrastructure manager and the results of the inspections and are to be subsequently examined by the Highest Railway Authority by way of the (provisional) investigation report when it is made available.

The measures provided by the Highest Railway Authority that are planned in response to the safety recommendation are therefore still being implemented.

A-2017/002

In its letter of 19 January 2017, the Federal Safety Investigation Authority sent the following safety recommendation to the Federal Minister for Transport, Innovation and Technology, as the Highest Railway Authority, and to ÖBB-Infrastruktur Aktiengesellschaft, as the undertaking that is able to convert the safety recommendation into appropriate measures for preventing incidents:

‘The infrastructure managers are to evaluate whether measures within the meaning of safety recommendation A-2017/001 are to be implemented at other operation points with identical or similar conditions.’

The safety recommendation was examined by the Highest Railway Authority from a technical perspective, consulting experts in the fields of railway operations and railway structural engineering. This examination led to the conclusion that the considerations underlying the safety recommendation should be pursued in the scope of the monitoring activity.

Firstly, the infrastructure manager was asked to provide observations by letter of 21 January 2017. The two sets of observations submitted by the infrastructure manager referred to the measures taken by the infrastructure manager and the results of the inspections and are to be subsequently examined by the Highest Railway Authority by way of the (provisional) investigation report when it is made available.

The measures provided by the Highest Railway Authority that are planned in response to the safety recommendation are therefore still being implemented.

A-2017/003

In its letter of 10 March 2018, the Federal Safety Investigation Authority sent the following safety recommendations to the Federal Minister for Transport, Innovation and Technology, as the Highest Railway Authority, and to the railway undertakings and railway infrastructure managers, as the bodies or undertakings that are able to convert the safety recommendation into appropriate measures for preventing incidents:

‘The provisions of the ÖBB DV V3 Operating Instructions (Section 18) concerning the securing of stationary vehicles are to be examined with regard to whether, when securing stationary vehicles, it is not only necessary to consider the inclination ratios and the length of the parked vehicles, but the mass of the parked vehicles must also be a factor to be evaluated.

It is also to be examined to what extent the mandatory use of the lockable brake shoe mentioned in the DV V3 Operating Instructions (Section 18(5)) has to take place without exception at remote-controlled operation points.’

The safety recommendation was examined by the Highest Railway Authority from a technical perspective, consulting experts in the fields of railway operations and rail vehicle engineering. This examination led to the conclusion that the safety recommendation should be pursued and additional measures should be taken.

After completion of the two recommended examinations, the infrastructure manager requested a change to the service regulations cited. These service regulations are to be complied with by all railway undertakings exercising access on the basis of the rail network use conditions.

The Highest Railway Authority also referred to necessary measures in a general letter concerning ‘securing stationary rail vehicles’ of 23 June 2017. The subject is also being pursued as a priority in the scope of the monitoring activity.

The measures provided by the Highest Railway Authority that are planned in response to the safety recommendation have therefore been completed.

A-2017/004 to A-2017/008

The Federal Safety Investigation Authority did not make any safety recommendations bearing those numbers in 2017.

A-2017/009

In the investigation report ‘Collision of Z 90 with a vehicle part in Stierschweiffeld Tunnel on 23 September 2016’ of 19 September 2017, the Federal Safety Investigation Authority sent the following safety recommendation to the Federal Minister for Transport, Innovation and Technology, as the Highest Railway Authority, and to the railway undertaking, as the undertaking that is able to convert the safety recommendation into appropriate measures for preventing incidents:

‘Ensure that passenger attendants without operational training receive a list of measures in relation to regulations, incidents and defects in their native language.

Note: for example, provisions regarding locking the side entrance doors.’

The safety recommendation was examined by the Highest Railway Authority from a technical perspective, consulting experts in the fields of railway operations and rail vehicle engineering. This examination led to the conclusion that the considerations underlying the safety recommendation should be pursued in the scope of the monitoring activity.

Basically, the provision of a list of measures in itself has not yet allowed the necessary practices and operational information to be known and also applied by the persons concerned before they are supposed to be mandatorily applied by those persons. The safety recommendation is also based on incorrect legal requirements insofar as operational training for passenger attendants is in any case expressly provided for by law:

* Pursuant to Regulation (EU) 2015/995 concerning the technical specification for interoperability relating to the ‘operation and traffic management’ subsystem (TSI OPE), point 4.6.4., the railway undertaking must make sure that the auxiliary staff (for example, catering and cleaning) not forming part of the train crew is, in addition to their basic training, are also trained to respond to the instructions of the fully trained members of the train crew.
* Pursuant to Regulation (EU) 1303/2014 concerning the technical specification for interoperability relating to ‘safety in railway tunnels’ (TSI SRT), point 4.6.1.(e), auxiliary train staff (for example, catering, cleaning) who do not form part of the train crew shall, in addition to their basic training, be trained to support the actions of the train crew.
* The provision of operational information in operational service and the performance of activities in connection with emergency management may be carried out only where the necessary capability exists (points 2 and 4 of Section 23(1) EisbEPV).
* Under Section 34(1) EisbEPV, operational activities for the safety of railway users when evacuating trains may be performed only by railway workers with the relevant capability (‘train evacuation’), with Section 34(5) EisbEPV stipulating a practical test regarding the general, infrastructure- and vehicle-related technical knowledge. A separate test regarding operational service may be dispensed with under the conditions cited in the last sentence of Section 23(6) EisbEPV.
* Pursuant to point 4 of Section 2(1) EisbEPV and Section 12(7) EisbEPV, the capability required for qualified activity cited in the EisbEPV arises, inter alia, from having sufficient knowledge of the German language.

