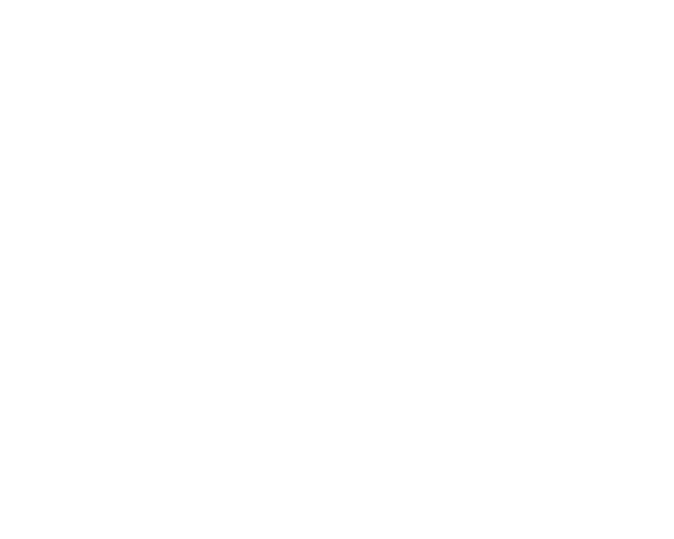
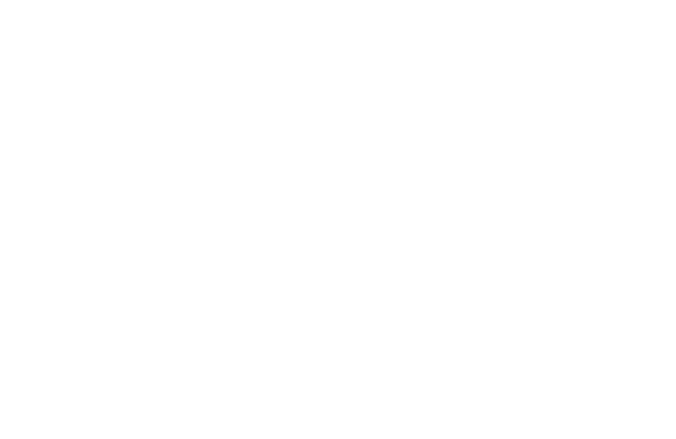
2017 Traffic Safety Report

Lithuanian Traffic Safety Administration 29/09/2017



[A. INTRODUCTION 2](#_Toc12369536)

[A.1. Objectives and scope of the Railway Traffic Safety Report 2](#_Toc12369537)

[B. General safety level in 2017 2](#_Toc12369538)

[B.1. General conclusions about 2017 2](#_Toc12369539)

[B.2. National safety strategies, programmes and initiatives 3](#_Toc12369540)

[B.3. Priorities for the next year 4](#_Toc12369541)

[C. Development of Safety 4](#_Toc12369542)

[C.1. Trend Analysis 4](#_Toc12369543)

[C.2. Results of traffic safety measures (recommendations) 5](#_Toc12369544)

[C.3. Measures unrelated to the traffic safety recommendations 5](#_Toc12369545)

[D. Supervision of railway undertakings (carriers) and railway infrastructure managers 5](#_Toc12369546)

[D.1. Strategy and plans 5](#_Toc12369547)

[D.2. Human Resources 6](#_Toc12369548)

[D.3. Competences 6](#_Toc12369549)

[D.4. Decision making 6](#_Toc12369550)

[D.5. Cooperation 7](#_Toc12369551)

[D.6. Implementation of measures 7](#_Toc12369552)

[E. Issuance of safety certificates and authorisations in the area of railway traffic. Information on issuance of safety certificates and authorisations in the area of railway traffic 7](#_Toc12369553)

[E.1. Consultations 7](#_Toc12369554)

[E.2. Communication with other States’ national safety authorities regarding issuance of safety certificates 8](#_Toc12369555)

[E.3. Issues relating to the procedural aspects of granting certificates or authorisations 8](#_Toc12369556)

[E.4. Feedback 8](#_Toc12369557)

[F. Changes in the traffic safety legislation in 2016 8](#_Toc12369558)

[F.1. Railway Safety Directive 8](#_Toc12369559)

[F.2. Changes in legislation in 2017 8](#_Toc12369560)

[G. Application of the common safety method (CSM) on risk evaluation and assessment 8](#_Toc12369561)

[G.1. NSA’s experience 8](#_Toc12369562)

[G.2. Communication and feedback 9](#_Toc12369563)

[G.3. Review of national rules 9](#_Toc12369564)

[A. Annex. 10](#_Toc12369565)

[B. Annex. 19](#_Toc12369566)

[C. Annex. 27](#_Toc12369567)

# INTRODUCTION

## Objectives and scope of the Railway Traffic Safety Report

In line with Article 23 of Directive No 2004/49/EC of the European Parliament and of the Council on safety on the Community railways[[1]](#footnote-2), the European Union’s national safety authorities must, by 30 September each year, prepare an annual railway traffic safety report (the ‘Traffic Safety Report’).

The objectives of the annual Traffic Safety Report are as follows:

1. to present summary information on the status of the Lithuanian railway system in 2017 and to compare it with the 2013– 2016 data;
2. to present the railway traffic safety improvement trends in 2017;
3. to review the problems encountered by the Lithuanian Transport Safety Administration (‘LTSA’) in ensuring railway traffic safety.

The annual Railway Traffic Safety Report contains information on:

1. improvement of traffic safety and the general traffic safety indicators set by the Minister for Transport and Communications of the Republic of Lithuania;
2. amendments to legal acts related to traffic safety;
3. improvement of the procedures for the issue of safety certificates to railway undertakings (carriers) and safety authorisations to railway infrastructure managers;
4. results of traffic safety audits of railway infrastructure managers and railway undertakings (carriers) and their experience related to traffic safety;
5. maintenance of freight wagons used in the 1 520 mm gauge railway network.

Pursuant to Article 6(18) of the Law of the Republic of Lithuania on Railway Traffic Safety, the LTSA publishes the annual Traffic Safety Report on its website [[2]](#footnote-3) and submits it to the European Union Agency for Railways (‘ERA’).

This report includes information on traffic safety throughout the Lithuanian railway network.

The annual Traffic Safety Report, having been drawn up for a ninth year already, has been prepared in accordance with the recommendations laid down in the ERA guide for the pattern and use of tables in annual traffic safety reports of national safety authorities.

The annual Railway Traffic Safety Report has been drafted on the basis of the statistical data gathered and systematised by the LTSA as well as the findings of the 2017 traffic safety reports of railway infrastructure managers and railway undertakings (carriers).

