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The Annual Report of Romanian Railway Safety Authority – RRSA -2006-

A. Introductory chapter

A.1. Scope of the report

This is the first Annual Report of Romanian Railway Safety Authority, concerning the activity carried out in 2006 by our company in order to certificate and to grant the safety certificates to the railway operators and undertakings, to improve the safety performances and to implement the European Union Directives to the national legislation.

The Romanian Railway Safety Authority draws up and publishes the present Annual Report according to article 18 of the Law No 55/2006 concerning the railway safety, implementing the provisions of the Directive 2004/49/CE to romanian legislation.

The Romanian Railway Safety Authority was set up according to the provisions of the Law No. 55/2006 and operates according to the provisions of the Romanian Government Decision No. 1561/01.11.2006, modifying and completing the Government Decision no. 626/1998 concerning the Romanian Railway Authority – RRA organizing and operating.

The Romanian Railway Safety Authority is functioning since the first of march, 2007, when the organization chart has been approved by the Order of the Minister of Transports No. 373/01.03.2007 and for this reason the annual report is not containing all elements required by the template as regards the annual report content of national safety authorities.

The report's main tasks are:

- to present the regulation framework, through which the Directive 2004/49/EC was transposed to the national legislation;
- to present The Romanian Railway Safety Authority operating, the organization chart and the relations with other romanian railway operating bodies;
- to present the romanian railway network structure;
- to present the qualitative and quantitative indicators of the railway accidents and incidents;
- to present the licensed railway undertakings according to the provisions of the Directive 2001/14/CE and the railway infrastructure managers/administrators;
- to present the significant changes of the specific railway regulations and national legislation;

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B. Introduction

1. Introduction to the report

Romanian Railway Safety Authority - RRSA, was set up according to the Law no. 55/2006 concerning the railway safety.

RRSA operates within the Romanian Railway Authority as an independent part, functioning according to the provisions of the Law no. 55/16.03.2006 and to the Government Decision no. 626/1998 concerning the Romanian Railway Authority – RRA, modified and completed by the Government Decision no. 1561/01.11.2006.

Romanian Railway Safety Authority operates as an independent part from the viewpoint of organizational, legal structure and decisional process in respect of any undertaking, railway infrastructure manager, applicant and buyer.

Romanian Railway Safety Authority is entitled to perform the following activities:

- to authorize the functioning of the structural sub-systems of the trans - European high speed railway transport system, according to article 14 of the Government Decision no.1533/2003 and to verify their exploitation and maintenance according to the regulations in force;
- to authorize the functioning of the structural sub-systems of the conventional railway transport system, according to article 14 of the Government Decision no. 850/2003 and to verify their exploitation and maintenance according to the regulations in force;
- to survey the conformity of the interoperability constituents according to the requirements referred to in the article 12 of the Government Decision no.850/2003 and the Government Decision no.1533/2003;
- to authorize the functioning and putting into service of a new rolling stock or a modified rolling stock, which is not covered by a S.T.I;
- to issue, to renew, to modify and to revoke the relevant parts of the safety certificates and the safety authorizations, granted according to articles 10 and 11, to verify the accomplishment of the requirements and conditions established through this and to verify if the railway infrastructure managers and the railway undertakings are functioning according to community or national law;
- to survey, to promote and if necessary to apply and to develop the regulation on railway safety, including also the system of the national safety norms ;
- to survey if the rolling stock was correctly registered and to ensure that informations concerning the safety of the national register which was set up according to article 14 of the Government Decision no. 850/2003 and the Government Decision no.1533/2003, are precise and upgraded.

2. Informations concerning the railway infrastructure of Romania

The public railway infrastructure belongs to the romanian state, being assigned to the National Company of Romanian Railways ‘CFR’ SA on the basis of a contract consented with The Ministry of Transports, for a term of 49 years, without paying a due.

The public railway infrastructure elements are defined on the Government Decision no 581/1998, annex 2, regarding the National Company of Romanian Railways ‘CFR’ SA foundation, with subsequent changes.

The general features of the public railway infrastructure :

- the length of the railway network is 10.882 km, from which:
 - 2707 km of double track line;
 - 3292 km of electrified railway line;
- tractive energy power supply system from which:
 - voltage: 25 kv;
 - frequency: 50 hz;
- total length of the running railway infrastructure is 20.730 km, from which:



- 13807 km of main and direct lines;
- 6923 km of station tracks;
- depending on the nature of the railway property, the railway infrastructure is classified as follows:
 - 17.535 km of public infrastructure managed by the National Company of Romanian Railways 'CFR' SA;
 - 3197 km of private infrastructure of the National Company of Romanian Railways 'CFR' SA;
- from the point of view of interoperability, the infrastructure is classified as follows:
 - interoperable;
 - non-interoperable;
 - **the non-interoperable railway infrastructure** is part of the public or private railway infrastructure, connected or not to the interoperable railway infrastructure, managed and developed on the basis of a internal specific regulations; the non-interoperable railway infrastructure is composed of lines carrying little traffic, connected and blocked lines of reduced significance, the noninteroperable railway infrastructure being rented by the National Company of Romanian Railways 'CFR' SA (the list of the non-interoperable railway units and of the economical agents who rented this sections from the National Company of Romanian Railways 'CFR' SA can be found in annex A.1);
 - administrator of the non-interoperable railway infrastructure = any legal person or a group of legal persons, registered in Romania, entitled to perform repairing and maintenance of the railway infrastructure, and additional services for the railway transport, RRA granting authorization of the activities of this noninteroperable railway infrastructure running sections, having qualified personnel, authorized by RRA according to the laws in force, respecting the general and specific regulations of the railway running sections exploitation as regards the romanian railway transport.
- number of railway stations: 995;
- from the point of view of the railway superstructure equipment, of 20.730 km:
 - 4.771 km (23%) are equipped with railway superstructure type 65;
 - 1.813 km (9%) are equipped with railway superstructure type 60;
 - 614 km (3%) are equipped with railway superstructure type 54;
 - 10.395 km (50%) are equipped with railway superstructure type 49;
 - 3.137 km (16%) are equipped with railway superstructure smaller than 49;
- the railway network is equipped with 29.541 points and crossing, from which a number of 20868 belongs to the public railway infrastructure and 8672 belongs to the private railway infrastructure;
- on the railway network are available the following traffic safety installations:
 - 8 power station installations;
 - 637 electrodynamics installations;
 - 577 automatic section block installations (BLA);
 - 1073 automatic longitudinal barriers;
- on the railway network are available 18.164 railway bridges and platforms, with a total length of 144 km, from which:
 - 5055 with metallic superstructure;
 - 365 with superstructure of stressed concrete;
 - 12.744 with superstructure of concrete, steel concrete or stonework / brick;