In respect of the locking of side entrance doors and the checking thereof, the simple provision of a list of measures in relation to regulations, incidents and defects in the native language of the passenger attendants is therefore inadequate in any case.

In this regard, the attention of the railway undertaking was drawn to the legal situation and a monitoring procedure was initiated. In addition, monitoring of all infrastructure managers and railway undertakings on main lines was initiated on the subject of ‘qualification of railway workers who perform activities for guaranteeing safety’.

The measures provided by the Highest Railway Authority that are planned in response to the safety recommendation have therefore been completed.

A-2017/010

In the investigation report ‘Collision of Z 90 with a vehicle part in Stierschweiffeld Tunnel on 23 September 2016’ of 19 September 2017, the Federal Safety Investigation Authority sent the following safety recommendation to the Federal Minister for Transport, Innovation and Technology, as the Highest Railway Authority, and to the European Railway Agency, as the body that is able to convert the safety recommendation into appropriate measures for preventing incidents:

*‘Verify whether, in the medium term, only passenger carriages bearing the RIC interoperability symbol and equipped with side-selective door control may be used on the interoperable tracks of the EU, as stipulated by ANSF (Italy’s national rail safety authority).’*

The verification by the Highest Railway Authority recommended by the safety recommendation was carried out in consultation with experts in the fields of railway operations and rail vehicle engineering and resulted in the objective not being pursued.

With regard to the European Railway Agency, it must be noted that its tasks are clearly laid down in provisions of EU law. They do not include the establishment of general legal acts. The Federal Minister for Transport, Innovation and Technology is also not competent to perform supervisory activity over the European Railway Agency or, by way thereof, to insist on the implementation of the safety recommendation by the European Railway Agency.

From a legal perspective, it must also be noted that the European Union establishes, in a generally binding manner, the EU-wide uniform technical requirements regarding rail vehicles, in particular through the Interoperability Directive in conjunction with the Technical Specifications for Interoperability (TSI). The agreement made between railway undertakings as from 1922 on the exchange and use of passenger carriages in international rail traffic (Regolamento Internazionale delle Carrozze – RIC) applies only between those railway undertakings which approved the agreement. The safety report does not provide any reason for completely changing the system by moving away from the interoperability rules and towards an agreement between railway undertakings in consideration of the demands of a national safety authority (Agenzia Nazionale per la Sicurezza delle Ferrovie – ANSF).

The LOC&PAS TSI applies to new type-approvals and operating authorisations. On the basis of the provisions of the current LOC&PAS TSI, new vehicles (individual vehicles) must fundamentally have side-selective door control. However, the LOC&PAS TSI applies only to the new commissioning of vehicles, not to the operation of trains. The EisbBBV does not generally prescribe side-selective door control, but suitable side-selective door control is the prerequisite for operation without a conductor.

From a technical perspective, it must be considered that, even if each individual vehicle of a train has such door control, the train as a whole still does not have to have side-selective door control if, for example, the systems of the individual carriages are not compatible or the traction unit does not have a corresponding device.

In respect of the safety recommendation, it is not apparent to what extent side-selective door control could have contributed to the side entrance door not tearing away from the mount, and therefore to making it possible to avoid identical or similar incidents in the future, especially since, on page 13 of the report, it is stated in relation to the vehicle that caused the accident that the latter had such a device in any event.

For the reasons cited, there is no provision for creating a stipulation according to which, in the medium term, only passenger carriages bearing the RIC interoperability symbol and equipped with side-selective door control may be used on the interoperable tracks of the EU, as stipulated by ANSF (which may also exclude interoperable vehicles, and in any event multiple units).

The measures provided by the Highest Railway Authority that are planned in response to the safety recommendation have therefore been completed.

A-2017/011

In the investigation report ‘Collision of Z 90 with a vehicle part in Stierschweiffeld Tunnel on 23 September 2016’ of 19 September 2017, the Federal Safety Investigation Authority sent the following safety recommendation to the Federal Minister for Transport, Innovation and Technology, as the Highest Railway Authority, and to the European Railway Agency, as the body that is able to convert the safety recommendation into appropriate measures for preventing incidents:

‘Verify whether an entry in the European Register of Authorised Types of Vehicles pursuant to Article 34 of Directive 2008/57/EC is required for vehicles from neighbouring countries of the Community which do not need authorisations for placing in service pursuant to point 12 of Article 21 of Directive 2008/57/EC.

Note: This concerns vehicles with RIC and RIV from the Republic of Belarus, the Russian Federation, the Republic of Moldova, Ukraine, the Republic of Turkey, Bosnia and Herzegovina, the Republic of Macedonia, Montenegro, the Republic of Albania, the Republic of Serbia, ....’

The verification by the Highest Railway Authority recommended by the safety recommendation was carried out in consultation with experts in the fields of railway operations and rail vehicle engineering and resulted in the objective not being pursued.

With regard to the European Railway Agency, it must be noted that its tasks are clearly laid down in provisions of EU law. They do not include the establishment of general legal acts. The Federal Minister for Transport, Innovation and Technology is also not competent to perform supervisory activity over the European Railway Agency or, by way thereof, to insist on the implementation of the safety recommendation by the European Railway Agency.

There is no provision for the registration of type approvals in the ERATV (European Register of Authorised Types of Vehicles) for vehicles which were authorised in non-EU states. There is no obligation in this regard for the operation of the vehicles.

Registration of vehicles from neighbouring countries of the European Union, which do not need authorisation for placing in service pursuant to point 12 of Article 21 of Directive 2008/57/EC, in the European Register of Authorised Types of Vehicles pursuant to Article 34 of Directive 2008/57/EC could not contribute to preventing the incident at issue and therefore identical or similar incidents in the future.