# General safety level in 2017

## General conclusions about 2017

The data on the safety of the Lithuanian railway transport system for 2017 suggest that the level of traffic safety in 2017, compared with the previous years, has returned to the 2013 level.

Although the situation deteriorated in 2017 compared to 2016, the National Reference Values (‘NRVs’) as of the end of 2017 do not exceed those established (except the NRVs for employees):

The above data illustrates that the level of safety of the Lithuanian railway transport system complies with the European Union standards and long-term goals.

In 2017, a total of 27 major traffic accidents occurred in Lithuania.

## National safety strategies, programmes and initiatives

In 2017, the development of the Lithuanian transport policy was carried out in accordance with the 2014–2022 National Programme for Transport Development approved by the Government on 18 December 2013. The strategic goal of the Programme is to develop a sustainable, environment-friendly, competitive and high value-added transport system in Lithuania.

**Table 1. Overall NRV after Q4, 2016**

|  |  |  |  |
| --- | --- | --- | --- |
| National reference values | Permissible NRV X 109 under Commission Decision 2012/226/EU; | Yearly NRV X 109 | Change |
| Passengers | 97.2 | 0.00 | -100 % |
| Employees | 41 | 65.17 | 59% |
| Users of level-crossings | 522 | 143.38 | -73% |
| Unauthorised persons | 2050 | 971.10 | -53% |
| Others | 11.6 | 0.00 | -100% |
| Society | 2590 | 1179.66 | -54% |

Other objectives of the Programme:

1. to increase freight and passenger mobility by improving the main grid corridors of the EU Trans-European transportation grid and their connections with the national and local transportation grids and by enhancing the efficiency of the interoperability between different transport modes;
2. as part of active transport policy, to enhance the competitiveness of the transport sector, to improve the quality of the transport and logistics services;
3. to promote the sustainability of the local (urban and suburban) transport system;
4. to improve energy efficiency in transport and to mitigate the negative environmental impact of transport;
5. to improve the safety and interoperability of traffic, including railway traffic.

In 2017, the State Railway Inspectorate under the Ministry of Transport and Communications (‘the Inspectorate’) was reorganised and incorporated, by means of merging, in the State Road Transport Inspectorate under the Ministry of Transport and Communications. The latter, after merging with one more organisation, became the LTSA. The LTSA’s safety strategy, based on the Vision Zero, was developed using the X-Matrix under the LEAN Government management methodology. This means that the above document linked the goals of individual members of the LTSA’s staff with the institution’s long-term objective of ensuring zero fatalities, injuries and accidents on Lithuanian railways. Accordingly, the strategy is made up of three parts, setting out measures to reduce the

number of fatalities, injuries and traffic accidents.

In 2016, the VGI/LTSA continued the implementation of a range of projects to improve the safety and interoperability of the Lithuanian railway transport system. The projects that are still ongoing:

1. *Safety improvement on level crossings.* An intelligent transport system will be developed to reduce the number of traffic accidents and violations of road traffic regulations on level crossings (‘ITS’). The ITS will consist of an information system and acquired equipment which will monitor the status of level crossings in real time, provide the drivers and pedestrians with information on traffic conditions and record a range of violations committed on level crossings.

Table 2. 2017 accident statistics and losses as well as working time spent as a result of accidents

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Serious accidents** | **Major traffic accidents** | | **Incidents** | **Injuries** | | **Fatalities** | | **Losses and working time spent (EUR/hours)** |
| **Total** | **In train kilometres** | **Total** | **In train kilometres** | **Total** | **In train kilometres** |
| 0 | 27 | 1.76×10-6 | 9 | 10 | 0.65×10-6 | 17 | 1.11×10-6 | EUR 288 107/ 63 h 49 min. |

1. *Transfer of the LTSA’s services and the public electronic services of risk management and monitoring to the electronic environment and their upgrading* The LTSA will carry out a project to upgrade and expand the following services: traffic risk management, noise control, structure technical control and railway infrastructure monitoring modules, and introduce electronic testing of persons, rolling-stock registration, railway traffic accident investigations as well as other services.

In 2017, the Lithuanian manager of railway infrastructure (AB Lietuvos Geležinkeliai) carried out internal audits of the traffic safety management system and prepared plans of measures for the rectification of the deficiencies established by the audits. In addition, regular certification and employee training in traffic safety were organised.

## Priorities for the next year

In carrying out the functions entrusted to it, the LTSA has the following plans for 2018:

* + - to seek compliance with the NRV of the Republic of Lithuania as laid down by European Commission Decision 2012/226/EU;
    - through cooperation between LTSA specialists and infrastructure managers, to introduce typical safety management systems with a view to enhancing the safety of railway undertakings and reducing the number of traffic accidents in the railway transport area;
    - to implement instruments for informing and educating the public;
    - to make internal processes more efficient with the help of the LEAN methodology.

# Development of Safety

## Trend Analysis

In 2017, most indicators remained similar to their values recorded in 2016. However, the number of severely injured offenders surged in 2017. For this reason, the number of traffic accidents involving personal injury and the total number of accidents increased correspondingly. This, however, did not cause any substantial change of the NRVs.

In 2017, there was a significant rise in the number of accidents caused by the use of mobile devices and personal stereos.

Unauthorised acts by level-crossing users and offenders, i.e. persons unrelated to railway transport operations, remained the main cause of traffic accidents in 2017 as well as in previous years. The most frequent violations again include driving or walking across the track at undesignated places, going around vehicles that have stopped before the level-crossing to give way to a train, entering the level-crossing at danger as signalled by the lights or signalman, while the barrier is down or is descending, lifting or going around the barrier, and entering the level-crossing while there is an obstacle on the other side that makes the driver stop. Other reasons: carriage of agricultural, road and construction machinery across level-crossings without first preparing them for transportation, disregarding the STOP sign before the level-crossing, and authorised presence of persons in the protection zones of railway tracks and their facilities.

Other traffic accidents occur due to deficient railway infrastructure or rolling-stock as well as traffic organisation and management.

## Results of traffic safety measures (recommendations)

In 2017, no safety recommendations were received from the Head of Accident Investigation.

## Measures unrelated to the traffic safety recommendations

In 2017, the Inspectorate/LTSA did not provide any measures non-related to traffic safety recommendations but provided 26 essential traffic safety measures (recommendations).

A detailed list of the findings of major accidents that occurred in Lithuania in 2017 is presented in Annex C.