For the moment, the control of train movement is being realized by 23 single-track line traffic controllers (RC) at regional level coordinated by 8 regional single-track line traffic controllers (RCR) and at central level is coordinated by the Central Office of Railway Traffic Coordination

(BCCTF) from the Traffic Division of the National Company of Romanian Railways 'CFR' SA. The RC activity is ensured by the traffic controllers who are also coordinating other running sections, administrating their traffic with help of the received informations and of the disposals transmitted to the movements inspectors from the railway stations. The informations are transmitted by phone or using IRIS system (a railway software application) being implemented to 301 railway stations, to 18 RC, to all RCR and to BCCTF.

The IRIS system assures the monitoring of railway traffic, graphic representation of the route of trains and of their location. The signalling of faults and interruptions to train movements are carried out by the traffic controllers, and the decisions concerning the traffic reestablishment and control are taken by RC, RCR or BCCTF.

The trains are running according to each railway undertaking route based on a previous long term programming (the annual timetable), a medium term (the monthly running programme or a ten days programme) and a short term (the daily running programme).

The programming and the running trains must take into account the features of the running sections and of their schedule.

As a rule, the running sections have an uninterrupted activity, but several running sections of low speed traffic are interrupted, specially by night.

3. The analysis of the safety certification evolution

3.1. Safety authorization of the railway infrastructure managers

Both in 2006 and in the present, the legal frame of transposing to the national legislation the Directive no 2004/49/EC concerning the railway infrastructure managers safety certification, is not operational.

Within 2006, on the basis of the Ministry of Transports, Constructions and Tourism's Order no. 691/08.04.2004 on the approval of the Norms on granting the authorization for administrating the non-interoperable railway infrastructure rented from the National Company of Romanian Railways 'CFR' SA (published in the Official Journal of Romania, Part 1, no.360/23.04.2004) have been granted administrating authorizations to 9 economic agents, so called 'non-interoperable railway infrastructure administrators'.

During 2007 was draw up a project by the order of the Ministry of Transports on granting the safety authorizations, as a result of putting in force the legal frame for transposing the Directive no.2004/49/CE to the national legislation, respectively the Law no.55/2006 concerning the railway safety, which establish the safety authorization activity of the railway infrastructure managers, this project being submitted for approval to the Ministry of Transports.

The list of the railway infrastructure managers/administrators is presented in Annex 2.1.

Taking into consideration the provisions of the national legislation in force within 2006, some informations of the European Railway Agency annual report of Annex 2.1, respectively those concerning the components of non-interoperable railway infrastructure, do not represent fundamental informations and/or obligatory in view of granting the railway infrastructure administrating authorizations nor they are in the RRSA database.

In order to grant the safety authorizations to the railway infrastructure managers/administrators, the Romanian Railway Safety Authority will complete the database.

3.2 The safety certification of the railway companies (railway undertakings)

In 2006 the provisions of the Directive 2004/49/EC concerning the railway undertakings certification could not be applied because of the transposing proceeding that was finished in november 2006 and became operational starting with march 2007.

The railway undertakings access on the romanian railway infrastructure during 2006 was effectuated on the basis of the following normative documents:

- Government Ordinance no.12/1998 on the approval of the romanian railway transport;
- Government Decision no.581/1998 on setting up the National Company of Romanian Railways 'CFR' SA;

- Government Ordinance no.89/2003 on the approval of the railway infrastructure capacities, charges of the railway infrastructure use and safety certification, approved with modifications by Law no. 8/18.02.2004;
- Government Decision no.1696/2006 on the approval of the Regulation for the allowance of the railway infrastructure capacities;
- Minister of Transports, Constructions and Tourism's Order no.343/2003 *on the approval of the Norms for granting of safety license and certificate, in view of carrying out public and/or private railway transport services on the Romanian railways, as well as for granting of shunting operation certificate and authorisation to the economic agents carrying out only railway shunting operations*, with subsequent modifications and completions;

Within 2006, according to the Directive no.2001/14/CE, the Safety Certificates were issued by the Romanian Railway Authority - RRA on the basis of the Minister of Transports, Constructions and Tourism's Order no.343/19.09.2003 *on the approval of the Norms for granting of safety license and certificate, in view of carrying out public and/or private railway transport services on the Romanian railways, as well as for granting of shunting operation certificate and authorisation to the economic agents carrying out only railway shunting operations* (published in the Official Journal of Romania, Part I, no.688 from 01.10.2003).

As result of putting in force the legal frame for transposing the Directive no.2004/49/CE to the national legislation, respectively the Law no.55/2006 concerning the railway safety establishing the safety certification activity of the railway undertakings, was promoted and approved the Order of the Ministry of Transports no.535/26.06.2007 *on the approval of the Norms for granting of safety license and certificate, in view of carrying out railway transport services on the Romanian railways*, that went into force on 25.08.2007.

The railway undertakings list is presented in Annex 2.2.

Taking into account the provisions of the national legislation in force within 2006, some informations of the European Railway Agency annual report of Annex 2.2, respectively those concerning the engine stock/self-propelled/wagons, the personnel and the capacity of transported goods or the passengers number, were not representing fundamental informations and/or obligatory in view of granting the safety certificates nor they are in the RRSA database.