The measures provided by the Highest Railway Authority that are planned in response to the safety recommendation have therefore been completed.

A-2017/012

In the investigation report ‘Collision of Z 90 with a vehicle part in Stierschweiffeld Tunnel on 23 September 2016’ of 19 September 2017, the Federal Safety Investigation Authority sent the following safety recommendation to the Federal Minister for Transport, Innovation and Technology, as the Highest Railway Authority, and to the Federal Minister for Transport, Innovation and Technology, as the body that is able to convert the safety recommendation into appropriate measures for preventing incidents:

‘Examine whether vehicles which are not entered in the European Register of Authorised Types of Vehicles pursuant to Article 34 of Directive 2008/57/EC may run either only as “Exceptional consignment” or with a speed restriction.’

The examination by the Highest Railway Authority recommended by the safety recommendation was carried out in consultation with experts in the fields of railway operations and rail vehicle engineering and resulted in the objective not being pursued.

From a legal perspective, the following is to be stated in this regard: Article 34 of the Directive on the interoperability of the rail system within the Community (recast) was to be transposed into the national law of the Member States by 19 July 2010 pursuant to Article 38. It was only after the transposition that a report had to be made to the agency when granting, amending, suspending or revoking a type approval, to allow the agency to update the register. Vehicles which were authorised before that time therefore do not also have to be entered in the European Register of Authorised Types of Vehicles (on account of the period of use of rail vehicles, the majority of all vehicles currently used). A stipulation that older vehicles should be subjected to operational restrictions is not provided for in the Interoperability Directive.

It is also not apparent to what extent the registration of a vehicle in the European Type Register (ERATV) should, in itself, increase the safety of the vehicle or the safety of the operations with that vehicle, or to what extent the registration could contribute to preventing identical or similar incidents in the future.

The measures provided by the Highest Railway Authority that are planned in response to the safety recommendation have therefore been completed.

A-2017/013

In the investigation report ‘Collision of Z 90 with a vehicle part in Stierschweiffeld Tunnel on 23 September 2016’ of 19 September 2017, the Federal Safety Investigation Authority sent the following safety recommendation to the Federal Minister for Transport, Innovation and Technology, as the Highest Railway Authority, and to the railway infrastructure manager, as the body or undertaking that is able to convert the safety recommendation into appropriate measures for preventing incidents:

‘Verify whether regulations for the reporting of incidents should be revised for the improvement of the notification chain.

Note: DV V 3, Section 97 and ZSB 26, Section 4’

The verification by the Highest Railway Authority from a technical perspective recommended by the safety recommendation resulted in the objective being pursued.

Following detailed explanations of the factual and legal situation, the infrastructure manager indicated that a need for change with regard to the provisions regarding communication in emergencies was recognised and the amendment of the corresponding provisions is being addressed. The actual implementation is being pursued in the scope of the monitoring activity.

The measures provided by the Highest Railway Authority that are planned in response to the safety recommendation have therefore been completed.

A-2017/014

In the investigation report ‘Collision of runaway wagon with Z 7012 in Wieselburg an der Erlauf train station on 19 October 2016’ of 17 October 2017, the Federal Safety Investigation Authority sent the following safety recommendation to the Federal Minister for Transport, Innovation and Technology, as the Highest Railway Authority, and to the infrastructure manager and the railway undertaking, as the body or undertaking that is able to convert the safety recommendation into appropriate measures for preventing incidents:

‘It is recommended that the irregularities found by the railway undertakings through their railway supervision bodies (pursuant to Section 30 EisbG 1957) be immediately conveyed to the competent railway authorities.’

The examination by the Highest Railway Authority recommended by the safety recommendation was carried out and resulted in the objective not being pursued.

From a legal perspective, it is stated that such an obligation is not provided for in the Railway Act and could be imposed on the railway supervision bodies only through an amendment of the Railway Act. Section 19c EisbG stipulates that accidents and incidents are to be reported to the Federal Safety Investigation Authority. Section 5 UUG 2005 also merely contains legal definitions of accidents, serious accidents, incidents and serious incidents and events. The term ‘irregularities’ used in the safety recommendation is not defined, but probably relates, in the literal sense of the word, to all events that do not regularly occur. It is, however, to be assumed that numerous irregularities, including those with no safety relevance, are noted by railway supervision bodies. Should irregularities mean occurrences which do not adversely affect safe operations, these are probably outside the competence of the authority. Even in the case of safety-relevant incidents, directly informing the undertaking is more suitable for the purpose of finding a rapid solution than informing the authority, which would only have to inform the undertaking in turn. Section 39b(1)(8) EisbG also stipulates that essential parts of the safety management system are, inter alia, procedures which ensure that accidents, incidents, near misses and other dangerous occurrences are reported, investigated and assessed and the necessary preventive measures are taken.

As the implementation of the safety recommendation involves enormous effort – with regard to the transmission, documentation and follow-up of all irregularities found by railway supervision bodies – that would give rise to hardly any recognisable benefit, the safety recommendation is not being pursued.

The measures provided by the Highest Railway Authority that are planned in response to the safety recommendation have therefore been completed.

A-2017/015

In the letter of 17 October 2017, the Federal Safety Investigation Authority sent the following safety recommendation to the Federal Minister for Transport, Innovation and Technology, as the Highest Railway Authority , and to the railway infrastructure manager, as the body or undertaking that is able to convert the safety recommendation into appropriate measures for preventing incidents:

‘It is to be ensured that, when trains pass by platform 1 at the Puch bei Hallein stop, the area in front of the waiting room and, on platform 2, the area in front of the stairway entrance/waiting room are clearly identified to the railway users as areas that must be kept clear and this is pointed out in good time by loudspeaker announcements. Until the implementation of these measures, the speeds should be limited to 60 km/h for freight trains passing through and to 100 km/h for passenger trains on both tracks, in both directions, at the Puch bei Hallein stop.