# Supervision of railway undertakings (carriers) and railway infrastructure managers

## Strategy and plans

The LTSA’s priorities and targeted activities in supervising railway undertakings (carriers) and railway infrastructure managers are determined by:

1. Legal acts of the Republic of Lithuania (‘Lithuania’). Order No V-604 of the Head of the Inspectorate of 27 December 2010 approving the Rules for the scheduled and unscheduled checks carried out by the State Railways Inspectorate under the Ministry of Transport and Communications sets out the types of scheduled checks carried out by the LTSA. The legislation governing the activities of economic operators specifies the inspection intervals.
2. The available information on the activities of legal entities that might violate the legal provisions and therefore pose a risk to the public interests.

The strategy and inspection schedules for supervising legal entities shall be developed:

* + - with regard to the Lithuanian legislation specifying the intervals for the check of activities of legal entities;
    - with regard to a request from an economic operator to perform an activity check/consultation;
    - in order to determine whether the economic entity has fulfilled the requirements specified by the LTSA during previous checks;
    - with regard to reports and complaints of persons concerning infringements committed by economic entities;
    - with regard to data on traffic accidents (conclusions and recommendations of investigations and results of reports);
    - with regard to the information collected during the assessment of the railway traffic safety management systems of railway undertakings (carriers) and railway infrastructure managers;
    - with regard to the reports submitted by the economic entity to the LTSA.

The Inspection Schedule may be amended:

* + - in case of change of the legal status or area of activities of the economic entity;
    - in the event of a change in the regulatory requirements governing the checks.

Based on the experience acquired in the performance of supervisory functions, the LTSA revises the inspection plan on a monthly basis in order to ascertain whether the initially established targeted activities, use of data and/or information from various sources, results of supervision, and distribution of resources are appropriate and, where necessary, changes the priorities and makes necessary amendments thereto.

## Human Resources

In 2017, the LTSA carried out five types of inspections:

1. of hazardous facilities;
2. of the use of structures;
3. of certified activities;
4. of licensed activities;
5. of other railway transport activities.

An inspection of essentially of hazardous facilities (including the issue of an inspection report) takes about 5 hours. In total, approximately 125 hours were spent on the inspection of hazardous facilities in 2017. Around 22 hours were spent on supervisory verifications of the use of structures. A total of 400 hours were spent on inspections in 2017.

Three employees of the LTSA were involved in inspections in 2017. Each employee spent an average of 133 hours on inspections.

In 2017, there were a total of 252 working days in Lithuania (2 010 working hours). On average, each employee spent 6.6% of his/her working time on inspections/audits.

## Competences

To conduct the supervision of legal entities, each employee must have the required competencies. These are listed in the job description of each LTSA employee and verified at the time of recruitment and when conducting annual employee assessment.

Each inspection shall be performed by two employees. The more experienced employee shall be assigned the manager of the inspection. The less experienced employee shall learn from the manager of the inspection by performing the tasks assigned to them and observing the actions of the manager of the inspection.

Prior to starting the inspection, the employees must be familiar with the Rules for Inspections and the legal acts regulating the activities of the legal entity being inspected, and to be aware of the rights and obligations of legal entities, sign impartiality declarations and confidentiality commitments.

Before carrying out an inspection, the employee must identify the objective thereof and specify the documents to be inspected.

## Decision making

Legal compliance is monitored and assured by inspecting legal entities and providing them with consultations. If a violation is detected by the LTSA, it evaluates the extent of the violation, its potential impact on society and other circumstances of the violation and makes a decision regarding the measures to be applied.

It is sought to expand the consultation practice as widely as possible in order to help legal entities to understand and comply with the regulatory requirements. If violations are found by the LTSA, it shall order the legal entity to prepare and implement a plan for correcting the violations. The LTSA aims at collaboration based on goodwill with the undertakings; therefore, administrative penalties are seldom imposed on economic entities and efforts are made to use incentives.

In 2015, the Inspectorate/LTSA received no observations or complaints from railway undertakings (carriers) and railway infrastructure managers concerning the inspections performed and decisions taken.

## Cooperation

In implementing the provisions of Article 8 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, the LTSA signed a cooperation agreement with the Latvian NSA on 10 December 2014 and with the Polish NSA on 21 July 2015.

Both agreements were drafted in line with the ERA Guide for the implementation of Article 8 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[[3]](#footnote-4).

## Implementation of measures

The LTSA oversees the implementation of traffic safety measures. Almost all the traffic safety measures introduced in 2016 either have already been implemented or are currently being implemented by legal entities.

# Issuance of safety certificates and authorisations in the area of railway traffic. Information on issuance of safety certificates and authorisations in the area of railway traffic

## Consultations

Safety certificates and railway traffic safety authorisations (‘authorisations’) are issued in accordance with the Rules on safety certification of railway undertakings (carriers) and of railway infrastructure managers, approved by Order No 3-37 of the Minister for Transport and Communications of the Republic of Lithuania of 23 January 2003. Interested persons can find the legislation governing the issue of safety certificates and authorisations on the public database of the Seimas of the Republic of Lithuania and on the website of the LTSA. Information on the issuance of safety certificates and railway traffic safety authorisations (legal basis, guides, application forms, etc.) is published on the LTSA’s website, which also lists all the companies that hold safety certificates and/or authorisations. Economic entities are also given advice on the phone as well as in reply to their queries submitted by post or e-mail or when visiting the LTSA.

## Communication with other States’ national safety authorities regarding issuance of safety certificates

No inquiries were received in 2017 from the NSAs of other States relating to Part A of the safety certificate issued in Lithuania where a railway undertaking/carrier applies for Part B of the safety certificate in another State.

In 2017, the VGI/LTSA did not submit any inquiries to the NSAs of other States for information on Part A of the safety certificate issued in another State, where a railway undertaking/carrier of another State has applied to the LTSA in order to obtain Part B of the safety certificate in Lithuania.

## Issues relating to the procedural aspects of granting certificates or authorisations

In 2017, no issues relating to the procedural aspects of granting certificates or authorisations were provided.

## Feedback

Pursuant to the principles of public administration, railway undertakings (carriers), railway infrastructure managers and other persons have been enabled to file, at any time, complaints, observations, requests, etc. regarding the LTSA ’s operations in person at the LTSA, in writing, by e-mail or telephone, also by means of an electronic survey on the administrative services provided.

In 2017, the LTSA did not receive any complaints about inadequate provision of services.

# Changes in the traffic safety legislation in 2016

## Railway Safety Directive

In 2017, 36 legal acts transposing the provisions of Directive 2004/49/EC on safety on the Community railways were in force in Lithuania.