In view of granting the safety certificates on the basis of the Order of the Ministry of Transports no.535/26.06.2007 *on the approval of the Norms for granting of safety license and certificate, in view of carrying out railway transport services on the Romanian railways* (published in the Official Journal of Romania, Part I, no. 501 from 26.07.2007), the Romanian Railway Safety Authority will complete the database.

4. The implementation of the Directive no. 2004/49/CE to the national legislation

In order to harmonise the romanian legislative process with that of the Member States of the European Union, Law no.55/16.03.2006 was adopted, as regards the railway safety.

The aim of the law is to ensure the safety development and improvement on the romanian railways and a better access to the railway services, supported by:

- a) harmonization of the legislative process with the legislation of the Member States of the European Union;
- b) definition of the participants responsibilities;
- c) transposition of the common safety objectives and methods to the national safety rules;
- d) setting up a romanian railway safety authority and an investigating body of the accidents and events;
- e) definition of common principles in order to administrate, to regulate and to control the railway safety;

The present law is applicable to the romanian railway system, being composed of structural and functional sub-systems. By this, the safety requirements are accomplished, including also the safety management of the railway infrastructure and traffic and the interaction between the railway undertakings and managers.

On the basis of this law, the following provisions of the Directive no.2004/49/CE, are to be implemented:

- safety development and improvement;
- common safety indicators;
- common safety methods;
- common safety objectives;
- national safety norms;
- safety management system;
- safety certification and authorization, specifying the requirements for this;
- access to training services;
- introduction on the market of used rolling stock, not covered entirely by STI;
- harmonisation of the safety certificates.

This law suffered modifications concerning the granting of the railway license, modified by the Government Ordinance no.89/2003 *on the approval of the railway infrastructure capacities, charges of the railway infrastructure use and safety certification* (published in the Official Journal of Romania, Part I, no.623 from 31.08.2003) and approved by the Law no.8/2004 (published in the Official Journal of Romania, Part I, no.178/02.03.2004).

By the **Government Decision no.1561/01.11.2006 modifying and completing the Government Decision no.626/1998 on the organization and functioning of the Romanian Railway Authority – RRA (normative document that went into force on 21.11.2006)**, Romanian Railway Authority- RRA has been reorganised.

Romanian Railway Authority – RRA is a public office with legal structure, entirely financed by extra-budgetary funds, is the specialized technical body of the Ministry of Transports, Constructions and Tourism, notified to ensure, mainly the state inspection and the safety control of the railway and subway transport.

RRA's main tasks are, as follows:

- a) to authorize the railway infrastructure manager concerning the traffic safety;
- b) to license and to certify the railway undertakings concerning the traffic safety;
- c) to investigate the events and the serious accidents, occurred in the railway transport;
- d) to assess and to survey the structural interoperability constituents and sub-systems of the railway system;
- e) to survey the compliance of the main requirements, in order to realize the interoperability of the high speed and conventional railway transport system on the romanian territory;
- f) to perform technical checkings of the railway and subway transport;
- g) to survey, to promote and to develop the regulation on the railway safety;
- h) to authorize and to survey, from the technical point of view, the domestic suppliers of railway services and products;
- i) to register the rolling stock and to keep a situation of the public railway infrastructure;
- j) to examine and to grant certificates, licenses, in case, to the staff working in the field of traffic safety of the railway transport.

Within the Romanian Railway Authority operates 4 independent bodies having a continuous activity, stipulated by the Law no.55/2006 concerning the railway safety, such as:

- a) Romanian Railway Safety Authority – RRSA;
- b) Romanian Railway Notified Body – RRNB;
- c) Romanian Railway Investigating Body – RRIB;
- d) Romanian Railway Licensing Body – RRLB.

As result of putting in force the legal frame for transposing the Directive no.2004/49/CE to the national legislation, respectively the Law no.55/2006 concerning the railway safety establishing the safety certification activity of the railway undertakings, **was promoted and approved the Order of the Ministry of Transports no.535/26.06.2007 on the approval of the Norms for granting of safety license and certificate, in view of carrying out railway transport services on the Romanian railways, that was put in force on 25.08.2007.**

Within 2007 was draw up a draft order on granting the safety authorizations, submitted for the approval to the Ministry of Transports, as result of putting in force the legal frame for transposing the Directive no.2004/49/CE to the national legislation, respectively the Law no.55/2006 concerning the railway safety, establishing the safety certification activity of the railway infrastructure managers.

C. Romanian Railway Safety Authority - RRSA

1. Presentation

Romanian Railway Safety Authority – RRSA is set up according to the provisions of the Law No.55/2006 and it is organized and operates according to the provisions of the Government Decision no.1561/01.11.2006, modifying and completing the Government Decision no.626/1998 concerning the Romanian Railway Authority RRA organizing and operating.

Romanian Railway Safety Authority – RRSA operates since 01.03.2007, when the organizational structure was adopted by the Order of the Ministry of Transports no. 373/01.03.2007.

According to the provisions of the Law no.55/2006, article 16, on the railway safety, the Romanian Railway Safety Authority is an independent part from the viewpoint of organizational, legal structure and decisional process in respect of any railway undertaking, railway infrastructure manager, applicant or buyer, being entitled to perform the following activities:

- a) to authorize the functioning of the structural sub-systems of the trans - European high speed railway transport system, according to article 14 of the Government Decision no. 1533/2003 and to verify their exploitation and maintenance according to the regulations in force.
- b) to authorize the functioning of the structural sub-systems of the conventional railway transport system, according to article 14 of the Government Decision no.850/2003 and to verify their exploitation and maintenance according to the regulations in force.
- c) to survey the certification of the interoperability constituents according to the requirements referred to in the article 12 of the Government Decision no.850/2003 and the Government Decision no.1533/2003;
- d) to authorize the functioning and putting into service of a new rolling stock or a modified rolling stock, which is not covered by a S.T.I;
- e) to issue, to renew, to modify and to revoke the relevant parts of the safety certificates and the safety authorizations, granted according to articles 10 and 11, to verify the accomplishment of the requirements and conditions established through this and to verify if the railway infrastructure manager and the railway undertakings are functioning according to community or national law;
- f) to survey, to promote and if necessary to apply and to develop the regulation on the railway safety, including also the system of the national safety norms;
- g) to survey if the rolling stock was correctly registered and to ensure that informations concerning safety of the national register which was set up according to article 14 of the Government Decision no.850/2003 and the Government Decision no.1533/2003, are precise and upgraded.