Reasoning: At the Puch bei Hallein stop, the structural situation means that high flow speeds are to be reckoned with on platform 1 in the area of the waiting room. According to the report currently available, “Examination report; measurement and test runs 2004 on the Vienna West-Salzburg line; Westbahn section Prinzersdorf to Ybbs a.d. Donau; aerodynamics: measurements on the Pöchlarn platform”, the speed for freight trains was further reduced as, according to that report, a higher flow speed with a comparatively lower train speed is to be expected with freight trains with greatly varying wagon material and freight trains with loaded HGVs.’

The infrastructure manager implemented a speed reduction to 60 km/h for freight trains passing through and to 100 km/h for passenger trains passing through on both tracks, in both directions, as an immediate measure on 17 October 2017 in the platform area of Puch bei Hallein station. This measure was discontinued again only after the following measures had been implemented:

* Installation of loop fastener straps on all platforms (4 per platform) for securing prams, including pictograms regarding this measure. The site rules were adapted accordingly.
* Strengthening of the announcements for all trains passing through - adding the reference to ‘prams’.
* ‘Pram’ safety video shown in cinemas before children’s films.
* Prams added to ‘safety first’ posters regarding correct behaviour.

The Highest Railway Authority informed the infrastructure manager by letter of 20 November 2017 that, after consulting an official expert in railway structural engineering, the Highest Railway Authority was of the opinion that the measures appear to be fundamentally suitable for implementing the safety recommendation. With regard to the locations of the installation of the loop fastener straps in the platform area, appropriate consideration of the local conditions (e.g. coordination with the location of the barrier-free access points to the trains or seating possibilities on the platform) was assumed.

The measures provided by the Highest Railway Authority that are planned in response to the safety recommendation have therefore been completed.

A-2017/016

In the letter of 17 October 2017, the Federal Safety Investigation Authority sent the following safety recommendation to the Federal Minister for Transport, Innovation and Technology, as the Highest Railway Authority, and to the railway infrastructure manager, as the body or undertaking that is able to convert the safety recommendation into appropriate measures for preventing incidents:

‘The infrastructure managers are to ensure that operation points with similar conditions, noise barriers as outer platform limitation and a platform width of 3.5 m or less are identified and measures corresponding to safety recommendation A-2017/015 are taken. Those operation points are to be made known to the SUB in order for further investigations to possibly be conducted there.’

The safety recommendation was implemented directly by the infrastructure manager and operation points across Austria were evaluated to this effect. In this regard, conditions similar to those described in safety recommendation A-2017/016 were identified at 186 platform systems.

The measures provided by the Highest Railway Authority that are planned in response to the safety recommendation have therefore been completed.

A-2017/017

In the investigation report of 9 November 2017, the Federal Safety Investigation Authority sent the following safety recommendation to the Federal Minister for Transport, Innovation and Technology, as the Highest Railway Authority, and to all railway undertakings, as the undertakings that are able to convert the safety recommendation into appropriate measures for preventing incidents:

‘Verify whether the random examination pursuant to EVIC should be continued by the RU (bulk traffic).’

The safety recommendation is being examined by the Highest Railway Authority from a technical perspective, consulting an expert in the field of rail vehicle engineering. In this regard, all railway undertakings that carry out freight transport operations and infrastructure managers that are allowed to carry freight traffic in order to maintain the infrastructure were asked for information on the measures taken in response to the safety recommendation (directed at all railway undertakings by the Federal Safety Investigation Authority). As railway undertakings that only provide passenger rail services are formally covered by the safety recommendation but not actually affected thereby, these were not involved. The observations submitted in this regard are being assessed by the authority and measures are being taken in the scope of the monitoring activity where necessary.

The safety recommendation is therefore still being examined.

A-2017/018

In the investigation report of 9 November 2017, the Federal Safety Investigation Authority sent the following safety recommendation to the Federal Minister for Transport, Innovation and Technology, as the Highest Railway Authority, and to all railway undertakings, as the undertakings that are able to convert the safety recommendation into appropriate measures for preventing incidents:

‘Verify whether the permanent monitoring of freight wagons in relation to overloading through train run checkpoints needs to be intensified.

Note: Demanded by bmvit IV/SCH2 mechanical engineering division in the course of the observation procedure.’

The safety recommendation was examined by the Highest Railway Authority from a technical perspective, consulting experts in the field of rail vehicle engineering. This examination led to the conclusion that the safety recommendation should be pursued.

In this regard, information is being gathered from the infrastructure managers regarding the existing plans for the development of the train run checkpoints (e.g. with regard to location, scope of detection, time frames).

The measures provided by the Highest Railway Authority that are planned in response to the safety recommendation are therefore still being implemented.

Safety recommendations and investigation reports from Member States of the European Union can also be found on the ERAIL (European Railway Accident Information Links) database maintained by the European Railway Agency. Website: <http://erail.era.europa.eu>

* + 1. Measures implemented without reference to safety recommendations

The Federal Minister for Transport, Innovation and Technology is also able to made recommendations in addition to the safety recommendations of the Federal Safety Investigation Authority. These additional recommendations, which target entire branches (such as all infrastructure managers, all railway undertakings), can be found on the following website: [www.bmvit.gv.at/verkehr/eisenbahn/sicherheit/verfuegungen/index.html](http://www.bmvit.gv.at/verkehr/eisenbahn/sicherheit/verfuegungen/index.html)

A recommendation regarding the securing of stationary vehicles was made in 2017.