A definitive list of those legal acts is presented in Annex B, Table 1.

Table 2, Annex B, contains information on the status of transposition of the amendments to the Railway Safety Directive as at the end of 2017.

## Changes in legislation in 2017

Table 2, Annex B, lists the essential changes of the legislation along with relevant details (the title of the legal act, date of adoption, the content of adoption or amendment of the legal act and the reasons for adopting or amending the legal act).

# Application of the common safety method (CSM) on risk evaluation and assessment

## NSA’s experience

The common safety method on risk evaluation and assessment is applied in accordance with the requirements laid down in Commission Implementing Regulation (EU) No 402/2013 of 30 April 2013 on the common safety method for risk evaluation and assessment and repealing Regulation (EC) No 352/2009 (‘Regulation No 402/2013’). Under Article 20(2) of Regulation No 402/2013, the regulation is binding in its entirety as of 21 May 2015.

In 2017, there were no separate independent assessment bodies compliant with the requirements of Annex II of Regulation No 402/2013 and delivering safety assessment reports in Lithuania.

## Communication and feedback

In 2017, no communication events took place.

There were no complaints or inquiries.

## Review of national rules

Relevant amendments to legal acts are set out in Annex B.

1. Annex.

|  |  |
| --- | --- |
| Eismo įvykio tipas: Pervažoje 2012-2016 m. | Type of accident: Level-crossing 2012-2016 |
| Metai | Year |

|  |  |
| --- | --- |
| Metai | Year |
| Eismo įvykio tipas: Nukenčia asmenys 2012-2016 m. | Type of accident: Casualty in 2012-2016 |

|  |  |
| --- | --- |
| Visi eismo įvykiai 2012-2016 m. | All traffic accidents in 2012-2016 |
| Metai | Year |

|  |  |
| --- | --- |
| Žuvusieji: Pervažų naudotoja 2012-2016 m. | Fatalities: User of level-crossings in 2012-2016 |
| Metai | Year |

|  |  |
| --- | --- |
| Žuvusieji: Pašaliniai 2012-2016 m | Fatalities: Unauthorised persons in 2012-2016 |
| Metai | Year |

|  |  |
| --- | --- |
| Visi žuvusieji 2012-2016 m. | All fatalities in 2012-2016 |
| Metai | Year |

|  |  |
| --- | --- |
| Sunkiai sužeistieji: Pervažų naudotojai 2012-2016 m. | Serious injuries: Users of level-crossings in 2012-2016 |
| Metai | Year |

|  |  |
| --- | --- |
| Sunkiai sužeistieji: Pašaliniai 2012-2016 m. | Serious injuries: Unauthorised persons in 2012-2016 |
| Metai | Year |

|  |  |
| --- | --- |
| Visi sunkiai sužeistieji 2012-2016 m. | All serious injuries in 2012-2016 |
| Metai | Year |