The tasks mentioned above cannot be transferred to the railway infrastructure managers, railway undertakings or buyers.

According to the provisions of article 3, paragraph (2) of the Government Decision no. 1561/01.11.2006 modifying and completing the Government Decision no.626/1998 concerning the Romanian Railway Authority - RRA organizing and operating, the Romanian Railway Safety Authority is entitled to perform the following activities:

- a) to authorize the functioning of the structural sub-systems of the trans - European high speed railway transport system, according to article 14 of the Government Decision no. 1533/2003 concerning the interoperability of the high speed railway transport system and to verify their exploitation and maintenance according to the regulations in force;
- b) to authorize the functioning of the structural sub-systems of the conventional railway transport system, according to article 14 of the Government Decision no.850/2003 concerning the interoperability of the romanian conventional railway transport system with the trans-european conventional railway transport system and to verify their exploitation and maintenance according to the regulations in force;
- c) to authorize the functioning and putting into service of a new rolling stock and substantially modified, which is not covered by a technical specification of interoperability;
- d) to survey the conformity of the interoperability constituents according to the regulations in force, the Government Decision no.1533/2003 and the Government Decision no. 850/2003;
- e) to survey the railway infrastructure and if the rolling stock was correctly registered and to ensure that informations concerning safety of the national register, setting up according to the Government Decision no.850/2003 and Government Decision no.1533/2003, are precise and upgraded;
- f) to issue and to renew the safety certificates for the railway undertakings, to modify and to revoke the relevant parts of those;
- g) to issue and to renew the safety authorizations for the romanian railway infrastructure managers to modify and to revoke the relevant parts of those;
- h) to certify the management system of the romanian railway infrastructure managers and of the railway undertakings;
- i) to certify the provisions adopted by the romanian railway infrastructure managers in order to ensure the railway infrastructure safety concerning the design, the maintenance and the exploitation of this, including the maintenance and the exploitation of the traffic control and signaling, if necessary;
- j) to certify the provisions adopted by the railway undertakings in order to ensure a safety functioning of the railway network;
- k) to survey, to promote and to harmonise the regulation on the railway safety, including also the system of the national safety norms, in correspondence of the system adopted by the European Union. Mainly, draws up and/or informs and submit for the approval to the Ministry of Transports, Constructions and Tourism:
 - specific regulations of the national and international railway transport system;
 - specific regulations of the national and international railway and subway transport and of the combined and multimodal transport;
 - specific regulations for the transport of dangerous goods;
 - specific regulations in order to authorize, to certify and to attest the personnel for the railway and subway transport;
- l) to perform technical checkings of the railway and subway vehicles, in order to ensure the railway safety, the transport security and the public services quality, as regards :
 - respecting the inner and international regulations of the railway and subway transport;
 - respecting the specific regulations concerning the railway safety, the transport security and the public services quality of the railway and subway transport;

- respecting the obligatory technical norms regarding the activities for building, upgrading, repairing, maintaining, technical checking and operating of the rolling stock and of the railway infrastructure;
 - fulfilling the main requirements of the certificates and safety authorizations, as well as the fact that the railway infrastructure managers and undertakings are operating according to the national or community law;
 - fulfilling the main requirements of the industrial railways operating authorizations;
- m) to survey from the point of view of traffic safety the railway suppliers;
 - n) to investigate the events and the serious accidents, occurred in the railway and subway transport, and to investigate the other events or accidents;
 - o) to inform RRIB about the railway events;
 - p) at RRIB request, the Romanian Railway Safety Authority can take part to the RRIB investigations;
 - q) to authorize the subway transport and to issue transport authorizations;
 - r) to authorize the operation of the railway stations and to grant their authorizations;
 - s) to authorize the industrial railways operating and to grant their authorizations;
 - t) to examine and to grant certificates, licenses, in case, to the staff working in the field of traffic safety of the railway and subway transport;
 - u) to grant the training of the personnel, to certify the dangerous goods counsellors and to issue certificates;
 - v) to draw an annual report concerning the activity of the previous year, to publish this report to the RRSA Bulletin and on the web and to deliver this report to the European Railway Agency at latest september 30;
 - w) to put to the applicants disposals guidelines concerning the requirements of the authorization, certification and attesting;
 - x) other tasks specific to its field, conferred by the normative documents.

The management of the Romanian Railway Safety Authority is performed by an Executive Committee composed of five persons, his chairman being the Romanian Railway Safety Authority Director, named by the order of the Minister of Transports.

The Executive Committee members are experts of the Ministry of Transports, named and revoked by the order of the Minister of Transports.

The Romanian Railway Safety Authority Director is a member of the Romanian Railway Authority - RRA Executive Board. The members of the Romanian Railway Authority- RRA Executive Board are named by the order of the Minister of Transports, according to the regulations in force.

According to the provisions of article 17, paragraph (1) of Law no.55/2006 concerning the traffic safety, the Romanian Railway Safety Authority performs his tasks in a transparent way, as follows:

- ensures a good listening of all parts and motivates his decisions;
- answers in a prompt way to all requests;
- informs without delay about his information demands and approves all decisions within 4 months from delivering all requested informations;
- during the fulfilment of the tasks stipulated to article 16 of the Law no.55/2006 on safety matter, the Romanian Railway Safety Authority can ask technical assistance of the railway infrastructure managers and undertakings or of authorized companies;
- during the national legislative process, the Romanian Railway Safety Authority consults all involved parts or persons, including the railway infrastructure managers, railway undertakings, railway manufacturers and suppliers, customers and the personnel representatives.