## Certification and authorisation

1. Safety certificates and safety authorisations

The Federal Minister for Transport, Innovation and Technology issued seven safety certificates in 2017. Of those, four were Part A safety certificates issued for domestic railway undertakings and seven were Part B safety certificates issued for domestic and foreign railway undertakings. Of the four Part A safety certificates, three were issued for the first time and in one case the certificate was renewed. Three of the Part B safety certificates were issued for the first time and four were renewed.

No safety approvals were issued.

In total, 27 currently valid Part A safety certificates and 40 currently valid Part B safety certificates were issued in the reference year and previous years.

The Federal Minister for Transport, Innovation and Technology did not withdraw any safety certificates or safety authorisations.

1. Guidelines

Two sets of guidelines, one relating to the issuing of safety approvals and another relating to the issuing of safety certificates, have been made available on the website of the Federal Ministry of Transport, Innovation and Technology in order to facilitate the submission of applications. No changes were made to these guidelines in 2017.

1. Contact with other NSAs

In 2017, there were no requests from other safety authorities to obtain information about Part A certificates for a railway undertaking that is certified in Austria and has applied for a Part B certificate in another Member State. Nor were there any requests to other safety authorities to obtain information about Part A certificates for a railway undertaking that is certified in another Member State and has applied for a Part B certificate in Austria.

1. Procedural aspects

In the area of safety certificates, there was a late issuance in the case of two railway undertakings and therefore a gap between the expiry and re-issue of the safety certificate.

In both cases, the reason for this was the incorrect implementation of employee protection provisions that had been identified by way of observations of the Labour Inspectorate for Transport, which has the status of a party to those procedures.

1. Feedback

The railway undertakings did not submit any observations on the issuing procedures/practices or file any complaints with the Federal Minister for Transport, Innovation and Technology.

## Supervision

1. Supervision plan(s) and supervision strategy

The Federal Minister for Transport, Innovation and Technology defined a supervision plan for 2017. In particular, the data from the safety reports of the railway undertakings and the data of the Federal Safety Investigation Authority were used for this supervision plan.

The following characteristics of the railway undertakings are used as a basis for the definition of the supervision plan:

* number of employees working in the railway sector or involved in railway operations and related matters, including the contractors;
* transport volume (passenger-km or tonne-km per year);
* high-speed rail services;
* dangerous goods;
* number of different operating systems used;
* results of previous monitoring or supervisory procedures (for example, information collected to evaluate the safety management systems);
* information from authorisations for subsystems or vehicles;
* accident reports/recommendations of the national investigating bodies;
* other reports or data on accidents/disruptions;
* annual safety reports of railway undertakings sent to the Federal Minister for Transport, Innovation and Technology;
* annual maintenance reports of the entities in charge of maintenance;
* requirement for special supervisory activity on account of findings of the authorities (for example, complaints from the public, as well as other relevant sources).

A total of twelve monitoring visits were planned for 2017. Five of these twelve visits had been carried out by June 2017.

Significant short-term restructuring took place in the Federal Ministry of Transport, Innovation and Technology in August 2017. In the context of this restructuring, the task of issuing safety certificates and safety authorisations was completely separated from the supervisory tasks.

Since August 2017, there has been one department exclusively responsible for issuing safety certificates and safety authorisations (Highest Railway Authority – Operation/Transport Authorisation) and one department exclusively responsible for performing the supervisory tasks (Highest Railway Authority – Supervision) of the Federal Minister for Transport, Innovation and Technology.

On account of this short-term restructuring in the Federal Ministry of Transport, Innovation and Technology, some of the planned monitoring visits were put back to a later date in 2017 and some were put back to 2018. A total of seven monitoring visits were carried out in the reporting year 2017.

In December 2017, the new head of the ‘Highest Railway Authority – Supervision’ department was appointed.

Due to the significant restructuring and the staffing situation at the time, it was not possible to complete the supervision strategy of the Federal Minister for Transport, Innovation and Technology and publish it by the end of 2017. Publication is planned for 2018.

1. Supervision

Routine monitoring visits were carried out at seven railway undertakings in the reporting year 2017, at the registered office of the undertaking in each case. The monitoring focused on the procedures established in the safety management system. The measurements for improving the safety standard that were taken by the railway undertakings on the basis of the monitoring results were subsequently reviewed by experts and, where necessary, the undertakings were instructed to take further measures.

Furthermore, the procedures relating to routine monitoring visits from 2016 were followed up on.

On the basis of specific cases that gave cause for investigation (for example safety recommendations by the Federal Safety Investigation Authority, findings made in the context of proactive monitoring activities, information provided by, for example, staff representatives), the Federal Minister for Transport, Innovation and Technology carried out 98 supervisory procedures (investigative procedures involving, for example, document inspection, the obtaining of expert opinions, and on-the-spot checks of operations).

Attacks on railway employees, vehicle maintenance and the securing of stationary vehicles were the subject of more extensive investigations.

Regarding the attacks on railway employees, in addition to investments in safety at train stations and on trains, the criminal law amendment act 2017, BGBl. I No 117/2017, which makes provision for greater penalties for causing bodily injury to public transport employees, entered into force with effect from 1 September 2017.

Regarding vehicle maintenance, extensive investigations into the inspection concept for vehicles of railway undertakings were conducted. The aim was to ensure that vehicle inspections are structured in compliance with the law and carried out by suitably qualified people.

Regarding the securing of stationary vehicles, there were several incidents involving runaway freight wagons within the space of a few months. In a letter to the railway undertakings, the Federal Minister for Transport, Innovation and Technology reminded them of the obligation under the law on railways to ensure the operational safety of railway vehicles and issued a recommendation on the manner in which stationary vehicles are to be secured.