1. Annex.

|  |  |  |  |
| --- | --- | --- | --- |
| Table 1. Information on the status of the transposition of the amendments to the Railway Safety Directive as at the end of 2017 | | | |
| Amendments to the Railway Safety Directive | Transposed? (Y/N) | Legal reference | Date of entry into force |
| Directive 2004/49/EC | Yes | Law No XI-1905 of the Republic of Lithuania on Railway Traffic Safety | 01/04/2004  (current consolidated version as of 01/01/2018) |
| Law No IX-2152 of the Republic of Lithuania on Approval, Entry into Force and Application of the Railway Transport Code | 01/05/2004  (current consolidated version as of 01/01/2018) |
| Administrative Infringements Code of the Republic of Lithuania | 01/01/2017  (current consolidated version as of 01/09/2018) |
| Law No VIII-1029 of the Republic of Lithuania on Administrative Proceedings | 01/05/1999  (current consolidated version as of 16/07/2018) |
| Law No VIII-1524 of the Republic of Lithuania on the Right to Receive Information from State and Municipal Institutions | 01/06/2000  (current consolidated version as of 01/09/2018) |
| Resolution No 783 of the Government of the Republic of Lithuania of 17 June 2003 approving the Licensing Rules for railway undertakings (carriers) | 01/01/2004  (current consolidated version as of 01/11/2015) |
| Resolution No 1480 of the Lithuanian Government of 13 October 2010 approving the Regulations of the Ministry of Transport and Communications of the Republic of Lithuania | 24/10/2010  (current consolidated version as of 14/09/2018) |
| Resolution No 610 of the Government of the Republic of Lithuania of 19 May 2004 approving the Rules for the calculation and publication of the minimum access package charge and for the calculation and payment of the minimum access package charge payable by a specific railway undertaking (carrier) | 23/05/2004  (current consolidated version as of 10/12/2016) |
|  |  | Resolution No 1468 of the Government of the Republic of Lithuania of 22 November 2004 on the reorganisation of the Register of Rolling-stock of the Republic of Lithuania and approval of its Regulations | 26/11/2004  (current consolidated version as of 01/09/2017) |
| Order No 3-37 of the Minister for Transport and Communications of the Republic of Lithuania approving the Rules on safety certification of railway undertakings (carriers) and railway infrastructure managers | 01/01/2004  (current consolidated version as of 01/11/2015) |
| Order No 3-238 of the Minister for Transport and Communications of the Republic of Lithuania of 12 June 2006 approving the Procedure for the establishment of common traffic safety indicators | 23/06/2006  (current consolidated version as of 08/05/2015) |
| Order No 3-237 of the Minister for Transport and Communications of the Republic of Lithuania of 12 June 2006 approving the Rules for Providing Training Capacities | 23/06/2006  (current consolidated version as of 01/09/2015) |
| Order No 3-07 of the Minister for Transport and Communications of the Republic of Lithuania of 11 January 2007 approving the Technical Requirements and Railway Traffic Organisation Procedure for railway networks with a gauge other than 1 435-1 520 mm | 01/07/2007  (current consolidated version as of 02/02/2017) |
| Order No 3-332 of the Minister for Transport and Communications of the Republic of Lithuania of 31 July 2017 amending Order No 3-509 of the Minister for Transport and Communications of the Republic of Lithuania of 27 December 2006 approving the Regulations of the State Railway Inspectorate under the Ministry of Transport and Communications | 01/09/2017 |
| Order No 3-507 of the Minister for Transport and Communications of the Republic of Lithuania of 22 December 2006 approving the Rules on the Issue of Permits for the Commissioning of Structural Subsystems and Rolling Stock of the Rail System in the Republic of Lithuania | 01/07/2007  (current consolidated version as of 01/01/2018) |
| Order No 3-79 of the Minister for Transport and Communications of the Republic of Lithuania of 20 February 2003 approving the Regulations for reporting railway traffic serious accidents, accidents and incidents and for the investigation and response to railway traffic accidents, serious accidents and incidents | 15/03/2003  (current consolidated version as of 15/04/2017) |
| Order No 3-297 of the Minister for Transport and Communications of the Republic of Lithuania of 17 July 2006 approving the Description of the Requirements for Railway Traffic Safety Management Systems | 26/07/2006  (current consolidated version as of 24/04/2018) |
| Order No 3-506 of the Minister for Transport and Communications of the Republic of Lithuania of 16 August 2010 approving the List of the National Railway Traffic Safety Rules | 20/08/2010  (current consolidated version as of 01/09/2015) |
|  |  | Order No 3-237 of the Minister for Transport and Communications of the Republic of Lithuania of 12 June 2006 approving the Rules for Providing Training Capacities | 23/06/2006  (current consolidated version as of 01/09/2015) |
| Order No 3-431 of the Minister for Transport and Communications of the Republic of Lithuania of 19 July 2011 approving the Certification Rules for Entities in Charge of Maintenance of Freight Wagons | 24/07/2011  (current consolidated version as of 01/09/2015) |
| Order No 3-317 of the Minister for Transport and Communications of the Republic of Lithuania of 28 May 2004 on the establishment of the Register of Railway Infrastructure of the Republic of Lithuania and approval of its regulations | 09/06/2004  (current consolidated version as of 25/09/2018) |
| Order No 3-586 of the Minister for Transport and Communications of the Republic of Lithuania of 23 December 2004 approving the Rules for the Establishment and Application of the Requirements for the Interoperability of the Railway System | 16/01/2005  (current consolidated version as of 15/04/2017) |
| Order No V-29 of the Head of the State Railway Inspectorate under the Ministry of Transport and Communications of 14 October 2004 approving the Description of the Procedure for Testing the Knowledge of Natural Persons Seeking to Perform Work Directly or Indirectly Related to Railway Traffic | 01/12/2004  (current consolidated version as of 03/06/2017) |
| Order No V-24 of the Head of the State Railway Inspectorate under the Ministry of Transport and Communications of 28 March 2007 on traffic safety reporting by railway infrastructure managers, railway undertakings (carriers) and undertakings using railway infrastructure | 01/04/2007  (current consolidated version as of 03/11/2016) |
| Directive 2008/110/EC | Yes | Law No XI-1905 of the Republic of Lithuania on Railway Traffic Safety | 01/04/2004  (current consolidated version as of 01/01/2018) |
| Law No IX-2152 of the Republic of Lithuania on Approval, Entry into Force and Application of the Railway Transport Code | 01/05/2004  (current consolidated version as of 01/01/2018) |
| Law No XI-1807 of the Republic of Lithuania on Management of State Information Resources | 01/01/2012  (current consolidated version as of 01/09/2018) |
| Resolution No 1468 of the Government of the Republic of Lithuania of 22 November 2004 on the reorganisation of the Register of Rolling-stock of the Republic of Lithuania and approval of its Regulations | 26/11/2004  (current consolidated version as of 01/09/2017) |
| Order No 3-660 of the Minister for Transport and Communications of the Republic of Lithuania of 31 December 2013 approving the Rules for Supplying the Market with the Interoperability Components of the Railway System | 01/01/2014 |
|  |  | Order No 3-37 of the Minister for Transport and Communications of the Republic of Lithuania approving the Rules on safety certification of railway undertakings (carriers) and railway infrastructure managers | 01/01/2004  (current consolidated version as of 01/11/2015) |
| Order No 3-431 of the Minister for Transport and Communications of the Republic of Lithuania of 19 July 2011 approving the Certification Rules for Entities in Charge of Maintenance of Freight Wagons | 24/07/2011  (current consolidated version as of 01/09/2015) |