According to the article 17, paragraph (2) of the Law no.55/2006 on traffic safety, the Romanian Railway Safety Authority is authorized to develop all necessary technical checkings

and investigations in order to accomplish his tasks, granting access to all relevant documents and buildings, installations and equipments of the railway infrastructure managers and undertakings.

All disputes against the decisions adopted by the Romanian Railway Safety Authority are solved according to the regulations in force.

As well, according to the provisions of the laws mentioned above, the Romanian Railway Safety Authority has established a legal order to collaborate with other safety authorities of the Member States of the European Union in order to harmonize the decision criteria of the Community, the purpose of this collaboration being to facilitate and to coordinate the railway undertakings to which were granted international path lines according to the procedure established by the Government Ordinance no.89/2003, article 15, approved by the Law no.8/2004, with modifications and completions to it.

The Romanian Railway Safety Authority organisation chart is presented to the Annex B.1

2. The organisational flow

The organisational flow of the Romanian Railway Safety Authority activities is presented in Annex B.2.

D. Development of the railway safety

1. Initiatives to improve the safety performances

Within 2006, the railway events were classified as railway events or railway accidents, according to the provisions of the *Instructions for preventing and investigating the events and the accidents – 003*, approved by the Order of the Ministry of Transports no.210/2000, which is different from the actual classification and the investigating method stipulated to the Directive 2004/49/CE.

On the basis of the *Instructions for preventing and investigating the events and the accidents – 003*, approved by the Order of the Ministry of Transports no.210/2000, the investigation of the railway accidents was performed by the Romanian Railway Authority- RRA, while the railway events investigation was performed by committees composed of railway infrastructure managers/administrator and railway undertakings representatives.

Within 2006, two railway accidents took place, being classified according to the provisions of the *Instructions for preventing and investigating the events and the accidents – 003*, approved by the Order of the Ministry of Transports no.210/2000, these railway accidents being investigated by the Romanian Railway Authority.

For preventing similar railway accidents, the Romanian Railway Authority adopted measures; they are presented to schedule 1.1.

Schedule D 1.1 - Safety measures due to the accidents

Determined measures	Accidents/precursors that lead to this measures		
	Date	Place	Description of the event
Discussing with the railway infrastructure manager (National Company of Romanian Railways 'CFR' SA) and of the railway undertakings (National Society of Freight Railway Transport 'CFR MARFA' SA) staff, the causes of the accidents and the measures for this.	26.02.2006	CFR Augustin station - Apața Halt	The derailment and the overturning of 2 wagons of the freight train no. 83132. The cause of this: breaking the left axle journal of the second bogie of the first mounted axle, from the direction traffic of the wagon no. 35547881070 (owner Ceske Drahy rail company), because of the inner ring breaking of the roller bearing type WJP.
a) the executive of the National Company of Romanian Railways 'CFR' SA and of the railway undertakings, will examine the control efficiency and will punish those employees that do not perform the checking activity according to the established methods and are not convinced that the responsibilities and tasks of	12.12.2006	Mera Halt - CFR Baciú Triaj station	The freight train no. 31208 was smashed by the passenger train no. 3634. Because of this, the last two wagons and the locomotive of the freight train and the first wagon of the passenger train went off the rails.

<p>the personnel responsible with traffic safety are assumed and accomplished indeed;</p> <p>b) increasing the control efficiency by inventorying the risk factors specific to the type of activity developed in any sub-unit in order to find out how the railway staff is working or is involved in preventing the railway accidents or events;</p> <p>c) drawing up instructive materials, presenting the railway events and serious accidents of 2006, signed by all responsible staff;</p> <p>d) all personnel with responsibilities in the traffic safety field will be instructed and examined concerning the provisions of the Regulation for train traffic and the shunting of railway vehicles no. 005/2005.</p>			
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Schedule D 1.2 - Safety measures due to other factors (*)

Safety measure token	Description of the measures due to other factors
Was not necessary	-

(*) It was not necessary to take measures due to other factors, because it was not a legal basis for this.

As follows, a synthetized situation on trains collisions (including collisions with obstacles within clearance gauge) and derailment of trains on the romanian railway infrastructure in 2006. This events were classified as railway events according to the provisions of the *Instructions for preventing and investigating the events and the accidents – 003*, the railway events investigation being performed by committees composed of railway infrastructure managers/administrator and railway undertakings representatives, who had established measures for preventing similar cases.

Trains collisions (including collisions with obstacles within clearance gauge)

Current No.	Date occurence	Place occurrence	Short Description	Cause
1.	The 10 th of May 2006	Strambuța Halt	The freight train no.30476 exceeds the entry signal Y of Strambuța Halt, passes through Strambuța Halt, exceeding the exit signal Y2 of Strambuța Halt and enters to the main line Strambuța - Pietrele Albe, occupied by the freight train no.24601.	The non-observance by the freight train driver of the entry signals position Y and of the exit signals position Y2 in the H.m. Strambuța
2.	The 25 th of August 2006	CFR Bucureștii Noi Railway Station	Dispatching the freight train no.12096 from the CFR Bucureștii Noi railway station to the CFR București Nord railway station, as the passenger train no. 797 was not clearing the running track, being stopped at the entry signal of CFR Bucureștii Noi Station.	Dispatching the freight train no. 12096 from the CFR Bucureștii Noi Station to the CFR București Nord Station, as the passenger train no.797 was on the main line of București Nord - Bucureștii Noi, without respecting the instructions regulations.
3.	The 18 th of November 2006	Basarabi – Dorobanțu Railway Stations	The freight train no.70854 run into freight train no.84942, between CFR Basarabi - Dorobanțu railway stations, on the running line II, at 293+600 km. On account of this event, it was produced the derailment of 4 wagons of the freight train no.84942 and of the engine EA no.1022 on the first axle journal of the first bogie in the direction of the traffic, which was hauling train no. 70854.	Overrunning the stoped passing signal BL 8 and isolating the block signal device of the engine no. EA 1022, that was hauling train no.70854 .