1. Staff

Up to 59 people were employed in Gruppe Eisenbahn (Group Railways) (not including the Oberste Seilbahnbehörde – Highest Cableway Authority) in 2017. Prior to the restructuring in August 2017, two departments were responsible for performing supervisory duties, in which, on average, 40 people were employed. From August 2017 onwards, 13 people, full-time equivalent, have been responsible for performing supervisory duties in the ‘Highest Railway Authority – Supervision’ department. Where necessary, experts from other departments have also been entrusted with supervisory duties.

1. Decision-making

The decision-making of the Federal Minister for Transport, Innovation and Technology in relation to the supervision of infrastructure managers and railway undertakings takes place on the basis of the statutory provisions. In any event, the Federal Minister for Transport, Innovation and Technology applies the principles of due process of law pursuant to the General Law on administrative procedures 1991 in the context of its supervisory duties. These include the ex officio principle, the principle of establishing the substantive truth, the principle of the free assessment of evidence, the unrestrictedness and equivalence of all evidence, swiftness in issuing decisions, the obligation to state reasons, respect for the right of the parties to be heard, disqualification on grounds of bias, verifiability of the facts relevant to a decision, and principles such as proportionality, consistency and transparency.

Pursuant to Article 4 of Commission Regulation (EU) No 1077/2012 on a common safety method for supervision by national safety authorities after issuing a safety certificate or safety authorisation, OJ L 320, 17.11.2012, p. 3, supervision commonly includes interviews with people at various levels in an organisation, reviewing documents and records related to the safety management system and examining the safety outcomes of the management system revealed by inspections or related activities. The supervision activities include checking the effectiveness of the safety management system and the effectiveness of individual or partial elements of the safety management system, including operational activities, by means of random checks.

If it is not possible to reach a consensus with an undertaking on one or more aspects in the course of the supervisory activity, there is also the possibility of lodging a supervisory appeal, without prejudice to the possibilities provided for by law.

1. Coordination and cooperation

No agreements on coordinated supervisory activities were made with another national safety authority in 2017.

The Hungarian railway authority made a request regarding an investigation at a railway level crossing near the border between Austria and Hungary. As the railway level crossing in its entirety is located in Hungary, it was not necessary for the Federal Minister for Transport, Innovation and Technology to participate if the railway undertaking cooperated with the Hungarian railway authority in the inspection of the site. The Hungarian railway authority provided minutes of the discussions in Hungarian.

No cooperation agreements were entered into with other national safety authorities.

## Implementation of important EU projects

No legislative provisions on the implementation of the fourth rail package were adopted in 2017.

Commission Regulation (EC) No 352/2009 on the adoption of a common safety method on risk evaluation and assessment as referred to in Article 6(3)(a) of Directive 2004/49/EC of the European Parliament and of the Council, OJ L 108, 29.4.2009, p. 4, was repealed by Commission Implementing Regulation (EU) No 402/2013 of 30 April 2013 on the common safety method for risk evaluation and assessment (as last amended by Implementing Regulation (EU) 2015/1136), which has been in force since 21 May 2015. Further up-to-date information on this can be found on the website of the Federal Ministry of Transport, Innovation and Technology: [www.bmvit.gv.at/verkehr/eisenbahn/sicherheit/gmethoden/index.html](http://www.bmvit.gv.at/verkehr/eisenbahn/sicherheit/gmethoden/index.html)

Description of the most important changes which were not regarded as significant by the proposers:

In the year in question, railway undertakings reported 89 changes that were not regarded as significant in their safety reports.

In making their assessment, railway undertakings used the criteria of Article 4(2) of Regulation (EC) No 402/2013 on common safety methods for risk evaluation and assessment supplemented by criteria internal to the organisation (for example, comparison with safety objectives internal to the organisation).

Description of the most important changes:

In relation to safety reports, one change considered to be significant was reported in the 2017 reporting year.

Short description of the audits undertaken by the proposers on the effectiveness of the risk management procedure:

The railway undertakings’ risk management procedure is subject to a continuous audit programme as an integral part of the safety management system. There have not yet been any significant findings regarding the effectiveness of the risk management procedure.

Reports from proposers and ultimately from their subcontractor(s) and assessment body/bodies on the application of Commission Regulation (EC) No 402/2013 on common safety methods for risk assessment:

Amongst other issues, the costs of introducing a risk management procedure and the documentation (particularly to take account of changes that were not significant) were mentioned by railway undertakings.

## Legal provisions

1. EU legislation and regulations

The Commission adopted the following acts in the reporting year 2017:

* Commission Implementing Regulation (EU) 2017/2177 on access to service facilities and rail-related services, OJ L 307, 23.11.2017, p. 1.
* Commission Delegated Decision (EU) 2017/2075 replacing Annex VII to Directive 2012/34/EU of the European Parliament and of the Council establishing a single European railway area, OJ L 295, 14.11.2017, p. 69.

1. Changes in national legislation and administrative regulations

There were no significant changes in national legislation and regulations in relation to rail safety in 2017.

The criminal law amendment act 2017, BGBl. I No 117/2017, established greater penalties for causing bodily injury to public transport employees.

## Safety culture

The Highest Railway Authority in the Federal Ministry of Transport, Innovation and Technology underwent significant organisational restructuring in the reporting year 2017. In the context of that restructuring, matters pertaining to the issuing of safety certificates and safety authorisations were separated from those pertaining to supervision and are handled in a separate department.

The reasons behind that decision reside in the fact that extensive expertise in the area of authorisations has been built up over the years and this expertise was regarded as having a particularly high degree of professionalism in comparison with other Member States.