| Order No 3-238 of the Minister for Transport and Communications of the Republic of Lithuania of 12 June 2006 approving the Procedure for the Establishment of Common Traffic Safety Indicators | 23/06/2006  (current consolidated version as of 08/05/2015) |
| Order No V-441 of the Head of the State Railway Inspectorate under the Ministry of Transport and Communications of 20 July 2011 approving the Description of the Procedure for the Evaluation of Applications for the Certificate of an Entity in Charge of Maintenance of Freight Wagons Used in the 1520 mm Gauge Railway Network | 24/07/2011  (current consolidated version as of 01/09/2015) |
| Commission Directive 2009/149/EC | Yes | Law No XI-1905 of the Republic of Lithuania on Railway Traffic Safety | 01/04/2004  (current consolidated version as of 01/01/2018) |
| Order No 3-238 of the Minister for Transport and Communications of the Republic of Lithuania of 12 June 2006 approving the Procedure for the Establishment of Common Traffic Safety Indicators | 23/06/2006  (current consolidated version as of 08/05/2015) |
| 2014/88/EU | Yes | Order No 3-238 of the Minister for Transport and Communications of the Republic of Lithuania of 12 June 2006 approving the Procedure for the Establishment of Common Traffic Safety Indicators | 23/06/2006  (current consolidated version as of 08/05/2015) |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Table 2. Information on changes in the traffic safety legislation in 2017 | | | | | |
| Legislation | | Reference to the legal act | Date of entry into force | Amendments: | Reasons for amendment |
| Related to NSA | | Law No XII-589 of 30 June 2017 amending Article 6 of Law No IX-1905 of the Republic of Lithuania on Railway Traffic Safety | 01/09/2017 | Article 6(2) was recognised as null and void.  “2. The functions of a traffic safety authority shall be performed by the State Railway Inspectorate under the Ministry of Transport and Communications, with a ministry authorised by the Government of the Republic of Lithuania exercising the rights and fulfilling the obligations of its owner.” | Reorganisation of the State Railway Inspectorate (SRI) under the Ministry of Transport and Communications |
| Implementation of other EU requirements | | Law No XIII-754 of 16 November 2017 amending Article 31 of Law No IX-1905 of the Republic of Lithuania on Railway Traffic Safety | 01/12/2017 | Article 31(3) was recognised as null and void.  “3. If a train driver has forfeited the right to control rolling stock for one year or for a longer period under the Administrative Code of the Republic of Lithuania, such right shall be restored to him/her upon expiry of such period, provided that the train driver has passed the examination anew.” | The forfeit of the right to control rolling stock as an administrative sanction for administrative offences was abandoned because they shall be considered as rights to engage in labour, professional, economic or commercial activity rather than as special rights. |
| Implementation of other EU requirements | | Law No XIII-834 of 5 December 2017 amending Articles 9 and 13 of and the Annex to Law No IX-1905 of the Republic of Lithuania on Railway Traffic Safety | 01/01/2018 | * It has been established that permits for the commissioning of rolling stock issued in other Member States of the European Union (‘EU’) shall be effective in the Republic of Lithuania on the terms and conditions provided for in the multilateral agreement between the traffic safety authority, other relevant railway traffic safety authorities, and the EU Agency for Railways provided that the 1520 mm gauge railway network of the Republic of Lithuania and the other EU Member States is subject to technical and operational requirements equivalent to those in the neighbouring third countries. * It has been established that locomotives and self-propelling trains arriving from third countries, which are used on border railway lines, shall not be subject to the requirement to have a permit for the commissioning of that rolling stock in the Republic of Lithuania. The compliance of those locomotives and self-propelling trains with the essential requirements would be ensured by the railway undertaking (carrier) operating such rolling stock by applying the measures provided for in its railway traffic safety management system. * It has been established that the requirement to have a permit for the commissioning of rolling stock in the Republic of Lithuania shall not apply to freight wagons and passenger coaches jointly used for international railway traffic with third countries in the 1520 mm gauge railway network provided that the permits for the commissioning of that rolling stock have been issued or the right to operate the rolling stock has been granted in third countries. Copies of the rules of the issue of permits for the commissioning of rolling stock or grant of the right to operate rolling stock applicable in third countries when such rules have not been published on the website of the traffic safety authority must be submitted by the railway undertaking (carrier) which uses that rolling stock in the Republic of Lithuania to the Ministry of Transport and Communications of the Republic of Lithuania and the traffic safety authority. The traffic safety authority should publish such rules on its website and the Ministry of Transport and Communications of the Republic of Lithuania shall communicate them to the European Commission. In such a case, the compliance of freight wagons and passenger coaches with the essential requirements would be ensured by the railway undertaking (carrier) operating such rolling stock by applying the measures provided for in its railway traffic safety management system. * It has been established that the requirement to obtain permits for the commissioning of rolling stock and other structural subsystems in the Republic of Lithuania shall not apply to all sidings and only to the rolling stock and other structural subsystems used in them which are used by their owner, operator or user for his own needs. | Implementation of the provisions of Directives 2016/797/EU and 2016/798/EU |
| Implementation of other EU requirements | | Law No XIII-268 of 30 March 2017 amending Article 4 of Law No IX-2152 of the Republic of Lithuania on the Approval, Entry into Force, and Application of the Railway Transport Code of the Republic of Lithuania | 08/04/2017 | Modification of the area of application of Railway Transport Code of the Republic of Lithuania | Modification of legal regulation |
| Related to NSA | | Law No XIII-588 of 30 June 2017 amending Articles 3, 7, 10, 11, 16 and 22of the Railway Transport Code of the Republic of Lithuania | 01/09/2017 | The name of the authority after the reorganisation has been changed: the previously used term ‘State Railway Inspectorate under the Ministry of Transport and Communications’ has been replaced with the term ‘Railway Transport Traffic Safety Authority’ and it has been established that the authority in charge of railway traffic safety is authorised by the Minister for Transport and Communications. | Reorganisation of the State Railway Inspectorate (SRI) under the Ministry of Transport and Communications |
| Implementation of other EU requirements | | Law No XIII-833 of 5 December 2017 amending Article 13 of and the Annex to the Railway Transport Code of the Republic of Lithuania | 01/01/2018 | * An exception has been established, according to which rolling stock owned by natural and legal persons established in third countries (third country persons) for which permits for the first time have been issued in a third country are not required to be registered in the Rolling Stock Register of the Republic of Lithuania prior to their commissioning in the territory of the Republic of Lithuania. * The railway undertaking (carrier) which uses rolling stock owned by natural and legal persons established in third countries (third country persons) has been imposed with an obligation to provide the railway traffic safety authority (‘traffic safety authority’), at the request of the traffic safety authority, with data about the user of the rolling stock that is not subject to registration in the Rolling Stock Register of the Republic of Lithuania, the entity in charge of maintenance of the rolling stock and the limitations of use applicable to the rolling stock as well as other data about the rolling stock if the railway undertaking (carrier) has such data. This information shall be provided to other persons, if required, by the traffic safety authority. | Implementation of the provisions of Directives 2016/797/EU and 2016/798/EU |