Trains derailments

Current No.	Date of the collision	The place of the collision	Short Description	Cause
1.	The 14 th of January 2006	CFR Balotești railway station	At the exit of the passenger train no. 874, deflecting section I 1, heading to Caciulati, it was produced the derailment of the engine no.65-1046-5 on both bogies and of his first wagon no. 50531147100-5 on first bogie.	The SC measures concerning the replacement of aut of services devices of the signal box CEM were not assumed.
2.	The 2 nd of March 2006	CFR Brăila railway station	When the freight train no.60403 crossed the running line II, it was produced the derailment of 3 wagons.	Lateral oscillations of the fifth wheel rim of the fifth wagon, as result of loosing tightening.
3.	The 5 th of March 2006	Constanța Ferry Boat railway station	A derailment of the wagon no. 315345560207 on the first bogie was produced when the train no.80087 that belongs to National Company of the Constanța Harbour Administration was parked to line 9.	Overloading the track.
4.	The 13 th of March 2006	Larion Halt, deflecting section 2	By the banking shunting, the first 3 wagons after the locomotive of the freight train no.43371 hauled by the locomotive EA 886 derailed, snowed up on the deflecting section 2, during the banking shunting for the running.	The strong banking of the locomotive EA 853 – pinch bars, non-coupling at the train and brake.
5.	The 21 st of March 2006	Predeal railway station	The derailment of the first bogie in the direction of traffic of the locomotive EA no.029 from the passenger train no.1622.	The detachment of a rim part from the first axle in the direction of traffic.
6.	The 4 th of April 2006	Timișu de Sus Halt – Dârste railway station	The derailment of one bogie of the wagon no.31535484424-5 of the freight train no. 41043.	The exceeding of the load between the wheels of the same axle due to the movement of the load.
7.	The 26 th of April 2006	Nimigea Halt – Salva railway station	The derailment of one bogie of the last wagon of the passenger train no. 4464.	Loosing the supporting strength of the track bed because of the settlements produced during abundant rainfalls.
8.	The 28 th of May 2006	Otopeni Halt – Voluntari Halt	In the traffic of the freight train no. 53395 have derailed the locomotive and the first 4 wagons of the train.	A non-completed drawing up of the freight train no.53395 exit route by the service official from H.m. Voluntari.
9.	The 5 th of December 2006	Dâmbu railway station	The last bogie of the last wagon from the passenger train no.7065 derailed.	The handling of the point switch 2/4 under the train.
10.	The 31 st of May 2006	Poarta Halt	At the 433+950 km from the entrance in tunnel Poarta, one axel of the wagon no. 43802320024-1 derails, because of its unloading during the hauling.	Exceeding of the head of rail by the rim lip of the wheel of the axel of the wagon with the 640 mm diameter, because of the longitudinal dynamic forces created in the train case due to the slackening of speed in the section with restriction.
11.	The 25 th of July 2006	Oradea Est railway station	The derailment of one bogie of the wagon no.31563552004-4 of the freight train no. 46622.	The non curve negotiation of the wagon due to the centre casting locking, because of the expulsion of the polyamide plate.
12.	The 24 th of August 2006	Lumina Halt	At the 22+260 km, one bogie of the locomotive DA 1209 derailed, the locomotive hauled the freight train no.59214, belonging to the SC Uniferttrans SA.	The non observance of the tolerances in the line operation.

13.	The 18 th of September 2006	Sărmășag – Acâș railway station	The derailment of one bogie of the wagon no.33537816058-4 from the freight train no. 42690.	The non curve negotiation of the wagon due to the centre casting locking, because of the expulsion of the polyamide plate.
14.	The 23 rd of October 2006	Rupea railway station	The derailment of one bogie of the wagon no. 82533881351-3 from the freight train no. 93218	The axle journal breakage no. 2 because of the WJ ring destruction.
15.	The 7 th of November 2006	Breaza Nord Halt	The derailment of one axle of one wagon from the the freight train no. 70785.	The rim of the wheel detachment of the wheel no.5 of the wagon no. 84535366261-0.
16.	The 20 th of November 2006	Urechești-Caciulati Halt	At the 21+350 km derailed one axle of the tower wagon DPE 82-020, that runs on the available train path no. 58967.	The axle journal breakage from the axle 2, the left wheel in the direction of traffic. The axle journal broke in the connection point with the wheel.
17.	The 24 th of December 2006	Câmpia Turzii railway station	At the crossing of the freight train no. 93216 over the points no. 30, one wagon overturned and one bogie of the following two wagons derailed.	The non curve negotiation of the wagon no. 82537880862-0.
18.	The 31 st of December 2006	Medgidia – H.m. Mircea Voda Line 2 railways station	Between the railway stations Medgidia and Mircea Voda, at the 183+690 km the second axle of the second bogie of the coach no. 515320550468 from the passenger train no. 684 derailed.	The rail breakage under the load at the glued insulated joint from the right stretch of rails.

2. Analysis of the railway events and accidents informations

As result of putting in force the legal frame for transposing the Directive no.2004/49/CE to the national legislation, respectively the Law no. 55/2006 on the railway safety, safety indicators were draw up according to the provisions of the annex 1 of the Law no.55/2006 on the railway safety.

For 2006, the safety indicators were draw up according to the railway infrastructure managers/administrator and railway undertakings evidences.

The numerical data and the used definitions are presented to Annex C.

E. Significant changes of the regulations and legislation

In Annex D are presented informations regarding the significant changes of the specific railway regulations and legislation.

F. The development of certificate activity and safety authorization

1. National legislation – beginning date – availability

1.1 *Beginning date for safety certification according to article 10 of the Directive 2004/49/EC (if neccessary, to distinguish between part A and B):* august 25, 2007.

1.2 *Beginning date for safety authorizations to article 11 of the Directive 2004/49/EC.*

In 2007, the Romanian Railway Safety Authority elaborated the project order of the Ministry of Transports in order to grant the safety authorizations, being submitted for the approval to the Ministry.