The Federal Minister for Transport, Innovation and Technology pursued the same aim with the restructuring. In order to be able to guarantee for the future a degree of professionalism in supervisory activities as high as that in the area of authorisations, a separate department was created to improve and refine it on a continual basis.

# Annexes

Annex A: CSI data – definitions applied

Graphical and tabular presentation of accident-related indicators:

Significant accidents by type of accident:

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Year** | **Collisions** | **Derailments** | **Level crossing accidents** | **Accidents to persons caused by RS in motion** | **Fires in RS** | **Others** | **Total** |
| **2013** | 4 | 1 | 37 | 29 | 0 | 2 | 73 |
| **2014** | 1 | 2 | 27 | 29 | 1 | 1 | 61 |
| **2015** | 7 | 5 | 33 | 27 | 1 | 4 | 77 |
| **2016** | 7 | 5 | 31 | 41 | 0 | 3 | 87 |
| **2017** | 7 | 5 | 26 | 22 | 0 | 0 | 60 |

Fatalities by type of accident:

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Year** | **Collisions** | **Derailments** | **Level crossing accidents** | **Accidents to persons caused by RS in motion** | **Fires in RS** | **Others** | **Total** |
| **2013** | 2 | 0 | 17 | 7 | 0 | 0 | 26 |
| **2014** | 0 | 0 | 13 | 12 | 0 | 0 | 25 |
| **2015** | 2 | 0 | 21 | 12 | 0 | 0 | 35 |
| **2016** | 0 | 0 | 13 | 18 | 0 | 0 | 31 |
| **2017** | 2 | 0 | 7 | 9 | 0 | 0 | 18 |

Fatalities by category of people involved:

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Year** | **Passengers** | **Employees** | **Level crossing users** | **Unauthorised persons** | **Others** | **Total** |
| **2013** | 0 | 5 | 17 | 4 | 0 | 26 |
| **2014** | 0 | 2 | 13 | 10 | 0 | 25 |
| **2015** | 1 | 5 | 20 | 8 | 1 | 35 |
| **2016** | 0 | 1 | 13 | 16 | 1 | 31 |
| **2017** | 0 | 0 | 7 | 10 | 1 | 18 |

Serious injuries by type of accident:

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Year** | **Collisions** | **Derailments** | **Level crossing accidents** | **Accidents to persons caused by RS in motion** | **Fires in RS** | **Others** | **Total** |
| **2013** | 11 | 0 | 25 | 24 | 0 | 2 | 62 |
| **2014** | 0 | 0 | 18 | 17 | 1 | 0 | 36 |
| **2015** | 4 | 0 | 24 | 15 | 0 | 2 | 45 |
| **2016** | 5 | 1 | 22 | 25 | 0 | 0 | 53 |
| **2017** | 6 | 0 | 19 | 13 | 0 | 0 | 38 |

Serious injuries by category of people involved:

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Year** | **Passengers** | **Employees** | **Level crossing users** | **Unauthorised persons** | **Others** | **Total** |
| **2013** | 13 | 15 | 25 | 9 | 0 | 62 |
| **2014** | 7 | 3 | 18 | 7 | 1 | 36 |
| **2015** | 9 | 8 | 23 | 5 | 0 | 45 |
| **2016** | 18 | 5 | 22 | 8 | 0 | 53 |
| **2017** | 10 | 2 | 19 | 7 | 0 | 38 |

Annex B: Organisational chart of the Federal Ministry of Transport, Innovation and Technology

**Federal Minister**

**Norbert HOFER**

Head of Chancellery: Rene SCHIMANEK

**General Secretary**

**Andreas REICHHARDT**

Section Head: Barbara STEINER

**Chief Digital Officer**

Natalie MICHULEC

Extension 65 3202

**IÖB (Centre for Innovation in Public Procurement) coordination**

Michael BRUGGER

Extension 65 3126

*Staff unit*

**Logistics coordination**

Franz SCHWAMMENHÖFER

Extension 65 1700

*Staff unit*

**Mobility transition and decarbonisation**

Henriette SPYRA

Extension 65 8911

**Section I**

**Steering committee and international affairs**

Christian WEISSENBURGER

Extension 65 1000

**Section II**

**Infrastructure planning and financing, coordination**

Herbert KASSER

Extension 65 8900

**Section III**

**Innovation and telecommunications**

Andreas REICHHARDT

Extension 65 3001

**Section IV**

**Transport**

Gerhard GÜRTLICH (provisionally)

Extension 65 2000

**Section IV**

**Transport**

**Gerhard GÜRTLICH (provisionally)**

**Extension 65 2000**

*Staff unit*

**Barrier-free accessibility**

Liliana Prerowsky

Extension 65 1207

*Group*

**Road transport and road vehicles**

Wilhelm KAST

Extension 65 5317

*Group*

**Infrastructure procedure and traffic safety**

Sabine KÜHSCHELM

Extension 65 1400

*Group*

**Railway**

Michael LICZENSKY

Extension 65 2100

*Group*

**Air**

Elisabeth LANDRICHTER

Extension 65 9800

**SMV**

**Transport safety management**

Doris FISCHER

Extension 65 2003

**E1**

**Legislative process and international affairs Railways & pipelines**

Michael LUCZENSKY

Extension 65 2100

**IVVS1**

**Planning operations and environment**

Sonja WEISHOLZER

Extension 655345

**ST1**

**Automotive engineering**

Wilhelm KAST

Extension 655317

**W1**

**Shipping – Legal Affairs**

Andreas LINHART

Extension 655901

**L1**

**Strategy and International**

Silvia GEHRER

Extension 659600

E2

**Highest Railway Authority**

**Infrastructure/Vehicle Authorisation**

Dominik HAIDER

Extension 652505

**IVVS2**

**Transport Safety and**

**Safety Management Infrastructure**

Eva-Maria EICHINGER-VILL

Extension 655724

**ST2**

**Legal field**

**Road transport**

Christian KAINZMEIER

Extension 651800

**W2**

**Shipping –**

**Technology and Nautical Affairs**

Vera HOFBAUER

Extension 655900

**L2**

**Aviation –**

**Legal Affairs**

Karja NONNENMACHER

Extension 659701

E3

**Highest Railway Authority**

**Operation/Transport Authorisation**

Regina ROITHNER

Extension 652204

IVVS3

**Legal field**

**Federal roads**

Hubert Keyl (provisionally)