| Related to NSA | | Law No XII-590 of 30 June 2017 amending Article 589 of the Code of Administrative Offences of the Republic of Lithuania | 01/09/2017 | Supplementation of the list of administrative offences in respect of which administrative offence proceedings shall be instituted, investigation of administrative offences shall be carried out, and administrative offence reports shall be drawn up by officers of the State Road Transport Inspectorate under the Ministry of Transport and Communications. The list has been supplemented with offences related to railway traffic safety. | Reorganisation of the State Railway Inspectorate (SRI) under the Ministry of Transport and Communications |
| Implementation of other EU requirements | | Law No XIII-753 of 16 November 2017 amending Articles 28, 29, 115, 227, 376, 379, 393, 396, 401, 403, 415, 426, 427, 428, 440, 464, 481, 482, 483, 484, 485, 488, 494, 573, 589, 595, 602, 610, 611, 681, 683, 685, 686 of and the Annex to the Code of Administrative Offences of the Republic of Lithuania and supplementation of the Code with Articles 3961, 4131 | 01/12/2017 | Modification of Article 376(2) of the Code of Administrative Offences to provide for liability for failure to inform the competent authority, in accordance with the established procedure, about a railway traffic serious accident, accident or incident;  Supplementation of the Code of Administrative Offences with Article 4131, which provides for liability for infringements of requirements relating to safety recommendations provided for in legal acts. | To establish administrative liability for infringements of legal acts governing infringements of railway traffic serious accidents, accidents and incidents |
| Implementation of other EU requirements | | Order No 2BE-232 of the Director of the Lithuanian Transport Safety Administration of 11 December 2017 establishing the rates of payments for the minimum access package charge | 11/12/2017 | Establishment of the rates of payments for the minimum access package charge for the period of the 2018–2019 working timetable period. | Modification of legal regulation |
| Implementation of other EU requirements | Resolution No 620 of the Government of the Republic of Lithuania of 26 July 2017 amending Resolution No 1468 of the Government of the Republic of Lithuania of 22 November 2004 on the establishment of a Rolling Stock Register of the Republic of Lithuania and approval of its regulations | | 26/07/2017 | Recast. Modification of the list of documents to be submitted for rolling stock to be registered in the Rolling Stock Register, simplification of the procedure for the amendment of rolling stock data and modification of the procedure for the deregistration of rolling stock. | Modification of legal regulation |
| Implementation of other EU requirements | Order No 3-475 of the Minister for Transport and Communications of the Republic of Lithuania of 13 October 2017 amending Order No 3-507 of the Minister for Transport and Communications of the Republic of Lithuania of 22 December 2006 approving the Rules on the Issue of Permits for the Commissioning of Structural Subsystems and Rolling Stock of the Rail System in the Republic of Lithuania | | 14/10/2017 | 1. Establishment of specific cases when the permit issuing authority shall conduct additional inspections and checks as well as specific cases when applicants must submit additional documents. 2. Specification of the term ‘impact on the general traffic safety level of respective rolling stock’. 3. Modification of the time limit for the issue of or refusal to issue the permit. 4. Establishment of a specific time limit for the elimination of shortcomings, establishment of the possibility to extend the time limit for the elimination of shortcomings, and modification of the provisions regarding the consideration of a request for the reconsideration of an adopted decision | Modification of the transposition of the provisions of Directive 2008/57/EC. |
| Implementation of other EU requirements | Order No 3-643 of the Minister for Transport and Communications of the Republic of Lithuania of 20 December 2017 amending Order No 3-297 of the Minister for Transport and Communications of the Republic of Lithuania of 17 July 2006 approving the Requirements for Railway Traffic Safety Management Systems | | 01/01/2018 | Expansion of the contents of the measures that must be established for the safety management systems of railway undertakings (carriers) and imposing the obligation on railway undertakings (carriers) to establish in the safety management systems such measures which will ensure the compliance of freight wagons and passenger coaches jointly used for international railway traffic with third countries in the 1520 mm gauge railway network which have been issued the permits for the commissioning of that rolling stock and granted the right to operate the rolling stock in third countries. | Implementation of Directive No 2016/882/EC. Modification of legal regulation |
| Implementation of other EU requirements | Order No 3-641 of the Minister for Transport and Communications of 20 December 2017 amending Order No 3-507 of the Minister for Transport and Communications of the Republic of Lithuania of 22 December 2006 approving the Rules on the Issue of Permits for the Commissioning of Structural Subsystems and Rolling Stock of the Rail System in the Republic of Lithuania | | 01/01/2018 | The area of application of the Rules on the Issue of Permits for the Commissioning of Structural Subsystems and Rolling Stock of the Rail System in the Republic of Lithuania has been modified taking into account the fact that the exception from the requirement to obtain permits for the commissioning of structural subsystems and rolling stock is proposed to be established in the draft amendment to Law No IX-1905 (at the legislative level). | Modification of legal regulation |
| Related to NSA | Order No 3-644 of the Minister for Transport and Communications of the Republic of Lithuania of 20 December 2017 amending Order No 3-317 of the Minister for Transport and Communications of the Republic of Lithuania of 28 May 2004 establishing of the Register of Railway Infrastructure of the Republic of Lithuania and approving its Regulations | | 23/12/2017 | Reorganisation of the Register of Railway Infrastructure of the Republic of Lithuania, i.e. the change of the Manager of the Register. It has been established that the Lithuanian Transport Safety Administration shall be the Manager of the Register. | Reorganisation of the State Railway Inspectorate (SRI) under the Ministry of Transport and Communications |
| Related to NSA | Order No 3-642 of the Minister for Transport and Communications of the Republic of Lithuania of 20 December 2017 reorganising the Register of Train Drivers and amending Order No 3-423 of the Minister for Transport and Communications of the Republic of Lithuania of 7 July 2010 establishing of the Register of Train Drivers, approving its Regulations, and establishing the beginning of functioning | | 23/12/2017 | Reorganisation of the Register of Train Drivers, i.e. the change of the Manager of the Register. It has been established that the Lithuanian Transport Safety Administration shall be the Manager of the Register. | Reorganisation of the State Railway Inspectorate (SRI) under the Ministry of Transport and Communications |