1.3 *Availability of the national safety regulations or other relevant legislations concerning the railway companies and railway infrastructure managers (web, application, etc.).*

They are webs of the Romanian Railway Authority - RRA (www.afer.ro) and of the Romanian Railway Safety Authority (www.afer.ro/ASFR/Romana/frames.html) where are presented all relevant documents, guidelines and specific legislation of the activities).

2. Numerical data

Elements concerning the certification activity and safety authorization are presented to Annex E.

3. Procedural aspects

3.1 Safety certificate – part A

In 2006 the legal frame for transposing the Directive no.2004/49/CE to the national legislation concerning the safety certificate of the railway companies (railway undertakings) was not operational.

According to the Directive no.2001/14/CE, the Safety Certificates were issued on the basis of the Minister of Transports, Constructions and Tourism's Order no.343/19.09.2003 *on the approval of the Norms for granting of safety license and certificate, in view of carrying out public and/or private railway transport services on the Romanian railways, as well as for granting of shunting operation certificate and authorisation to the economic agents carrying out only railway shunting operations* (published in the Official Journal of Romania, Part I, no. 688 from 01.10.2003).

Until this report, Safety Certificates - part A according to Directive 2004/49/CE were not issued.

According to the legislation in force, in 2006 the requested data from 3.1.1 – 3.1.8 of the report of the European Railway Agency were not solicited for granting the safety certificate and they are not in the RRSA database.

Once with the entry in force of the Order of the Ministry of Transports no 535/26.06.2007 on the approval of the Norms for granting of safety license and certificate, in view of carrying out railway transport services on the Romanian railways, this data will be solicited and integrated to the database, will be presented in the content of the following annual report presented to ERA.

3.2 Safety Certificates – Part B

In 2006 the legal frame for transposing the Directive no.2004/49/CE to the national legislation concerning the safety certificate of the railway companies (railway undertakings) was not operational.

According to the Directive no.2001/14/CE, the Safety Certificates were issued on the basis of the Minister of Transports, Constructions and Tourism's Order No.343/19.09.2003 *on the approval of the Norms for granting of safety license and certificate, in view of carrying out public and/or private railway transport services on the Romanian railways, as well as for granting of shunting operation certificate and authorisation to the economic agents carrying out only railway shunting operations* (published in the Official Journal of Romania, Part I, no.688 from 01.10.2003).

Until this report, Safety Certificates - part B according to Directive 2004/49/CE were not issued.

3.2.1. Reasons for updating/amending part B of certificate:

- variety of the services (passenger, freight, shunting operation);
- extension of the traffic running tracks (extension of the running sections);
- modifying the traction rolling stock fleet;
- modifying the type of the hauled stock;
- changing the legal form, the name of the railway undertakings, etc.

3.2.2. Main reasons if the mean issuing time for Part B Certificates (restricted to these mentioned in Annex E and after having received all necessary information) was more than the 4 months foreseen in Article 12 (1) of the Safety Directive.

The terms for obtaining all necessary informations are established by the Minister of Transports, Constructions and Tourism's Order no.343/2003, through which safety certificates were granted to the railway undertakings.

3.2.3 NSA charging fww for issuing a Part B Certificate Part B (Yes/ No- Cost)

According to the Minister of Transports, Constructions and Tourism's Order no.137/2003 on the approval of the charges for the railway services carried out by the Romanian Railway Authority.

3.2.4 Summary of the problems with using the harmonised formats for Part B Certificates, specially in relation to the categories for type and extend of service.

Until now, the harmonized formats for Certificate Part B were not used, being available in 2007 to the CE Regulation no.653/2007 of June 13, 2007.

3.2.5 Summary of the common problems/difficulties for the NSA in application procedures for Part B Certificates.

In 2006, Certificate Part B was not transposed to the national legislation.

3.2.6 Summary of the problems mentioned by Railway Undertakings when applying for a Part B Certificate.

Shall be analyzed, once the Order of the Ministry of Transports no.535/2007 will enter into force.

3.2.7 Feed-back procedure (e.g. questionnaire) that allows Railway Undertakings to express their opinion on issuing procedures/practices or to file complaints.

They are not stipulated to the national legislation.

3.3 Safety Authorisations

In 2006 the legal frame for transposing the Directive no.2004/49/CE to the national legislation concerning the safety authorization of the railway administrators was not operational.

For the National Company of Romanian Railways 'CFR' SA (railway infrastructure manager) is not stipulated a legal authorization form, going to be introduced by an order granting the safety authorization for the railway infrastructure managers and administrators.

For the non-interoperable railway infrastructure administrators were issued 'Administering Authorizations' on the basis of the Ministry of Transports, Constructions and Tourism's Order no.691/08.04.2004 on the approval of the Norms on granting the authorization for administering the non-interoperable railway infrastructure rented from the National Company of Romanian Railways 'CFR' SA (published in the Official Journal of Romania, Part 1, no.360/23.04.2004).

In 2007, the Romanian Railway Safety Authority elaborated the project order of the Ministry of Transports a Minister on granting the safety authorizations, being submitted for the approval to the Ministry.

3.3.1 Reasons for updating/amending safety authorizations:

- modifying the number/length of the non-interoperable running stations rented by the railway infrastructure administrators from the National Company of Romanian Railways 'CFR' SA;
- changing the legal form, the name of the railway infrastructure administrators and so on.

3.3.2 Main reasons if the mean issuing time for safety authorizations (restricted to these mentioned in Annex E and after having received all necessary informations) was more than the 4 months foreseen in article 12 (1) of the Safety Directive.

The terms for obtaining all necessary informations are established by the Minister of Transports, Constructions and Tourism's Order no.691/2004, through which administering authorizations were granted.

3.3.3 Summary of the regularly problems/difficulties in application procedures for Safety Authorizations.

The safety authorization of the railway infrastructure administrators was not transposed to the national legislation.

3.3.4 Summary of the problems mentioned by Infrastructure Managers when applying for a Safety Authorisation.

Shall be analyzed, once a project order will enter into force.