Extension 655785

ST3

**Hazardous goods**

Othmar KRAMMER

Extension 655880

W3

**Federal waterways**

Jenifer OSWALD

Extension 655962

L3

**Aviation –**

**Infrastructure**

Elisabeth LANDRICHTER

Extension 659800

E4

**Highest Railway Authority**

**Supervision**

Rupert HOLZERBAUER

Extension 652212

IVVS4

**EIA\* Procedures**

**Overland transport**

Sabine KÜHSCHELM

Extension 651400

ST4

**Passenger and freight traffic by road**

Bettina HUBER

Extension 655734

*Staff unit*

**Safety Management and Flight Safety**

Franz Nirschl

Extension 659705

E5

**Technical**

N.N.

ST5

**Technical automotive engineering**

Friedrich FORSTHUBER

Extension 659001

E6

**Highest**

**Cableway Authority**

Jörg SCHRÖTTNER

Extension 652300

*\*environmental impact assessment*

Annex C: Extract from the organisation of the Federal Ministry of Transport, Innovation and Technology

#### Section IV – Transport

Authorities, Technical and legal area Rail/Road/Cableways/Pipelines and Water and Air Affairs

#### SMV Department – Safety Management Transport [Sicherheitsmanagement Verkehr]

Coordination and strategic management of safety-critical tasks of all Austrian transport safety authorities within bmvit; standardisation and quality management (including the monitoring of implementation) with regard to performance of duties by transport safety authorities; verification of financial capacity of transport undertakings during the authorisation procedure and supervisory activity; affairs of the transport safety advisory council pursuant to Section 25 of the Law on accident investigation 2005, including management, risk and crisis management.

#### Department E 1 - Legislative process, EU & international affairs, railways and pipelines

Participation in the creation and implementation of Union law and of bilateral agreements in the area of railways and pipelines, including the representation of such matters within EU bodies and other bi- and multilateral bodies; national law-making in the railways and pipelines area (development, preparation and management of acts of law and regulations in cooperation with specialised departments) including notification; coordination of basic legal matters such as the regulation of the railway market; contributing to the representation in international technical working groups with Department E 5; implementation of the Law on pipelines [Rohrleitungsgesetz].

#### Department E 2 – Highest Railway Authority – Infrastructure and Vehicle Authorisation

Exercising railway authority powers, in particular implementing regulations on construction approval, type approval including approval for operation of railway facilities (except for EIA procedures), including the protection, reconstruction and closing down of level crossings; lineside property regulations, non-applicability of TSI, expropriation, granting facilitation, permitting exceptions; implementing type approval including approval for operation of vehicles; implementing the concession; closing down railways; declaring incorrect EC statements invalid; coordination and cooperation with the European Rail Authority and other (foreign) authorities in matters assigned to the department; institutional control over lower-level authorities in the department’s own sphere of influence and also the SCHiG in its implementation of the EisbG.

#### Department E 3 – Highest Railway Authority – Operation and Transport Authorisation

Exercising railway authority powers, in particular the issuing, extension, modification and withdrawal of transport authorisation, safety certification and safety authorisation, including the period review of transport authorisation, authorisation of General Directives for railway employees; railway employee matters (operations managers, railway supervisory bodies), appointment of specialist auditors; licensing of training providers; administration of the directory of specialist railway fields; coordination and cooperation with the European Rail Authority and other (foreign) authorities in matters assigned to the department; institutional control over lower-level authorities in the department’s own sphere of influence.

#### Department E 4 – Highest Railway Authority – Supervision

Performing ex officio railway authority duties, in particular the supervision of railway staff matters (operations managers, railway supervisory bodies), of the operation of vehicles (also in the case of foreign legislation), of matters relating to maintenance units; supervision in relation to safety permits and safety certificates; supervision of the construction and operation of facilities and level crossings; supervising general orders to railway employees; supervision strategy and supervision plans; coordination and cooperation with other (foreign) authorities in matters of supervision; institutional control over lower-level authorities in the department’s own sphere of influence such as in relation to supervision of the infrastructure register; keeping contact with the federal safety research centre; reports and data analyses.

#### Department E 5 – Technology

General issues related to railway constructions, protection, crossings, telecommunication, electric and machine engineering; matters related to domestic and international technical standards and specifications and other regulations on technical standards; coordination, managing contents and general representation in international bodies, such as RISC, NSA (interoperability, safety and supervision) and technical working groups such as TSI including operation with the involvement of Department E 1; matters related to the ban of interoperability components; contributing to logistics, accreditations, research projects and the work of other departments managing procedures.

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Feedback: Please send any comments you may have on this annual report to [e4@bmvit.gv.at](mailto:e4@bmvit.gv.at).

#### Federal Ministry of Transport, Innovation and Technology

Radetzkystraße 2, 1030 Vienna

+43 (0) 1 711 62 65 0

[e4@bmvit.gv.at](mailto:e4@bmvit.gv.at)

[bmvit.gv.at](http://bmvit.gv.at)