1. Annex.

|  |  |  |
| --- | --- | --- |
| Area of concern | Factor of concern | Proposed safety measure |
| Assurance of safe railway traffic | The train fitter forgot to install a switch protector insert | It is proposed to paint switch protector inserts in reflective red and green colours |
| Users of level-crossings | The user of the level-crossing did not understand that he had entered a level-crossing and, when reversing, collided with a shunting locomotive | It is proposed to install mirrors and road signs or other means to warn about a level-crossing |
| Fire safety | Fire broke out in a locomotive at the station-to-station block Paneriai–Lentvaris | It is proposed to replace oil supply pipes periodically, at the scheduled time. |
| Assurance of safe railway traffic | At Kena railway station, a passing train hit down a movable red warning board. | Proposed:   1. to arrange artificial track occupancy at railway sections where traffic intervals are assigned so that the control system would automatically prevent the preparation of routes at railway sections where train traffic is prohibited; 2. to provide for other measures to enable the station duty officer to clearly see all traffic intervals in the control system. |
| Fire safety | Fire broke out in a 2M62M locomotive at Gaižiūnai railway station | It is proposed to recast Point 12 of Description P-4 as follows: “When the internal combustion engine (ICE) is on, make sure that the pipes of the ICE coolant, fuel, and oil systems are undamaged...”. |
| Unauthorised persons in a dangerous railway area | An unauthorised person was injured at Kirtimai railway station. | Proposed:   1. to provide for a procedure for patrolling by the security staff and communication with the duty officer: the station duty officer shall inform the security officer that a train would pass the station at a specific time and the security officer must make sure that there is a vacant track for the train to pass, i.e. that the track is free from any unauthorised persons. If the security officer finds any obstacle on a track, he shall immediately inform the station duty officer; 2. to equip the security staff with means of direct communication with the station duty officer (portable radio sets, telephones) and to obligate the security staff to use those communication means to notify the duty officer of Kirtimai station about an obstacle on the railway track. To obligate the station duty officer, upon receipt of the notification of an obstacle on the track from a security officer, to report the obstacle to the drivers of the trains approaching the station. |
| Assurance of safe railway traffic | Derailment occurred at Paneriai railway station | It is proposed to revise the shunting procedures in place at the station and to provide for measures helping to ensure that train fitters comply with the safe shunting rules. |
| Assurance of safe railway traffic | At Paneriai railway station, an employee of AB Lietuvos Geležinkeliai was mortally injured | Proposed:   1. to ensure stricter control and supervision of workers subordinate to the track foreman (when the track foreman is not present, to appoint out of the workers team a person to control the performance of work and persons performing the work); 2. to record conversations between duty officers of centralised points and track foremen; 3. the duty officer of the centralised point shall register all records in the register; 4. to obligate duty officers of centralised points to inform track foremen about changes in routes provided for at morning meetings; 5. to draw up a procedure for the supervision of the area, providing that the work site must be illuminated when carrying out any work at the railway track (including the repair of the track); 6. once a month, to randomly review a certain volume of video and/or audio records and to punish employees who have infringed the requirements of the shunting procedure; 7. to amend Point 8 of the Station Book of Paneriai station, providing that the fitter must walk along the first wagon until the train stops. |
| Assurance of safe railway traffic | Derailment of two wheelsets of a wagon at Bugeniai sidings of AB Geležinkelių Aplinkosaugos Centras | It is proposed to provide specific measures which will be sufficient to manage the arising risk. |
| Assurance of safe railway traffic | There was a collision of a wagon with the automatic gates at the entry to the depot area | It is proposed to supplement Annex 6 to the Safety Management System to provide for risks related to the automatic gates. |
| Unauthorised persons in a dangerous railway area | An unauthorised person was injured at the station-to-station block Vilnius–Paneriai | It is proposed to equip all traction rolling stock with video recording equipment, which would enable accurate assessment of the causes of traffic accidents and identification of suicides that shall not be included in the data of railway traffic safety reports, and to select appropriate measures to eliminate causes of the traffic accident. |
| Assurance of safe railway traffic | Derailment of a wagon at the siding owned by UAB Saulex | It is proposed to adjust the Agreements on the Organisation of Carriage and Use of Sidings, emphasising that the quarterly check of the condition of sidings conducted by AB Lietuvos Geležinkeliai does not constitute the technical maintenance of structures. |
| Unauthorised persons in a dangerous railway area | An unauthorised person was seriously injured at Klaipėda railway station | It is proposed to amend the instruction and to exactly specify the actions of the train fitter before and during shunting operations (to examine the train before giving permission to go, to walk in the front of the train when it moves, etc.). |
| Unauthorised persons in a dangerous railway area | A locomotive injured an unauthorised person who was walking along the tracks at Radviliškis railway station | Proposed:   1. to include, on a mandatory basis, training for train drivers’ actions in case of noticing an unauthorised person near/on the track in the train drivers’ training programmes of AB Lietuvos Geležinkeliai; 2. to install signs ‘Pašaliniams vaikščioti draudžiama’ (‘No walking for unauthorised persons’) at Radviliškis railway station, near Track 28; 3. to arrange Skirjočių Street so that to make it convenient to walk for pedestrians. |
| Unauthorised persons in a dangerous railway area | A passenger train mortally injured an unauthorised person at Palemonas railway station | Proposed:   1. to equip the site of the traffic accident with means preventing unauthorised persons from entering the railway tracks; 2. to cut or otherwise rearrange the bushes that grow near the site of the traffic accident and obstruct the view. |
| Assurance of safe railway traffic | Wagons connected at a high speed at Vaidotai railway station | It is proposed to programme STOKIS information system, which is used at the station, so that the wagons carrying bulk, liquid, or other freights (fertilisers, salt, etc.) would be shown to the duty officer of the hump of Vaidotai railway station as marked in a bright colour. |
| Users of level-crossings | At Paneriai railway station, a shunting locomotive collided with a semi-trailer of a truck when performing shunting operations at Track 54. | Proposed:   1. At Paneriai railway station, near the level-crossing where the traffic accident occurred, to install beacons up to which wagons would be parked in order to prevent the obstruction of the view for vehicle drivers and/or to install spherical mirrors at that level-crossing; 2. At Paneriai railway station, near the level-crossing where the traffic accident occurred, to install signs instructing to use the locomotive whistle; 3. in KLUB-U locomotive system, to register the use of the whistle and also to record the use of the whistle in KLUB-U data registration cassette encryption certificates |
| Assurance of safe railway traffic | At Marijampolė railway station, a shunting locomotive derailed at sidings | Proposed:   1. To supplement the job description of the Transport Division Manager of UAB Lietuvos Cukrus with a paragraph providing that the Division Manager shall familiarise train drivers with the technical condition of the locomotive, working conditions, safety a work, fire safety, and work order, conduct on-site instruction briefing, and familiarise with the procedure of performing TP-1 maintenance; 2. In UAB Lietuvos Cukrus locomotive cabs, at a place readily visible to the driver, to paste stickers in a format of at least A4 with the following notation made in a font of at least 64: ‘Manevruojant turi būti įjungti automatiniai stabdžiai. Patikrinti rankinio stabdžio veikimą’ (‘Make sure the automatic brakes are on when shunting. Check operation of the hand brake’); 3. to supplement Safety and Health Instructions No 44 and No 49 for the railway fitter and locomotive driver with actions in cases of emergency, when locomotive or train brakes fail to operate during shunting operations; 4. to appoint a person to be in charge of the maintenance of the rolling stock. |
| Unauthorised persons in a dangerous railway area | A freight train mortally injured an unauthorised person at Šiauliai railway station | Proposed:   1. to cover the upper side of the fence along Kauno Street with a material to hinder getting over the fence; 2. to install automatic gates in the area of the warehouses at Dubijos Street. |
| Assurance of safe railway traffic | At Paneriai railway station, a loaded freight wagon derailed in the braking position when humping. | Proposed:   1. to supplement the manual of Paneriai marshalling yard hump with a paragraph describing the safe distance from the derailing block and the place from which placing of brake shoes is prohibited; 2. using brightly-coloured paint, to mark, on the rails or next to the brake shoe derailing block, the place behind which placing of brake shoes is prohibited. |

1. |  |
   | --- |
   |  |

   Directive No 2004/49/EC of the European Parliament and of the Council of 29 April 2004 on safety on the Community railways (OJ L 220, 21.6.2004, p. 16) [↑](#footnote-ref-2)
2. [http://vkti.lrv.lt/lt/gelezinkeliu-transporto- eismo-sauga-ir-saveika/saugos-ataskaita](http://vkti.lrv.lt/lt/gelezinkeliu-transporto-%20eismo-sauga-ir-saveika/saugos-ataskaita) [↑](#footnote-ref-3)
3. |  |
   | --- |
   |  |

   A guide for national safety authorities in applying Article 8 of Commission Regulation on a common safety method for supervision by national safety authorities after issuing a safety certificate or safety authorisation. [↑](#footnote-ref-4)