3.3.5 Feed-back procedure (e.g. questionnaire) that allows Infrastructure Managers to express their opinion on issuing procedures/practices or to file complaints.

They are not stipulated to the national legislation.

3.3.6 NSA charging fee for issuing a Safety Authorization (Yes/ No- Cost)

According to the Minister of Transports, Constructions and Tourism's Order no.137/2003 on the approval of the charges for the railway services carried out by the Romanian Railway Authority.

G. Supervision of the Railway Undertakings and the Infrastructure Managers

1. Description of the supervision of Railway undertakings and infrastructure manager/non-interoperable railway infrastructure administrators.

Within 2006, Romanian Railway Authority, on the basis of the Government Decision no.626/1998 and Transport Minister's Order no.650/07.12.1998 on organizing and controlling and state inspection in railway and subway transport and on some specific measures concerning the railway events inspection, has developed controlling and state inspection activities in order to survey the observance of the internal and international regulations and rules as regards the traffic safety, the transport security and the quality of public services, in the railway and subway transport.

By controlling and state inspection activities in railway and subway transport is verified the observance of the regulations specific to traffic safety and transport security, the quality of public services, discovering the problems and the wrong working methods and their causes and measures for preventing, treating and removing.

The controlling consist of analysing the entire activity of the economic agent, on determined period, concerning the traffic safety, the transport security and the quality of public services, in the railway and subway transport.

The control is realized according to a plan composed of: name of the economic agent, the themes, period and duration of the control. The plan is endorsed by the Romanian Railway Safety Authority Director and submitted for approval to the Ministry of Transports.

By the order of the Ministry of Transports the control can be performed without an approved plan.

The state inspection consist of verifying some specific activities carried out by the economic agent concerning the traffic safety, the transport security and the quality of public services, in the railway and subway transport.

Generally, the state inspection is performed, by sounding and suddenly.

If during the state inspection are established problems and real digressions, this activity could turn into controlling with approval of the Romanian Railway Safety Authority.

The control and the state inspection are concluding with a minute containing: name of the examined economic agent, themes, period, finding and measures to improve the situation.

The minute is signed by the Romanian Railway Safety Authority staff responsible with controlling or state inspection, the economic agent being aware of this situation by signing. Legal contests can be addressed to RRSA within ten days since the minute reached to the economic agent, under signature. Solving this contests within ten days since they were received.

The established digressions which are trespassing the legislation in force, are punished with contraventional fee.

The executive of the economic agent is transmitting the improvement of digressions to the Romanian Railway Safety Authority, within 10 days since the minute reached to the economic agent or since the date of the answer to the contest.

When it is noticed a non-observance of the Romanian Railway Safety Authority measures, as result of controlling and state inspection, depending on the situation gravity, RRSA can order the suspension or withdrawal of authorizations, certificates, licenses, as well as of those licenses issued by the Ministry of Transports, Romanian Railway Authority- RRA or perfecting and authorizing centre of the railway and subway transport staff .

In this purpose, the Romanian Railway Safety Authority issues and applies the provisions of the following specific procedures:

- drawing up the control and state inspection programme by the Romanian Railway Safety Authority;
- minimum control and state inspection norms that has to be performed by the responsible staff of the Romanian Railway Safety Authority;
- drawing up the control and state inspection themes by the Romanian Railway Safety Authority;
- concluding the controlling and state inspection with a minute.

During 2006, 98 employees of the Romanian Railway Safety Authority performed control and state inspection activities.

During 2006, the Romanian Railway Safety Authority performed 27 control and state inspection proceedings among the units of the railway infrastructure manager, non-interoperable railway infrastructure administrators and railway undertakings, as well among the units of the railway infrastructure manager and railway undertakings subordinated to the Ministry of Transports (National Society of Freight Railway Transport ‘CFR Marfă’ SA and National Society of Passenger Railway Transport ‘CFR Călători’ SA).

As well, during 2006 the Romanian Railway Safety Authority performed 2264 state inspection proceedings among the units and sub-units of the railway infrastructure manager, non-interoperable railway infrastructure administrators and railway undertakings, industrial railways holders, as for railway suppliers.

As well, according to the provisions of article 5 of the Transport Minister's Order no.210/14.03.2000 on the approval of the instructions to prevent and to examine the accidents and the railway events – 003, the economic agents who are performing railway transactions, are obliged to control their activities as regards the traffic safety.

Once issuing the norms of the Law no.55/2006 on traffic safety who transposed the Directive 2004/49/CE concerning the community railway safety and as result of granting the safety certificates and authorizations, will be elaborated a documentation of the safety management system carrying out internal audits to each railway infrastructure manager/administrator and railway undertaking.

2. Submission of all Infrastructure Managers and Railway Undertakings annual safety reports according to Article 9(4) Safety Directive by the legal deadline

By Law no. 55/2006 on railway safety, it was established a term for sending the annual report: before june 30. The railway infrastructure manager, non-interoperable railway infrastructure administrators and railway undertaking sent this annual reports on term.

		Issued Safety Certificates Part A	Issued Safety Certificates Part B	Issued Safety Authorisations	Other activities (to specify)
<i>3. Number of inspections of RUs/IMs, 2006(*)</i>	Planned	No	No	No	No
	Carried out	No	No	No	No

		Issued Safety Certificate Part A	Issued Safety Certificate Part B	Issued Safety Authorisations	Other activities (to specify)
<i>4. Number of audits of RUs/IMs, 2006(*)</i>	Planned	No	No	No	No
	Carried out	No	No	No	No

(*) Within 2006, the inspection and audit proceedings on granting safety certificates and authorizations of the RUs/IMs were not realized because there was any legal basis for this.

5. *Summary of the relevant corrective measures /actions (amendment, revocation, suspension, important warning, etc.) related to safety aspects following these audits/inspections.*

Was not necessary.

6. *Complaints of IMs on RUs related to conditions of certificates part A/B.*

Was not necessary

Romanian Railway Safety Authority – RRSA

Director

Dr. Eng. Vasile BELIBOU